

# A Message from the Department of Health & Social Services

## **What you need to know about Yukon's *Smoke-free Places Act***

On May 15, 2008, the Yukon *Smoke-free Places Act* came into effect. The *Act* bans smoking in public places, workplaces, work vehicles, and all vehicles carrying children under 18.

The new law requires you as a business owner, employer or manager, to provide a smoke-free environment for employees, clients and customers. This information sheet will tell you what you need to know **now**, but we encourage you to read through the *Smoke-free Places Act* to make sure that your business is in compliance. (A copy of the *Act* is enclosed.)

If you already offer a  
smoke-free environment,  
**CONGRATULATIONS!**

## **The *Smoke-free Places Act* is in effect**

The *Smoke-free Places Act* came into effect on May 15, 2008 and regulations are being developed. Sections of the *Act* set out acceptable smoking behaviour and these sections are in effect now.

In essence, managers, employers and owners must:

- post "no smoking" signs,
- remove ashtrays, and
- take steps to stop a person from smoking.

If you are not sure about your responsibilities under the *Act*, please contact the Health Promotion Unit at (867) 667-8392 or toll-free: 1-800-661-0408, ext. 8392.

*On peut obtenir la version française de ce document en communiquant avec notre bureau au 667-8392 (sans frais, au 1-800-661-0408, poste 8392) ou en la téléchargeant à partir du site [www.hss.gov.yk.ca/programs/health\\_promotion/smokefree\\_places\\_act/](http://www.hss.gov.yk.ca/programs/health_promotion/smokefree_places_act/).*

## Smoke-free all the time

Under the *Smoke-free Places Act*, owners and managers must not allow smoking in indoor workplaces and public places, including restaurants and bars. Neither customers nor employees or management are permitted to smoke.

### **Smoking is banned at all times.**

The smoking ban also applies to outdoor patios where food or drink is served.

If an employee or customer does light up, you must take steps to get them to stop smoking.

- Remind them that smoking is banned and that they are committing an offence by smoking.
- Ask them to stop smoking indoors, and invite them to go outside to smoke.
- You can refuse to serve customers until they have stopped smoking in your establishment.
- If an employee lights up, progressive action should be considered (Please refer to the action flowchart at the end of this document).

## Designated smoking rooms (DSRs)

The *Smoke-free Places Act* does not allow owners and managers of restaurants and bars, workplaces, stores, or mines to set aside space or build rooms, for smoking. The entire premises, including outdoor patios, must be smoke-free.

### Important information for owners and managers of hotels and motels:

#### ■ Designating Sleeping Rooms as Smoking Rooms

Under the *Smoke-free Places Act*, owners and managers of hotels and motels can designate certain guest sleeping rooms as smoking rooms. Only guests assigned to these rooms can smoke there.

However, owners and managers cannot assign or build any other special rooms for smoking or allow smoking in any other space in the hotel or motel including hallways, stairwells, common areas, restaurants, bars or outdoor patios where food or drinks are served.

### Important information for owners and managers of mines:

#### ■ Sleeping accommodations are smoke-free during all hours.

Sleeping accommodations on mine sites are considered "group living facilities".

**Smoking is banned in group living facilities at all times.**

### Important information for owners, employers and managers of workplaces:

#### ■ Smoking allowed in certain cases

If you own a business and do not have any employees, you are allowed to smoke provided that the public doesn't frequent your business.

**If the public enters your building or workspace, you must take your smoking outdoors.**

## Smoking in work vehicles

Smoking is not allowed in work vehicles carrying two or more persons. An employee under 18 years is never allowed to smoke in the work vehicle, even if he or she is the sole occupant.

If your business requires the use of vehicles, then you must post “no smoking” signs inside the vehicle. Any ashtrays other than the ones supplied by the manufacturer must be removed. If you learn of an employee smoking in a work vehicle when another person is present, you must take steps to get them to stop smoking. Remind them that they are committing an offence.

## Other things to know and remember

### ■ Signage

We are developing a regulation to address the content of “no smoking” signs and posting requirements. Until it is ready, owners and managers can make or purchase their own “no smoking” signs as a reminder to customers, employees, and the public that smoking is prohibited. You should also post a sign prohibiting smoking near any entrance, window, or air intake vent.

A sample sign can be downloaded from our website at [www.hss.gov.yk.ca/downloads/int\\_tobacco\\_signage.pdf](http://www.hss.gov.yk.ca/downloads/int_tobacco_signage.pdf)

### ■ Distance from Entrances

We are developing a regulation to specify how far smokers must stand from entrances, windows, and air intake vents when smoking outdoors. Until this regulation is in place, smokers should be asked to be considerate and choose places to smoke outdoors where people will not be affected by second-hand smoke and the smoke will not drift into the building.

### ■ Smoking areas

You are responsible for removing all ashtrays located indoors, near entrances, and on patios where smoking is prohibited. You can create an outdoor smoking area using a bucket or can that is filled with sand for butts. Remember to locate the smoking area far enough from doors, windows and air intake vents so that the smoke will not drift into the building and affect people inside.

## Display and promotion of tobacco products not allowed

If you sell tobacco products, you should know that as of May 15, 2009, tobacco products can no longer be displayed and advertised. We are developing a regulation to address the content of tobacco advertisements and manner of display of tobacco products. When the regulation is in place, we will provide you with further information.

## Need more information?

If you have any questions about the Yukon *Smoke-free Places Act* and how it affects you, please call Health Promotion at 667-8392 or 1-800-661-0408, ext. 8392.

### Why we are doing this

- In Canada, approximately 37,000 smokers and 1,100 non-smokers die from tobacco-related illnesses every year.
- Smoking is the number one cause of preventable deaths and illnesses. It kills more Canadians than all other drugs, motor vehicle collisions, murders, suicides and HIV/AIDS combined.
- Smoking increases absenteeism in employees who smoke, cleaning costs, damage to furniture due to cigarette smoke and burns, and insurance.
- Providing smoke-free environments helps smokers quit, discourages young people from taking up smoking, and protects everyone from exposure to second-hand smoke.
- About 70 per cent of Yukoners 18 years and older do NOT smoke and 40 per cent of Yukoners are former smokers.

# Action Flowchart: How to deal with smoking in a smoke-free place

(Adapted from Smoke-free England: How to deal with smoking in a smoke-free place <http://www.smokefreeengland.co.uk/what-do-i-do/health-community.html#resources>)

If you are in charge of smoke-free premises and/or vehicles, you have a legal responsibility to prevent people from smoking in them. If someone does light up in a smoke-free place, here are some practical steps you can take to get them to stop. These are suggestions based on the experiences of other jurisdictions. **If the smoker threatens physical violence, you should notify and/or seek assistance from the police.**

