



Tobacco-Free Workplace TOOLKIT



**MAINE
PREVENTION
SERVICES**

Maine Center for Disease Control & Prevention
Department of Health and Human Services



Maine Tobacco-Free Workplace Policy: Good, Better, Best Criteria Checklist

In collaboration with the Maine CDC Tobacco and Substance Use Prevention Program and Maine Office of the Attorney General, MaineHealth Center for Tobacco Independence, has developed three levels of policy criteria for tobacco-free workplaces – labeled as Good, Better, and Best. The three levels build on each other but an organization could go directly to a Best level policy. The tiered approach provides opportunities to change policy in stages if there is not capacity to move directly to the highest level. Template policies for each of the three levels provide specific language for how each component can be met. Organizations that meet this model policy language may be eligible for free Tobacco-Free Workplace signs funded by Maine Prevention Services.

Good Level Policy

The Good Level Policy complies with Maine's Workplace Smoking Act of 1985.

To meet the Good Level, a Workplace needs to cover and include the following:

- ___ Policy **rationale** (statement about why the policy has been enacted).
- ___ Policy language includes a **reference to the Workplace Smoking Act of 1985 (22 M.R.S. §1580-A)**.
- ___ Policy addresses **all populations** (employees, contractors, clients, and visitors).
- ___ Policy language includes a **definition of smoking** with examples related to products or actions.
- ___ Policy prohibits smoking in **all buildings, outdoors within 20 feet of any business entryway, vent, window or doorway, vehicles used in the course of work, and outdoor areas under control of the employer**.
- ___ **Signage is posted** at all building entrances and throughout the building.
- ___ The **policy is posted** and copies are made available to anyone that requests one.
- ___ The **policy is communicated** through various strategies, such as at new employee orientation, and in training manuals.
- ___ Information about **quit resources**, including the Maine QuitLink (1-800-QUIT-NOW or MaineQuitLink.com) is **listed in the policy** and provided to staff.
- ___ **Includes general enforcement and compliance expectations** for all audiences (employees, contractors, clients, and visitors).

Better Level Policy

The Better Level Policy complies with Maine's Workplace Smoking Act of 1985 and exceeds Maine law by its inclusion of a ban on tobacco smoking on the entire property, including within personal vehicles.

To meet the Better Level, a Workplace needs to include all aspects of a Good Level Policy and must:

- ___ **Prohibit the smoking of tobacco products in all outdoor areas of the workplace property, at all times**, including outdoor eating areas, parking lots, and within personal vehicles when parked on company property.
- ___ **Signage is posted** at the entrance to all workplace properties.

Best Level Policy

The Best Level Policy complies with Maine's Workplace Smoking Act of 1985. This policy exceeds Maine law by its inclusion of a ban on the use of all tobacco products on the entire property under the control of the management of this worksite, including within personal vehicle while on the property.

To meet the comprehensive Best Level, a Workplace needs to include all aspects of the Good and Better Level Policies and the following:

- ___ **Policy prohibits smoking and the use of all tobacco products** at all times on the entire property.
- ___ Policy language includes a **definition of tobacco use**, which explicitly includes smoked, smokeless, and electronic products.

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BreatheEasyMaine.org

Tobacco-Free Workplace: Good Level Policy

This sample policy complies with Maine's Workplace Smoking Act of 1985.

(Insert workplace name here) is dedicated to providing a healthy and productive work environment. As required by law (*See*, 22 M.R.S. §1580-A), it will be our policy to provide a smoke-free workplace, effective (insert date). This policy applies to all employees, clients, contractors, and visitors. The Workplace Smoking Act of 1985 prohibits smoking within the business facility, which includes vehicles used in the course of work, and outdoor or off-site areas where employees, clients, and contractors perform services under the control of (Insert workplace name here). "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form.

"There is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to health." *The Health Consequences of Smoking – 50 Years of Progress: A Report of the Surgeon General*, U.S Department of Health and Human Services, 2014.

This policy is being posted and copies are being made available to anyone who requests one. The policy will be supervised by the management of (insert workplace name here) in accordance with Maine State law.

Effective (insert policy adoption date), smoking of tobacco products are banned in:

- All enclosed areas where work is performed, as well as in all rest rooms, all meeting rooms, all lunch rooms, and all private offices.
- All outdoor areas under the control of the employer, for which employees perform services for the employer.
- All off-site locations under the control of the employer, for which employees perform services for the employer.
- All employer-owned and all employer-leased vehicles used by employees.
- All employee-owned vehicles used in the course of work whenever other employees or another person is in the vehicle for work-related reasons.

Smoking of all tobacco products is only allowed outdoors at minimum 20 feet away from any business facility entryway, vent, window or doorway, including vehicles used in the course of work, outdoor areas, and off-site locations under the control of the employer. Smoking is never allowed in any location that allows smoke to circulate back into the business facility. **See management for Designated Smoking Area.**

No Smoking signs will be posted at all building entrances and throughout the building. In addition, this policy will be included in training manuals and new employee orientation.

This workplace understands tobacco is a legal product, and further recognizes that as an employer, this workplace may not require that employees or prospective employees refrain from tobacco use when not at work and will not discriminate



Maine law requires employers to have a written smoking policy.

against employees who use tobacco outside of employment. This workplace will promote the use of all available resources, including the Maine QuitLink (MaineQuitLink.com and 1-800-QUIT-NOW) to assist tobacco users who wish to stop their use of tobacco products.

The success of this policy will depend on the courtesy and cooperation of both tobacco smokers and nonsmokers. Each of us is responsible for following and helping enforce the policy. Problems should be brought to the attention of the appropriate supervisor. Violations of this policy will be handled through the established disciplinary procedures.

Company Representative

Date

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Tobacco-Free Workplace: Better Level Policy

This sample policy complies with Maine’s Workplace Smoking Act of 1985 and exceeds Maine law by its inclusion of a ban on tobacco smoking on the entire property, including within personal vehicles.

(Insert workplace name here) is dedicated to providing a healthy and productive work environment. As required by law (See, 22 M.R.S. §1580-A), it will be our policy to provide a smoke-free workplace, effective (insert date). This policy applies to all employees, clients, contractors, and visitors. The Workplace Smoking Act of 1985 prohibits smoking within the business facility, which includes vehicles used in the course of work, and outdoor or off-site areas where employees, clients, and contractors perform services under the control of (Insert workplace name here). “Smoking” includes carrying or having in one’s possession a lighted or heated cigarette, cigar, or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. This policy also bans tobacco smoking in all outdoor areas of the workplace property at all times, 365 days per year, 24 hours a day.

“There is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to health.” *The Health Consequences of Smoking – 50 Years of Progress: A Report of the Surgeon General*, U.S. Department of Health and Human Services, 2014.

This policy is being posted and copies are being made available to anyone who requests one. The policy will be supervised by the management of (insert workplace name here) in accordance with Maine State law.

Effective (insert policy adoption date), smoking of tobacco products are banned in:

- All enclosed areas where work is performed, as well as in all rest rooms, all meeting rooms, all lunch rooms, and all private offices.
- All outdoor locations, including outdoor eating areas, parking lots, and within vehicles including personal vehicles whenever such vehicles are parked on company property.
- All off-site locations under the control of the employer, for which employees perform services for the employer.
- All employer-owned and all employer-leased vehicles used by employees at all times.
- All employee-owned vehicles used in the course of work whenever other employees or another person is in the vehicle for work-related reasons.

No Smoking signs will be posted at the entrance to all workplace property, at all building entrances, and throughout all buildings that comprise the workplace. In addition, this policy will be included in training manuals and new employee orientation.

This workplace understands that tobacco is a legal product, and further recognizes that as an employer, this workplace may not require that employees or prospective employees refrain from tobacco use when not at work and will not discriminate against employees who use tobacco outside of employment. This workplace will promote the use of all available resources, including the Maine QuitLink (MaineQuitLink.com and 1-800-QUIT-NOW) to assist tobacco users who wish to stop their use of tobacco products.



Smoke-free policies support a healthier workforce.

The success of this policy will depend on the courtesy and cooperation of both tobacco smokers and nonsmokers. Everyone is responsible for following and helping to enforce the policy. Problems should be brought to the attention of the appropriate supervisor. Violations of this policy will be handled through the established disciplinary procedures.

Company Representative

Date



Tobacco-Free Workplace: Best Level Policy

This sample policy complies with Maine's Workplace Smoking Act of 1985. This policy exceeds Maine law by its inclusion of a ban on the use of all tobacco products on the entire property under the control of the management of this worksite, including within personal vehicle while on the property.

(Insert workplace name here) is dedicated to providing a healthy and productive work environment. As required by law (See, 22 M.R.S. §1580-A), it will be our policy to provide a smoke-free workplace, effective (insert date). This policy applies to all employees, clients, contractors, and visitors. The Workplace Smoking Act of 1985 prohibits smoking within the business facility, which includes vehicles used in the course of work, and outdoor or off-site areas where employees, clients, and contractors perform services under the control of (Insert workplace name here). "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. This policy also bans the use of all tobacco products, including cigarettes, cigars, smokeless tobacco products, electronic smoking devices, and any new tobacco products of any and all types on the entire property under the control of the management of this worksite, including within personal vehicles while on the property, 365 days per year, 24 hours a day.

"There is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to health." *The Health Consequences of Smoking – 50 Years of Progress: A Report of the Surgeon General*, U.S Department of Health and Human Services, 2014.

This policy will be posted, and copies will be made available to anyone who requests one. The policy will be supervised by the management of (insert workplace name here) in accordance with Maine State law.

Effective (insert policy adoption date), the use of all tobacco products is banned in:

- All enclosed areas where work is performed, as well as in all rest rooms, all meeting rooms, all lunch rooms, and all private offices.
- All outdoor locations, including outdoor eating areas, parking lots, and within vehicles including personal vehicles whenever such vehicles are parked on company property.
- All off-site locations under the control of the employer, for which employees perform services for the employer.
- All employer-owned and all employer-leased vehicles used by employees at all times.
- All employee-owned vehicles used in the course of work whenever other employees or another person is in the vehicle for work-related reasons at all times.

Signs detailing the requirements of this policy will be posted at the entrance to all workplace property, at all building entrances, and throughout all buildings that comprise the workplace. In addition, this policy will be included in training manuals and new employee orientation.

This workplace understands that tobacco is a legal product, and further recognizes that as an employer, this workplace may not require that employees or prospective employees refrain from tobacco use when not at work and will not discriminate against employees who use tobacco outside of employment. The management of (insert workplace name here) is dedicated to promoting health and wellness and recognizes that tobacco is an extremely addictive substance. This workplace will promote the use of all available resources, including the Maine QuitLink (MaineQuitLink.com and 1-800-QUIT-NOW) to assist tobacco users who wish to stop their use of tobacco products.



Smoking causes more than \$600 million in productivity losses in Maine each year.

The success of this policy will depend on the courtesy and cooperation of both tobacco users and nonusers. Everyone is responsible for following and helping to enforce the policy. Problems should be brought to the attention of the appropriate supervisor. Violations of this policy will be handled through the established disciplinary procedures.

Company Representative

Date

Tobacco-Free Workplaces: Good for Business, Good for Health



Maine law requires employers to have a written smoking policy.



There is no risk-free level of exposure to secondhand smoke.



Smoking causes more than \$600 million in productivity losses in Maine each year.



Smoke-free policies support a healthier workforce.



Tobacco use is the leading cause of preventable disease and death.



Going tobacco-free supports your employees who are trying to quit.

Tobacco-free workplace policies save lives and money by:

- Protecting worker health
- Supporting employees who are trying to quit
- Reducing maintenance and insurance costs
- Preventing employees from starting to use tobacco products

Learn more at: BreatheEasyMaine.org

Steps to Create a Tobacco-Free Workplace



1 Assess current policy and review against Maine state law and Good-Better-Best policy language.



5 Announce the policy and regularly communicate upcoming changes.



2 Form an advisory committee to recommend changes to the policy.



6 Educate employees about available quit supports.



3 Create policy plan and implementation timeline.



7 Implement the policy.



4 Draft revisions to the policy and procedures.



8 Maintain the tobacco-free policy and evaluate efforts annually.

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Support Employees by Connecting Them to the Maine QuitLink

Studies show tobacco-free workplace policies support employees to quit. Increase success rates by connecting employees to tobacco treatment.

Why it matters:

- Overall, employees who do not smoke take fewer sick days. Those who use tobacco miss an average of 6.2 days per year as a result of illness, whereas non-smokers only miss an average of 3.9 days.
- Almost 70% of smokers want to quit. Your workplace can help by connecting them to proven resources.
- Tobacco users who want to quit may have more of a reason to do so when your organization goes tobacco-free.
- A tobacco-free environment helps create a safer, healthier workplace for everyone.
- Those who use tobacco, along with managers and HR, may appreciate a clear company policy about tobacco use at work.



How it can help:

- Maine residents can receive free, non-judgmental, evidence-based tobacco treatment.
- When ready, individuals can connect with a Quit Coach or access web-based services to make a personalized plan.
- Participants may be eligible for free medications (patches, gum and lozenges).
- Tobacco users are 2-3 times more likely to successfully quit with the Maine QuitLink than on their own.



Free and confidential support is available by visiting MaineQuitLink.com or by calling 1-800-QUIT-NOW.



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