



VIRGIN ISLANDS DEPARTMENT OF HEALTH

COUNTDOWN TO

A SMOKEFREE U.S. VIRGIN ISLANDS

Preparing Your Business for the Virgin Islands Smokefree Law

A Guide for the Hospitality Industry

The Virgin Islands Smokefree Law will be enforced come February 10, 2011. The law prohibits smoking in virtually all workplaces, including restaurants and bars.

What does the new law do?

As of November 10, 2010, the U.S. Virgin Island restaurants, bars, and taverns and other places of employment will be required to be smoke-free to protect employees and the public from secondhand smoke. Smoking will also be prohibited in a buffer zone within 20 feet of all entrances and exits, windows and ventilation intakes.

What is secondhand smoke?

In issuing a groundbreaking report on secondhand smoke in June 2006, Former U.S. Surgeon General Richard Carmona stated, "The debate is over. The science is clear: Secondhand smoke is not a mere annoyance, but a serious health hazard that causes premature death and disease in children and non smoking adults." Secondhand smoke contains more than 4,000 chemicals, including at least 69 carcinogens. The Surgeon General found that secondhand smoke is a proven cause of lung cancer, heart disease, serious respiratory illnesses such as bronchitis and asthma, low birth weight and sudden infant death syndrome. The Surgeon General also found that secondhand smoke is responsible for tens of thousands of deaths in the United States each year. There is no safe level of exposure, and only smoke-free laws provide effective protection from secondhand smoke.

Do I need to post signs?

Yes! Signs prohibiting smoking must be clearly and conspicuously posted at each entrance of and inside every public place and place of employment where smoking is prohibited. ***Posting signs before the effective date*** of the new law will help make the transition to smoke-free air smooth for both employees and patrons. You may also want to use special smoke-free coasters, napkins or buttons to help get the word out. Nonsmoking signs must be downloaded from either website: Department of Health- www.healthvi.org or Department of Licensing and Consumer Affairs- www.dlca.vi.gov laminated and posted.

How do I deal with customers who want to smoke?

You or your staff must remind your customers of the law and should politely explain that they must step outside to smoke. Train your staff about what to say to customers, for example: *This is now a smoke-free establishment, you'll have to put out your cigarette.* Or *The new smoke free law prohibits smoking indoors. Thank you for your cooperation.*

What do I do about a customer who refuses to comply?

Use common sense. If necessary, use your normal protocol for removing a disruptive customer from your premises.

Am I required to provide a smoking break room for my employees?

No. In fact, the smoke-free law prohibits employers from providing a smoking room. Businesses that currently have a separate room for smoking can no longer allow smoking in these rooms or anywhere else inside. You must simply inform your smoking employees that they must go outside to smoke and that they must do so twenty feet away from any entrance, exit or ventilation intake. Be sure to communicate early and clearly with your employees to ensure they understand how the new smoke-free workplace law applies to both them and your customers.

How do I enforce the "20-foot Rule?"

The most important thing is to train your staff about the new law and post adequate signage BEFORE February 10, 2011. The 20-Foot Rule says that smoking is not allowed within 20 feet of any entrance, exit or ventilation intake of your establishment. A business owner's responsibility only extends to areas of service under his or her control.

Help Your Business Countdown to Smoke-free Air!***One Month before Effective Date:***

- Post Signs at entrances, inside, and in outdoor nonsmoking and smoking areas
- Educate employees about the new law
- Distribute paystub insert or brochure (available from www.healthvi.org or www.dlca.vi.gov) to all employees
- Order "smoke-free" napkins, coasters, buttons, etc.

Effective Date (and one day before):

- Remind employees and smoking patrons about the new law
- Offer special "smoke-free" drinks or dishes

After Effective Date:

- Celebrate the successful transition to healthy air!
- Enjoy the ongoing cost savings from employee wellness and reduced maintenance

Where can I get more information?

For more information go to: www.healthvi.org or www.dlca.vi.gov, or contact The Department of Health (340)773-1311 Ext. 3100