



REGULATION OF SMOKING IN PUBLIC AND WORK PLACES



Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars.

SMOKING RESTRICTIONS

Public Health Law, Article 13-E, Section 1399-o states that smoking shall not be permitted and no person shall smoke in the following indoor areas: 1. Places of Employment; 2. Bars; 3. Food service establishments, except as provided in subdivision six of section thirteen hundred ninety-nine-q of this article; 4. Enclosed indoor areas open to the public containing a swimming pool; 5. Public means of mass transportation, including subways, underground subway stations, and when occupied by passengers, buses, vans, taxicabs and limousines; 6. Ticketing, boarding and waiting areas in public transportation terminals; 7. Youth centers and facilities for detention as defined in sections five hundred twenty-seven-a and five hundred three of the executive law; 8. Any facility that provides child care services as defined in section four hundred ten-p of the social services law, provided that such services provided in a private home are excluded from this subdivision when children enrolled in such day care are not present; 9. Child day care centers as defined in section three hundred ninety of the social services law and child day care centers licensed by the city of New York; 10. Group homes for children as defined in section three hundred seventy-one of the social services law; 11. Public institutions for children as defined in section three hundred seventy-one of the social services law; 12. Residential treatment facilities for children and youth as defined in section 1.03 of the mental hygiene law; 13. All public and private colleges, universities and other educational and vocational institutions; 14. General hospitals and residential health care facilities as defined in article twenty-eight of this chapter, and other health care facilities licensed by the state in which persons reside; provided, however, that the provisions of this subdivision shall not prohibit smoking by patients in separate enclosed rooms or residential health care facilities, adult care facilities established or certified under title two of article seven of the social services law, community mental health residences established under section 41.44 of the mental hygiene law, or facilities where day treatment programs are provided, which are designated as smoking rooms for patients of such facilities or programs; 15. Commercial establishments used for the purpose of carrying on or exercising any trade, profession, vocation or charitable activity; 16. Indoor arenas; 17. Zoos; 18. Bingo facilities.

POSTING OF SIGNS

Public Health Law, Article 13-E, Section 1399-p Posting of Signs

1. "Smoking" or "No Smoking" signs, or the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, shall be prominently posted and properly maintained where smoking is regulated by this article, by the owner, operator, manager or other person having control of such area.

UNEMPLOYMENT INSURANCE NOTICE

ATTENTION EMPLOYER:

The Unemployment Insurance poster for the State of New York is available from the New York State Department of Labor, Registration Subsection. Once you register for Unemployment Insurance and are determined liable, you will receive a poster, "Notice to Employees", that informs your employees that their jobs may be covered for unemployment insurance. The poster must be displayed where it can be easily seen by your employees, at each of your business locations.

Contact the New York State Department of Labor, Registration Subsection at (518) 485-8589 to find out about obtaining this poster, or if you have any questions.

WORKERS' COMPENSATION AND DISABILITY NOTICE

ATTENTION EMPLOYER:

The Notice of Compliance for Workers' Compensation and the Notice of Compliance For Disability Benefits can only be obtained from your insurance provider. These notices inform employees that their employer is in compliance with the Workers' Compensation Law and of their rights and obligations if they suffer a work related injury or occupational disease. You are required to obtain and post these notices in a location where they can easily be seen by your employees, at each of your business locations, or you may be liable for fines.

Contact the Workers' Compensation Board at (866) 750-5157 or visit the WCB website at www.wcb.state.ny.us if you have any questions.