Developing and Implementing a Smoke-Free/Tobacco-Free Regulation

Implementing a local smoke-free or tobacco-free regulation is the best way to protect people from secondhand smoke exposure. Local campaigns educate the community about the health effects of secondhand smoke, and regulations passed at the local level have high rates of compliance because people were involved in the process and understand why the law was enacted.

A successful effort requires a lot of planning and organization. The public needs to be educated about the health dangers of secondhand smoke and their right to breathe smoke-free air in government buildings and vehicles, on government grounds, and in enclosed public places. Local government officials should work together with the local health department and other allies to strategize for the campaign; educate the public; plan ahead for implementing and enforcing the regulation; and assign the responsibilities associated with enforcing a smoke-free or tobacco-free regulation.

Assess the Current Situation

Before embarking on a campaign for a new tobacco regulation, you must first determine what the current law is in your community. In North Carolina, local governments have clear authority to regulate smoking and all tobacco use in local government buildings and vehicles, on government grounds, and in certain public places.

Other opportunities exist to find out if your community is ready for a smoke-free or tobacco-free regulation. Community coalitions and municipal offices can undertake public opinion surveys, asking residents how they feel about secondhand smoke and smoke-free laws. Almost all such surveys show strong support for smoke-free air. If you have determined that there is strong community support in favor of a smoke-free law, move forward by sharing all of this information with all area elected representatives and other officials.

Review existing tobacco use regulations, and ask the following questions:
- What are the restrictions on tobacco use, if any?
- Who does the policy apply to?
- When was the policy established, and why? (Does it need to be updated/expanded?)
- What are the people's attitudes about the current policy?
- Do people comply with the policy?
- Who is satisfied or dissatisfied? Why?
- Is there support to expand the regulation?

Develop the Policy

The County/City or Town Management can access policy options with model language in this **Toolkit** under the **Policy Section**. Additionally, the Tobacco Prevention and Control Branch maintains a list of counties and municipalities that have implemented regulations to restrict tobacco use in government buildings, government vehicles, on government grounds, and in certain public places.

Communication

Communication and compliance are closely related. The more time and effort spent on frequently communicating the policy in multiple ways and locations, the easier it will be to enforce.

Factors that facilitate compliance include:

- Good signage and communication to staff and the public, both pre and post-implementation;

- Leadership and support shown by management and supervisors;
- Patience, perseverance, and consistency as the workforce/clients/visitors adapt to the change

Once the County/City/Town Government leaders decide on the new tobacco use policy, there's an important need to publicly announce the upcoming changes. Remember to consider the need to involve and communicate with all local government management.

- Announce a timeline for implementing the policy and cessation activities. The announcement should be made significantly in advance of the policy's effective date (**3-6 months)** to allow smokers to prepare for changes and to permit any facility or material changes that might be necessary (such as removal of ashtrays, installation of signs). It is recommended that cessation support for employees be offered at the same time as the advance announcement of the pending policy change, as well as before and after the effective date. Research shows that tobacco use restrictions encourage people to think about quitting.
- Announce the policy and cessation support by using your standard communication channels (examples include websites, letters to employees and their families, paycheck stuffers, posters, and notices in employee newsletters). To reach clients, visitors, and the public, it is important to communicate the upcoming changes via new coverage, public service announcements, and signage.

Announce and Manage the Policy

The County/City/Town is now ready to formally announce the policy to and prepare for implementation. Suggested actions include the following:
- Email or other notice to all employees,
- Posting of signs about the upcoming policy,
- "Count-down" sign or banner showing how many days until the policy goes into effect, and
- News release or news conference to inform the public.

Possible Issues and Sample Responses

1. **Does secondhand smoke really have any adverse health effects on nonsmokers?**

   Inform people about the known health effects of secondhand smoke by using the scientifically referenced information in this Educational Toolkit under Health Effects. You may want to seek the support of your local health director, or another public health or community health professional.

2. **Should employees be allowed to take time away from their jobs to participate in cessation activities?**

   You can plan cessation programs at times that are not part of the work day but are convenient for employees (e.g., before work, during lunch, or after work). Encourage use of the 1-800-QUIT NOW cessation support service available to all citizens in NC who want to quit using tobacco products.

3. **Will a smoke-free policy result in the loss of smoking employees?**

   Very few employees leave their jobs because of implementation of smoke-free policies: 3% of an extensive small business sample and 2% of another sample said employees left due to a smoke-free policy.

4. **Will a smoke-free policy be too difficult to enforce, especially on grounds or outdoor locations?**

   Enforcement procedures are almost never needed, because most policies are self-enforcing and compliance is very high. Compliance is high because both management and employees communicate the policy well and support the smoke-free policy, both among other staff and to the public.

5. **Will a smoke-free policy alienate visitors?**

In most all cases, clearly posted signs are enough to alert visitors about the smoke-free policy. Some local government agencies that have a lot of public visitors to their buildings or grounds might decide to hand out a small card explaining the smoke-free policy.

6. **Won't a smoke-free policy cost too much time and money to implement?**

- Experience and survey data have clearly demonstrated that developing and implementing a smoke-free policy is not expensive or time consuming. Costs and time can be saved with a designed implementation. Clear communication is the key element..

Public Education/Posting Signs

To assist in enforcement, all county/city town employees and the public needs to be informed. The local government should engage in a continuing program to explain and clarify the purposes and requirements of the policy to the employees and citizens affected by it. Every area established as smoke-free or tobacco-free under the policy should post a conspicuous sign stating that fact. The international "No Smoking" symbol consisting of a pictorial representation of a cigarette enclosed in a circle with a bar across it is considered acceptable.

Timeline for Implementation

See Sample Timeline section in toolkit or consult with Tobacco Prevention and Control Branch staff for assistance.

For further information or assistance, please contact:

Elisabeth K. Constandy, MS, Director of Program Development
(910) 790-6007
elisabeth.constandy@dhhs.nc.gov

or

Jim D. Martin, MS, Director of Policy and Programs
(919) 707-5404
jim.martin@dhhs.nc.gov

Some of the content of this document was modified from the Americans for Nonsmokers' Rights Foundation "Going Smokefree" resource. Accessed January, 2011 at:
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