



## OREGON'S SMOKEFREE WORKPLACE LAW

**INCLUDING THE 10-FOOT  
OUTDOOR SMOKEFREE ZONE**



**SMOKEFREE**  
oregon

## PROTECTING EMPLOYEES AND CUSTOMERS FROM SECONDHAND SMOKE

### INDOOR SMOKING NOT ALLOWED

Changes in Oregon's Smokefree Workplace Law (ORS 433.835-870, effective January 1, 2009) expand the list of indoor workplaces required to be smokefree. Workplaces that must be smokefree include but are not limited to:

- Bars and taverns, including bar areas of restaurants
- Bowling centers
- Bingo halls
- Private and fraternal organizations
- Employee breakrooms
- Restaurants
- Private offices and commercial office buildings
- Retail and wholesale establishments
- Manufacturing plants and mills
- Truck stops
- Child and adult day care
- Assisted living facilities
- Movie theaters and indoor entertainment venues
- At least 75 percent of hotel/motel sleeping rooms
- Work vehicles that are not operated exclusively by one employee

The expanded law applies to any business or organization that has one or more employees or is ever open to the public. Smoking is not allowed in any enclosed area regardless of ventilation.

Any structure with a ceiling and three or more permanent or temporary walls is considered an enclosed area. Temporary walls include walls constructed of plastic, mesh or other screening materials, slats, louvered blinds, fabric, blankets, or other non-permanent material.

### OUTDOOR SMOKING LIMITED

The law also protects workers, customers and visitors from breathing secondhand smoke as they enter businesses or breathe outside air through windows and ventilation systems.

### OUTDOOR SMOKING AREAS

Smoking is not permitted within 10 feet of any entrance, exit, window or air intake vent. The law establishes the 10-foot smokefree zone as a minimum standard.

### Helping Smokers Quit

Help employees and customers quit smoking for good. Oregon's Tobacco Quit Line offers free, friendly and confidential coaching and materials. Callers may be eligible to receive free nicotine patches or gum.

1-800-QUIT-NOW

1-877-2NO-FUME (Español)

1-877-777-6534 (TTY)

### For More Information About the Law

Visit the Oregon Department of Human Services website at:  
[www.healthoregon.org/smokefree](http://www.healthoregon.org/smokefree)  
Toll-free: 1-866-621-6107



## WHY THE LAW IS IMPORTANT

Secondhand smoke causes heart disease, lung cancer and poor respiratory health. According to the U.S. Surgeon General, there is no known safe level of secondhand smoke exposure. The Smokefree Workplace Law makes sure all Oregonians can work in a safer and healthier environment.

## BENEFITS FOR BUSINESS

Smokefree workplaces are good for business.

- Ninety percent of Oregonians, including 77 percent of smokers, agree that smoking should not be allowed in indoor workplaces.
- Businesses are cleaner and safer, saving owners money.
- Employees are healthier and take fewer sick days.

## HOW TO COMPLY

It's easy! Businesses need to:

- Prohibit smoking in the workplace and within 10 feet of all entrances, exits, windows and air intake vents.
- Post signs at each entrance providing notice that smoking is prohibited within 10 feet. Signs are available through the Oregon Tobacco Education Clearinghouse at [www.healthoregon.org/smokefree](http://www.healthoregon.org/smokefree) or 1-888-412-1701.
- Encourage and support employees and customers who want to quit smoking. For free, confidential help with quitting, anyone can call the toll-free Oregon Tobacco Quit Line: 1-800-QUIT-NOW or 1-877-2NO-FUME (Español).

## ENFORCEMENT OF THE LAW

The law places the responsibility on business owners to maintain a smokefree environment. Individuals who smoke will not be cited for smoking inside or outside a business.

- The Oregon Public Health Division will address complaints and help business owners comply with the law.
- Business owners unwilling to comply with the law can be fined up to \$500 per day, not to exceed \$2,000 in a 30-day period for a single employer.
- If business owners want to appeal a citation, the citation will provide information on how to do so.

## FILING A COMPLAINT

Employees or the public can file a complaint confidentially by calling 1-866-621-6107 or by completing an online complaint form at [www.healthoregon.org/smokefree](http://www.healthoregon.org/smokefree).

## EXCEPTIONS TO THE LAW

The only exceptions to the Smokefree Workplace Law are certified smoke shops, cigar bars, tribal casinos and up to 25 percent of hotel/motel sleeping rooms. Smoking of noncommercial tobacco for American Indian ceremonial purposes is permitted under certain circumstances.

Smoke shops and cigar bars must be certified. More information and documents related to certification are available at [www.healthoregon.org/smokefree](http://www.healthoregon.org/smokefree).

Constant exposure to secondhand smoke—in the workplace or at home—nearly doubles the risk of heart attack.

Each year, close to 8,000 Oregonians die from smoking or exposure to secondhand smoke.

Food service workers exposed to cigarette smoke at work may face a 50 percent higher risk of lung cancer.

Seventy-three percent of Oregon smokers want to quit, and smokefree policies are proven to help people kick the habit for good.



**Tobacco Prevention and Education Program**  
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