



S A F E T Y

BULLETIN



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CONSTRUCTORS ASSOCIATION OF WESTERN PENNA.

Suggested Routing

- Company Management
- Field Supervision
- Safety Director/Coordinator

**Safety Bulletin # 11 - 08
September 10, 2008**

TO: CAWP/H2AP Members
FROM: Jason M. Koss, Director of Industry Relations
SUBJECT: Pennsylvania Clean Indoor Air Act

The Pennsylvania Clean Indoor Air Act, which prohibits smoking in most public places, including workplaces, goes into effect on September 11, 2008. The purpose of the Act is to protect millions of Pennsylvanians from the dangers of secondhand smoke. Even if your workplaces is already smoke-free, you will need to take certain steps to make sure they are ready to comply with the ban.

The Act bans smoking in any “public place” in Pennsylvania, including *workplaces*, with certain exceptions. A *workplace* is an “indoor area serving as a place of employment, occupation, business, trade, craft, professional or volunteer activity.” This includes job-site trailers.

Civil and criminal fines and penalties for persons who violate the Act, including employers who permit individuals to smoke or fail to post signs, range from up to \$250 for the first violation to up to \$1,000 for subsequent violations.

Contractors should first determine whether they will allow smoking in any portion of their work sites. Any enclosed indoor area will be deemed to be a *workplace* within the meaning of the law, but employers may generally allow smoking in unenclosed outdoor locations such as construction sites, equipment and storage yards, and roads.

Contractors must post signs with the text “No Smoking” or with a picture of the international no smoking symbol - a picture of a burning cigarette in a circle with a bar across it - in prominent locations throughout the areas where smoking is prohibited.

Contractors should take reasonable measures to ensure that people do not smoke in prohibited areas. It is a defense to violations of the Act if an employer made “a good faith effort to prohibit smoking.” The Act does not describe what a “good faith effort” is, but it would be wise for employers to remove all ashtrays and be prepared to ask individuals to refrain from smoking.

This Safety Bulletin may be downloaded at www.cawp.org under SAFETY. If you have any questions, please call the Association office at (412) 343-8000.