

NEW KANSAS SMOKING BAN DIRECTLY AFFECTS EMPLOYERS

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Employment and Labor Foulston Siefkin Issue Alert

On March 12, 2010, Kansas Governor Mark Parkinson signed into law a ban on smoking in all public buildings and any indoor place of employment. The smoking ban extends to a ten-foot radius outside building access points, such as doorways, open windows, and air intakes. There are only a few limited exemptions, including casinos, tobacco shops, and private homes (unless used for day care).

The law specifically requires employers to adopt, maintain, and communicate to applicants and employees a written policy that prohibits smoking in all indoor workplaces. The law also requires the conspicuous placement of no smoking signs, which must display the no smoking symbol and clearly state that smoking is prohibited by state law. In addition, the new law contains an anti-retaliation provision that protects applicants and employees who report violations of the law.

The law goes into effect on July 1, 2010. Employers should start taking action now to make sure they will be in compliance. This includes reviewing and updating smoking policies, establishing a communication plan, and obtaining and posting compliant signs. Contact your legal counsel if you have questions or need assistance complying with the new law.

For Further Information

If you have questions about how this new legislation may impact your company or if you need compliance assistance, call Boyd Byers at (316) 291-9716 or email him at bbyers@foulston.com.

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