

# Smokefree - What it means for hair salons and barbers

Smokefree legislation ensures that all workers and members of the public are protected from the harm caused by tobacco smoke.

## Are hair salons and barbers covered by the legislation?

Yes. The legislation covers all workplaces, which are used as a place of work by more than one person or are visited by members of the public. Smoking rooms and designate smoking areas will no longer be allowed in any wholly or substantially enclosed building or structure.

## What does '*enclosed*' and '*substantially enclosed*' mean?

Enclosed: the premises has a ceiling or roof and is wholly enclosed, whether on a permanent or temporary basis, e.g. tents, marquees, conservatories.

Substantially enclosed: the structure has a ceiling or roof and there are openings in the walls which are less than half the perimeter of the walls. This is called the '50% rule'.

## My shop is in my home. Does it have to be smokefree?

Private dwellings are not covered by the legislation. However the room which is used as your shop will need to be smokefree. The legislation requires any part of a private dwelling which is visited by people who do not live in the dwelling to be smokefree.

## What does the legislation mean in practice?

It requires the management to:

- Ensure premises are smokefree.
- Display 'No-smoking' signs in a prominent position, including parts of a private dwelling used as a shop. The sign should carry the international red 'no smoking' symbol.
- Take reasonable steps to ensure that customers and staff are aware that the premises are legally required to be smokefree and that they are compliant.

## What about entrances to my premises?

Outside areas are not covered by the legislation. However you may want to consider making it a policy that smoking is not permitted within a certain distance from outside entrances so that staff and customers do not have to walk through a cloud of smoke to get into your premises.

## Do employers have to provide smoking breaks or outside smoking areas?

No on both counts. By law, employers must give staff an uninterrupted rest break of 20 minutes when their daily working time is more than six hours. Staff can, of course, smoke during their rest period, if they choose, but they must not smoke in an enclosed or partially enclosed area.

As an employer you might like to decide where smoking is allowed elsewhere on your premises e.g. in open car parks, grounds, or shelters.