

January 1989

**RHODE ISLAND
Workplace Smoking Restrictions**

Legislative History

S2643 enacted June 27, 1986, as Chapter 20.7. Effective immediately. Policies to be in effect within three months of enactment.

Employer's Responsibilities

Must "attempt to reach a reasonable accommodation, insofar as possible, between the preferences of the nonsmoking and smoking employees" using already available means of ventilation, separation or partition of the workspace. May prohibit smoking throughout the workplace.

Nonsmoker's Control

Any nonsmoking employee may object about "the smoke hazard or discomfort" in workplace. Employee may complain of violations to Department of Health. Purpose section prohibits termination, without due cause, or discrimination against an employee solely because the employee exercised rights under this chapter.

Areas Where Smoking Must Be Banned

None specified.

Exemptions

Workplaces in private homes, space leased by independent contractor, private enclosed workplaces occupied exclusively by smokers.

Enforcement and Penalties

Employee to complain to Department of Health; after second unresolved complaint, Department to ask Attorney General for prosecution. Noncomplying employer subject to fine of \$50 to \$500 per day.

Other Public Places Where Smoking Is Restricted

Restaurants, food stores, health care facilities, educational facilities, cultural facilities, public transportation, elevators.

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