

EMPLOYEE AGREEMENT

Relating to the Sale of Tobacco Products

I understand that Alaska law prohibits the sale of tobacco (cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or other smokeless tobacco products) to any person under the age of 19.

I understand that selling cigarettes, cigars, smokeless tobacco, or any other tobacco product to a person under age 19 may result in a conviction and fine of no less than \$300.

I understand that my employer, _____ also prohibits the sale of tobacco products to persons under age 19, and requires that I check the photo identification and verify the age of anyone wishing to purchase tobacco.

I further understand that failure to follow my company's policy and rules concerning tobacco sales to anyone under age 19 will result in the following disciplinary action:

(Employer should specify the disciplinary action(s) the company will take)

I agree to the following rules and company policy about the sale of tobacco products.

I will not sell tobacco products to any person under age 19. I understand that a note or phone call from a parent or other adult is not acceptable and I will not make any tobacco sale to a minor.

I will ask for photo identification and verify the age of anyone who wishes to purchase tobacco products. If there is any doubt about the person being legally entitled to purchase cigarettes or other tobacco products, I will not make the sale.

Employee's Signature _____ Date _____

Employee's Name _____



I have discussed the Alaska law and my company policy regarding the sale of tobacco products to people under the age of 19 with the above named employee. I believe that he or she understands the law, penalties, company policy and disciplinary consequences associated with illegal sales.

I will support this employee's judgment in refusing to sell tobacco products to anyone who fails to establish that they are old enough to legally purchase tobacco in Alaska.

Manager's Signature _____ Date _____

Manager's Name _____

This or any other agreement your company uses should be maintained in the worker's personnel file as part of the permanent employment record.

EMPLOYEE QUIZ

For each question, please (.) the correct answer.

- In Alaska it is against the law to sell tobacco products to anyone under the age of:
 - 19
 - 21
 - 27
- It is a good idea to check the ID of customers wishing to purchase tobacco products if they look younger than:
 - 19
 - 21
 - 27
- Who can be fined for selling tobacco to minors?
 - Clerk
 - Owner
 - Both
- Tobacco is the number one cause of preventable death in the United States.
 - True
 - False
- What percent of adult smokers began smoking as a minor?
 - 15%
 - 50%
 - 90%
- What percent of Alaska minors are able to buy their own tobacco products despite the Alaska law?
 - 10%
 - 15%
 - 30%
- Which of the following IDs can you accept as proof of age for someone buying tobacco? (Check all that apply)
 - Company ID
 - Passport
 - Social Security Card
 - Driver's License
 - Military ID
- If a young person gives you a note from his/her parent, giving permission to buy tobacco, you should:
 - Proceed with the sale
 - Proceed with the sale only if the note is signed by the parent
 - Refuse the sale
- If you are not sure about an ID, what should you do? (Check all that apply)
 - Ask for a second picture ID
 - Proceed with the sale
 - Refuse the sale
- What do you check on an ID? (Check all that apply)
 - Match picture to the person
 - Birth date and age
 - Expiration date
 - Alterations in type or lamination
- What happens to your company if you are convicted for selling tobacco to a minor? (Check all that apply)
 - The right to sell tobacco products is suspended
 - The owner may be jailed
 - The business is fined up to \$2500
 - The business loses money if it can't sell tobacco products
- What is your company policy on sales of tobacco to people under age 19? (Check all that apply)
 - My company complies with the law.
 - My manager will back me up if I refuse to sell tobacco to someone I believe is under age.
 - My company may fire me if I am convicted of selling tobacco illegally.
 - My company expects me to comply with the law
 - My company could lose hundreds, even thousands of dollars in sales revenue if its privilege to sell tobacco is suspended because of my negligence.
 - My company doesn't ask me to like the law, just to obey the law

EMPLOYEE TRAINING GUIDE

Alaska businesses authorized to sell tobacco products have a responsibility under State law to prevent the sale of those products to anyone under the age of 19. Any comprehensive approach to that legal responsibility includes education. Employers and their workers need to:

- Understand the Alaska laws controlling tobacco sales;
- Learn how to identify appropriate identification and verify the purchaser's age; and
- Know how to deal effectively with customer issues.

This employee-training guide can be an important part of that education process. It provides a training outline, key topics to cover, and information you can copy as handouts and modify to meet your particular needs. This training guide is intended to help ensure your workers comply with Alaska law.

We encourage you to include this training in your new employee orientation and to reinforce training to all workers on a regular basis.

Here's what this training guide covers.

TRAINING SESSION OUTLINE

- A. Manager Presentation
 1. Introduction/Goals of Training Session
 2. Statement of Company Policy
 3. Review of Alaska Law Regarding the Sale of Tobacco
 4. Checking Photo ID
 5. Handling Difficult Situations
 6. Youth and Tobacco/Health Issues
- B. Discussion & Questions
- C. Quiz and Employee Agreement
- D. Reinforcement Activities

A. MANAGER PRESENTATION

1. Introduction/Goals of Training Session

Open the training session with introductions and explain the purpose of the meeting.

- To help understand Alaska law about sale of tobacco to anyone under 19.
- To explain why it is important to ask for ID when young people attempt to buy tobacco.
- To help employees feel more comfortable in handling customers when asking for ID
- To discuss the important health issues regarding young people and the use of tobacco.

2. Statement of Company Policy

Read and discuss your company's policy on the sale of tobacco products to anyone under 19 years of age.

- Develop and put in writing your business's policy on tobacco sales to minors and on verifying ages of customers who purchase tobacco products.
- Distribute copies of the company policy to all employees.
- Explain the importance of being a responsible retailer and good business neighbor to the community.
- Explain the company's financial interest in complying with the law. What would a suspension cost your business in terms of lost revenue and lost customers?
- Explain the company policy on discipline of those employees who sell tobacco to anyone under 19.

3. Review Alaska Law Regarding the Sale of Tobacco

Give each employee a copy of the Summary of Alaska Tobacco Laws. Allow time for employees to look it over and then emphasize these key points:

Overview of Tobacco Sales Law

- It is against the law to sell tobacco products of any kind to anyone under the age of 19.
- Tobacco products include: cigarettes, cigars, chewing tobacco, and pipe tobacco.
- Failure to obey the law may result in a fine and a conviction of the person who actually makes the sale. Furthermore, the business owner who sells, or whose worker or agent sells to a person under 19, is also liable for severe civil penalties. (Review the penalties listed on the Summary of Alaska Tobacco Laws handout.)
- Access to tobacco products must be controlled. No self-service tobacco displays are allowed except in adult-only facilities such as bars and liquor stores.
- Tobacco products must be sold in the original manufacturer’s packaging. Sale of loose or repackaged tobacco is strictly prohibited.
- Cigarettes must be sold in groups of twenty.
- Storeowners must post a sign where it is clearly visible to customers that states, "The Sale of Tobacco Products to Persons Under the Age of 19 is Illegal."
- Explain any local ordinances that are in force in your community.

Enforcement of the Law

- State and local authorities conduct compliance checks.
- An "undercover" youth less than 19 years old may enter the store and attempt to buy a tobacco product. If tobacco is sold to this person, the store and the clerk are subject to fines and penalties.

4. Checking Photo ID

Display the poster describing the valid forms of ID (provided in the Vendor Education Kit). Use it as a teaching tool and tell workers it will be posted in the employee break room or on the company bulletin board. Frequently remind your employees of your business policy about checking IDs before selling tobacco.

Acceptable Forms of ID

- A valid driver’s license of any state
- A valid State of Alaska ID card

- A valid United States Uniformed Service Identification (Military ID)
- A valid passport
- A valid Alien Registration card ("green card") from the Immigration and Naturalization Service.

Unacceptable Forms of ID

- Birth certificates
- Library card
- Student ID – even if it has a picture
- Employer ID – even if it has a picture

How to Check ID

- Check the person’s date of birth to be certain the customer is 19 or older. To buy tobacco, the person must have been born by today’s date nineteen (19) or more years ago.
- If you are unsure, refer to the age calculator card provided in the Vendor Education Kit.
- Look at these areas: Is the ID expired? Does the photo match the person? Does the picture or date of birth look changed in any way?
- ID’s with pinholes, glue lines, bumpy surfaces or other signs of tampering should not be accepted.
- Do the typeset for dates of birth and expiration match the rest of the ID?
- DO NOT ever accept notes or phone calls from adults giving permission to a minor to buy tobacco.

5. Handling Difficult Situations

- If you are in any way uncertain about the validity of the ID or the age of the customer, politely refuse the sale. Remind your employees that their store manager will support their judgment and decision.
- Explain that phrases like, "I’m sorry," "It is the law," and "Thank you" are part of good customer service. Display the poster "Refusing a Sale" and have everyone practice repeating some of the suggested responses listed on the poster.
- If a customer complains, explain that it is against the law to sell tobacco to persons under 19 and that you must check ID. Explain that you could be fined \$300 and be subject to your company’s discipline for breaking the law.

PAYCHECK REMINDER

NOTICE TO EMPLOYEES

It’s against the law in Alaska to sell tobacco products to individuals under the age of 19. This includes cigarettes, cigars, snuff, smoking tobacco and smokeless tobacco. If a person attempting to buy tobacco looks under 27 years old, ask for a photo I.D. If there is any doubt about the person’s age, do not make the sale.

Violators will be fined \$300 to \$2,500 and lose their job.

SELLING TOBACCO TO A MINOR IS AGAINST THE LAW

STOP TOBACCO SALES TO MINORS

STATE OF ALASKA

NOTICE TO EMPLOYEES

It’s against the law in Alaska to sell tobacco products to individuals under the age of 19. This includes cigarettes, cigars, snuff, smoking tobacco and smokeless tobacco. If a person attempting to buy tobacco looks under 27 years old, ask for a photo I.D. If there is any doubt about the person’s age, do not make the sale.

Violators will be fined \$300 to \$2,500 and lose their job.

SELLING TOBACCO TO A MINOR IS AGAINST THE LAW

STOP TOBACCO SALES TO MINORS

STATE OF ALASKA

NOTICE TO EMPLOYEES

It’s against the law in Alaska to sell tobacco products to individuals under the age of 19. This includes cigarettes, cigars, snuff, smoking tobacco and smokeless tobacco. If a person attempting to buy tobacco looks under 27 years old, ask for a photo I.D. If there is any doubt about the person’s age, do not make the sale.

Violators will be fined \$300 to \$2,500 and lose their job.

SELLING TOBACCO TO A MINOR IS AGAINST THE LAW

STOP TOBACCO SALES TO MINORS

STATE OF ALASKA

SUMMARY OF PENALTIES

Violators of the Alaska law against the sale of tobacco to someone under 19 are subject to the following fines and penalties.

- Anyone (a business owner, agent, or employee) who sells tobacco to a minor may be convicted of a violation and fined \$300.
- A person holding a tobacco endorsement also faces a \$300 civil penalty and 20-day suspension of the tobacco endorsement if he or she, or an agent or an employee is convicted of selling tobacco to someone under age 19.
- A person holding a tobacco endorsement faces a \$500 civil penalty and 45-day suspension if he or she, an agent, or an employee has been previously convicted once within the preceding 24 months for selling to a minor.
- A person holding a tobacco endorsement faces a \$1,000 civil penalty and a 90-day suspension of the tobacco endorsement if he or she, an agent, or an employee has been previously convicted twice within the preceding 24 months.
- A person holding a tobacco endorsement faces a \$2,500 civil penalty and one year suspension if he or she, an agent, or an employee has been previously convicted three or more times during the preceding 24 months for selling tobacco to a minor.
- A person operating a business without a current business license and tobacco endorsement is subject to a civil penalty of not more than \$250 for each day of the violation. The penalty imposed may not exceed \$5000.
- A person holding a tobacco endorsement who fails to post the required "age of sale" sign is subject to a civil penalty of not more than \$250 for each day of the violation up to a maximum of \$5000.
- A person holding a tobacco endorsement, agent or employee who sells loose or improperly packaged or labeled cigarettes faces a suspension of the tobacco endorsement for a period of up to 90 days.

- Pick up the product and place it out of the customer's reach. This prevents the customer from grabbing the product and leaving.
- If the customer takes the product, leaves money, then runs away, do not ring up the sale. Treat it as a theft and report it to your store manager.
- If you have a feeling that someone of legal age is buying tobacco for a minor outside the store, let them know that they can be fined \$300 for giving cigarettes to a person under 19.

6. Youth and Tobacco/Health Issues

Give each employee a copy of the fact sheet "Facts about Tobacco and Youth." Allow the employees plenty of time to look them over and then emphasize these key points:

- Tobacco use causes serious health problems. It is the leading cause of lung cancer and a major contributor to many other kinds of cancer.
- All forms of tobacco use contribute to addiction and health problems. That includes cigarettes, cigars, pipe tobacco, leaf tobacco, chew and Iqmik.
- Most adults who now use tobacco products began the habit before the age of 19, the legal age to buy tobacco in Alaska. If a person has not started using tobacco by the age of 19, they will most likely never start.
- When you stop people under the age of 19 from buying tobacco, you help prevent minors from becoming addicted...AND you are obeying the law.

B. DISCUSSION AND QUESTIONS

It is important to take time to be certain all employees understand the law and are comfortable asking for ID. Listen to their concerns and answer their questions. Discuss any issues you think might come up in your store. For example:

- Could language barriers affect the ability to explain the law or determine age?
- How should an employee best deal with an underage friend or family member who wants to buy tobacco?

- How might the time of day, the gender or race of a customer, or the number of people on duty affect a worker's willingness to ask for an ID, verify age, and refuse a sale when necessary?
- What should a clerk do if a person grabs the tobacco and runs?
- Should a clerk attempt to confiscate a false ID?

At the end of training, reinforce the store's policy not to sell tobacco to anyone under 19. Make the point that this policy is not only in place because it's the law, but also because preventing youth addiction to tobacco is an important public health issue.

C. EMPLOYEE QUIZ AND EMPLOYMENT AGREEMENT FORMS

When the training is complete, have employees take the quiz. If anyone misses a point, review it briefly. Remind them to check the posters for key points about the law and help in identifying proper ID.

All employees should read and sign an Employee Agreement Form. (A sample agreement is included in the Vendor Education Kit and may be modified to fit the needs of your company). Let your employees know a signed copy of the agreement will be kept in their personnel file.

D. REINFORCEMENT OF TRAINING

Repetition of your store's policies regarding the sale of tobacco to minors and reviews of the requirements of state law should be part of your company's comprehensive plan to ensure compliance. They will also help your employees and your business avoid the pain of fines and tobacco endorsement suspensions. Make sure each employee understands the potential for lost business and revenue if your company lost its privilege to sell tobacco – even for a period as short as 20 days. It is also smart to post notices on the company bulletin board; place reminders in payroll envelopes; recap tobacco sales policies in company meetings; and conduct the tobacco sales training program on a regular basis.

FACTS ABOUT TOBACCO AND YOUTH

TOBACCO IS VERY ADDICTIVE...

- Nicotine in tobacco is one of the most addictive drugs in the world. Research indicates that addiction is strongest in people who begin smoking at a young age.
- Eighty-nine percent (89%) of adult smokers tried their first cigarette before the age of 19 and 71% were daily users before finishing school.
- Twenty-three hundred (2300) young Alaskans become new daily smokers each year.
- More than 70% of the smokers in the United States have tried to quit. Seventy-five percent of smokers under age 19 want to quit.
- Cutting off the supply of tobacco to teens by not selling to them reduces the incidence of addiction.
- Nearly a third of Alaska's young smokers between the ages of 16 and 19 buy their own cigarettes.

TOBACCO KILLS...

- More Alaska deaths are related to tobacco use each year than to accidents, suicides and homicides combined.
- Tobacco use (cigarettes, cigars, chew) is the number one cause of preventable death in the United States, killing more than 400,000 people each year.
- Smoking is the leading cause of lung cancer. Smoking also causes or contributes to many other kinds of cancer, including cancer of the voice box, mouth, throat, pancreas, cervix, kidney and bladder.
- The younger a person is when he or she starts using tobacco, the more likely that person is to suffer a serious tobacco-related illness.
- Each year, \$153 million dollars in health care expenditures in Alaska is directly caused by tobacco use. Working taxpayers and people purchasing health insurance have to cover most of that cost.

SUMMARY OF ALASKA LAWS REGARDING TOBACCO SALES

- Sale of any form of tobacco to persons under the age of 19 is against the law. Tobacco products include cigarettes, cigars, chewing tobacco and pipe tobacco.
- Anyone who sells to a person under 19 is subject to conviction and a fine of no less than \$300.
- Business owners are also subject to civil fines starting at \$300 and the loss of their privilege to sell tobacco products if they, an agent, or employee makes an illegal sale of tobacco.
- Stores must post a sign where customers can easily see it. The message shall be ... The sale of tobacco products to persons under the age of 19 is illegal.
- Sale of unpackaged cigarettes is prohibited. Cigarettes must be sold in groups of at least 20 and be in the manufacturer's original package or carton.
- A current Business License and Tobacco Endorsement are required for the sale of cigarettes, cigars, tobacco or other products containing tobacco.
- Generally, the sale of tobacco products through vending machines is prohibited. However, tobacco sales may be made through vending machines located in a liquor store or bar. The vending machine must be located away from the entrance to the liquor store or bar and continually supervised by an employee of the liquor store or bar. A Business License and Tobacco Endorsement is required for the sale of tobacco products from a vending machine accessible to the public.