

[_____] COUNTY GOVERNMENT POLICIES AND PROCEDURES

ADMINISTRATIVE POLICY AND PROCEDURE [XXXXX]

EFFECTIVE DATE: [XX-XX-201X]

EFFECTIVE PERIOD: Until superseded.

CANCELLATION: Administrative Policy and Procedure [X] (Previous policy or policies that this smoke-free or tobacco-free policy replaces.)

ENCLOSURE: (Additional documents if applicable)

REFERENCE:

- A. [_____] County Government Policies and Procedures Manual, Section [X], Page [X], (Link if available online).
- B. Board of Health Resolution: [_____] (Citation if applicable).
- C. Colorado Clean Indoor Air Act (CCIAA) C.R.S. § 25-14-201 et seq.
- D. C.R.S. § 24-34-402.5 Unlawful prohibition of legal activities as a condition of employment.

PURPOSE: Tobacco use remains the leading cause of preventable disease and death in the United States.ⁱ The negative impacts of tobacco use include diminished overall health, lost productivity, increased absenteeism from work, and increased health care utilization and cost.^{i,ii}

[_____] County Government is committed to promoting healthy and safe environments for [_____] County Government employees and visitors by promoting a 100% Smoke-free (and Tobacco Product-free) environment that prohibits cigarette smoking (and Tobacco Product use) on property owned, leased, sponsored or supported by [_____] County Government.

APPLICABILITY: This Policy applies to all [_____] County Government officials, employees, agents, subcontractors, interns and volunteers serving [_____] County Government.

DEFINITIONS:

“Electronic Smoking Device” means any device that when activated emits a vapor, aerosol, fume or smoke, can be used to deliver nicotine or any other substance to the person inhaling from the device, including, but not limited to e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, inhalant delivery systems or any other similar product by any other name or descriptor. An electronic smoking device includes any component, part or accessory of such device whether or not sold separately, regardless of nicotine content or any other substance intended to be vaporized or aerosolized for human inhalation during the use of the device.

“Employee” means any individual under an express or implied contract for hire of [_____] County Government including, but not limited to staff, agents, contractors, interns and volunteers.

“Nicotine Replacement Product” means any FDA-approved nicotine replacement therapy products (e.g., gum, patches, lozenges, inhalers).

“Policy Manual” means Employee Policies and Guidelines available at: [____] .

“Property” means physical areas under the control of [____] County Government whether such property is owned or leased, including but not limited to [list County Government specific locations such as office buildings, out-buildings, parking lots, areas of ingress or egress, side-walks or streets within property lines] and [____] County owned, leased or operated vehicles.

“Smoke” means the emissions or release of gases, particles, vapors, fumes or aerosols into the air from burning, heating or activation of any device, including, but not limited to a cigarette, electronic smoking device, e-cigarette, vape pens, e-hookahs or any other product by any name or descriptor when the apparent or usual purpose of burning, heating or activation of the device is human tasting and inhalation.

“Smoking” means the act of burning, heating, activating or carrying of any device, including, but not limited to a cigarette, cigar, pipe, hookah, or electronic smoking device, electronic cigarette, vape pen, e-hookah or similar device, by any other product name or descriptor, that results in the release of smoke, vapors or aerosols when the apparent or usual purpose of the burning, heating or activation of the device is human inhalation.

“Tobacco Product” means Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and

- (1) any Electronic Smoking Device.
- (2) Notwithstanding any provision of subsections (1) and (2) to the contrary, “Tobacco Product” includes any component, part, or accessory of a Tobacco Product, whether or not sold separately.
- (3) Does not refer to marijuana as defined in C.R.S. 12-43.3-101 et. seq.

POLICY:

[____] County Government supports Smoke-free (and Tobacco Product-free) environments. Smoking (and the use of Tobacco Products) is not permitted by [____] County Government officials, employees, agents, subcontractors, interns and volunteers serving [____] County Government on or in all [____] County Government property.

A. Requirements and Prohibitions

1. All [____] County Government officials, employees, agents, subcontractors, visitors, clients, interns and volunteers are prohibited from smoking (and using Tobacco Products) on [____] County Government property(ies).
2. Employees of [____] County Government are not permitted to smoke (or use Tobacco Products) during paid work time (breaks) and encouraged not to smoke (or use Tobacco Products) during unpaid work time (lunch) off of [____] County Government property(ies).

3. [] County Government property(ies) include, but are not limited to [list specific locations as applicable (e.g.; office buildings, areas of ingress and egress, out-buildings, parking lots, side-walks or streets within property lines, county owned or leased vehicles)].
4. Smoking (and the use of Tobacco Products) is prohibited in all leased or owned [] County Government vehicles.
5. Advertisements of cigarettes (and Tobacco Products) on leased or owned property or at [] County Government sponsored events is not permitted.
6. [] County Government officials, employees, agents, subcontractors, visitors, clients, interns and volunteers attending off-site activities while representing [] County Government are prohibited from Smoking (and using Tobacco Products).
7. It is the intent of [] County Government to maintain good relationships with its neighbors. Trespassing, loitering or littering on neighboring properties during the course of employment is prohibited.
8. For the purposes of cessation, FDA approved nicotine replacement therapy product use including patches, gum or lozenges are permitted under this policy.

B. Communication

1. Reference to [] County Government Smoke-free (and Tobacco Product-free) policy will be published in all employee handbooks, employee common areas, posted on bulletin boards, announced at staff meetings and during new employee orientation.
2. [] County Government Officials, managers and supervisors are responsible for leading by example and respectfully communicating the policy to employees, agents, subcontractors, visitors, clients, interns and volunteers.
3. The success of this policy depends on thoughtfulness, consideration and cooperation of Cigarette (and Tobacco Product users and non-users). All [] County Government employees and others to whom this policy applies share responsibility for adhering to and supporting this policy.
4. Individuals who observe a person(s) smoking (and Tobacco Product uses) on [] County Government property are encouraged and empowered to respectfully explain that smoking (and Tobacco Product use) is not permitted on the property.

C. Signage

1. Signage declaring [] County Government property is "Smoke-free" (and "Tobacco-product free") will be posted at the entrances and exits of all buildings, parking lots and on County Government owned and leased vehicles.

2. Installation and maintenance of smoking (and Tobacco Product-free) signage will be in consultation with the Office of Human Resources.
3. Areas that experience difficulties with smoking (and Tobacco Product-free) use may request supplemental signage from [____] .

D. Compliance

1. Success of this policy depends on thoughtfulness, consideration and cooperation of cigarette (and Tobacco Product) users and non-users.
 - a. Train first-line staff, security, and others on how to advise visitors, contractors, and members of the public about the new policy.
 - b. Continued violations should be referred to the appropriate supervisor or Human Resources.

E. Non-Compliance

1. Individuals found to be non-compliant with the provisions of this policy may be subject to disciplinary measures as follows:
 - a. Employees: Non-compliance will be referred to the employees' supervisor and Human Resources Department pursuant to [____]. (Employee policy(ies) referencing disciplinary action or other measures as appropriate cited here.
 - b. Agents, Subcontractors, Interns and Volunteers: Noncompliance will be referred to the project manager responsible for monitoring performance of the applicable contract for corrective action(s) as deemed appropriate.
 - c. Visitors: Non-compliance may result in being asked to leave the property.

F. Support

1. [____] County Government is strongly committed to supporting County Government Employee efforts to be Smoke-free and (Tobacco Product- free). Tobacco cessation resources and support are available to Employees through Human Resources or by contacting 1-800-QUIT-NOW.
2. The Colorado QuitLine is a FREE online service available to Colorado residents 15 years of age and over. For information on how to quit tobacco, call 1-800-QUIT-NOW.

ⁱ U.S. Department of Health and Human Services. *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014. Printed with corrections, January 2014. Available at www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf

ⁱⁱ Berman M., Crane, R.et. al. (2014). *Estimating the Cost of a Smoking Employee*. Tobacco Control. 23(5)428-433. <http://tobaccocontrol.bmj.com/content/early/2013/05/25/tobaccocontrol-2012-050888.full.pdf>