



# CITY OF KINSTON

## Personnel Policy

Subject:  Smoking Policy	Section: General Provisions		Review Responsibility: Director of Human Resources		
	Policy #:: 6	Effective Date: 1/09/2017	Rev. #: 2	Revision Date: 1/06/2017	Page: 1 of 3
	Supersedes: 10/23/2006	Prepared By: Gloria Blake <i>Gloria Blake</i>		Approved By: Tony Sears <i>Tony Sears</i>	

### 1.0 Purpose

To establish policies and procedures for the use of tobacco products in the City of Kinston buildings, grounds, vehicles, or in public places. The policy is designed to reduce employee exposure to tobacco products (as defined herein) and to establish designated smoking areas for use of such tobacco products. City facilities will be free of tobacco products with the exception of designated smoking areas for use of tobacco products.

### 2.0 Departments Affected

All City employees in all Departments

### 3.0 References

North Carolina Occupational Safety and Health Standards 1910.120, 1910.134, 1910.156, and 1910.1001, North Carolina General Statute Chapter 143, Article 64, Chapter 130A, Article 23, G.S. 14-313, G.S. 105-113.4, G.S. 148-23.1.

### 4.0 Definitions

- 4.1 Tobacco products- Cigars, cigarettes, snuff, loose tobacco, or similar goods made with any part of the tobacco plant that are prepared or used for smoking, chewing, dipping, or other personal use. The term includes vapor products.
- 4.2 Vapor products- Nonlighted, noncombustible products that employ a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution contained in a vapor cartridge. The term includes electronic cigarettes, electronic cigars, electronic cigarillos, and electronic pipes. The term does not include any product regulated by the United States Food and Drug Administration under Chapter V of the federal Food, Drug, and Cosmetic Act.
- 4.3 Smoke-free areas- Areas where use of tobacco products, as defined above, is prohibited, regardless of whether such products emit smoke.
- 4.4 Designated smoking areas- Areas where use of tobacco products, as defined above, is permitted.

Subject: Smoking Policy	Policy No.: 6	Rev. #: 2	Revision Date: 1/06/2017	Effective Date: 1/09/2017	Page: 2 of 3
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## 5.0 Policies

### 5.1 Engineering/Administrative Controls

Each department/division shall establish smoke-free areas to reduce employee exposure to the possible harmful or unpleasant effects of the use of such tobacco products. It will be the responsibility of each department/division to establish designated smoking areas for the use of such tobacco products in compliance with G.S. Chapter 143, Article 64. Where designated smoking areas are established, the department shall make arrangements for appropriate provisions for disposal of cigarettes or other tobacco products and adequate ventilation and filtering systems. Designated Smoking Area signs shall be placed in each designated smoking area. Each City building/facility will have signs at the buildings main entrance and exit points indicating use of tobacco products is prohibited except in designated smoking areas. In smoke-free areas, departments shall make arrangements for eliminating disposal containers. In addition to the departmental/divisional designations the following common areas will be designated as smoke-free:

#### A. Smoke-free Areas

In addition to those areas as established by the department/division pursuant to Section 5.1, the following areas are designated as smoke-free:

- a) Primary computer rooms.
- b) Conference rooms and public meeting rooms when meetings are in progress.
- c) Employee Health Clinic.
- d) Individual employee offices/spaces
- e) Electrical/mechanical/telephone equipment room.
- f) Elevators and stairways.
- g) Any areas where fuel/flammable or other fire hazards are located.
- h) Storage rooms and bathrooms, unless otherwise designated.
- i) All City vehicles.
- j) All Recreation and Parks Centers.

## 6.0 Location of Designated Smoking Areas

Designated smoking areas should, whenever possible, be located next to outside walls, near exit doors, have a door that closes, and be at the end of any ventilation system. Where there is not acceptable ventilation present for a designated smoking area in a department, the department will obtain the necessary modifications to the facility to meet the requirements of this policy, i.e., structural changes or air filtration/cleaning system in the immediate location. Departments shall identify designated smoking areas with appropriate signs. Purchase of equipment and signs for designated smoking areas shall be coordinated through the Purchasing Division and Employee Health and charged out to each department.

Subject: Smoking Policy	Policy No.: 6	Rev. #: 2	Revision Date: 1/06/2017	Effective Date: 1/09/2017	Page: 3 of 3
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## 7.0 Adherence

The decision to create smoke-free areas is a management decision and is not grievable under the City's grievance procedure. In the event of a conflict, if a compromise cannot be reached, the rights of a non-smoker (or non-user of tobacco products) to his or her health and comfort must prevail over an employee's desire to use tobacco products. All employees, particularly supervisors, share in the responsibility for adhering to and enforcing this policy. Use of tobacco products will only be permitted in areas and at times designated by the department. Employees who violate the provisions of this policy shall be disciplined by their supervisor according to the Disciplinary Policy.

8.0 Employees will be supported in their efforts to reduce or quit smoking or use of other tobacco products. Information regarding smoking/nicotine cessation programs can be obtained from the Employee Health Clinic.

9.0 WellBucks are available for those employees who are tobacco free or become tobacco-free in a wellness plan period (1 year); this includes the use of tobacco products in any form.

## 10.0 Appendix

10.1 Designations of Smoking Areas, Appendix A