



Subject/Title
Tobacco and Smoke Free Policy

Date Effective
November 17, 1989

Revision Date Effective
March 18, 2015

Code Number
HR 3


City Manager

Human Resources
Responsible Key Business

Objective:

To establish the City's policy concerning tobacco and electronic nicotine delivery device use in City facilities and on City and County property. The United States Surgeon General has determined that tobacco and nicotine use is harmful to smokeless tobacco users, smokers and non-smokers. The purpose of this policy is to create a healthier environment for employees.

Policy:

The City supported cessation program will improve employee health by protecting employees from secondhand smoke exposure and supporting employees in their efforts to quit tobacco products. A comprehensive tobacco cessation benefit offers a variety of resources to employees to assist employees in quitting smoking and smokeless tobacco. Reducing tobacco use will prevent disease, improve health and save money in healthcare costs.

Tobacco, including lit smoking products, smokeless tobacco and electronic nicotine delivery device use is prohibited by employees while on duty in:

- buildings owned by the City or County;
- in space leased by the City or County when that space is occupied by a majority of City or County employees;
- on grounds owned by the City, County, or any incorporated and unincorporated cities and towns within Mecklenburg County;
- and in City owned and leased motorized vehicles to include but not limited to: tractors, backhoes, buses, passenger cars and trucks regardless of the number of occupants.

The use of FDA approved nicotine replacement therapy (nicotine gum, patch, lozenge, etc.) is not prohibited by this policy.

Department Directors may request, in consideration of the operating needs of their departments, to enact additional policy provisions regulating employee tobacco usage. Such policy provisions require approval by the City Manager before they are implemented.

Enforcement:

The success of this policy is dependent upon the consideration and cooperation of tobacco users and non-tobacco users. All employees, but particularly supervisors, share in the responsibility for adhering to and enforcing the policy. Employees who repeatedly violate provisions of the policy will be counseled by their supervisors, with Performance Incidents recorded and reflected in periodic performance ratings as noted:

1. The first two violations in a one year period will result in non-documented verbal warnings from the employee's immediate supervisor.

2. The third violation in a one year period will result in a negative critical incident written into the employee's performance appraisal.
3. The fourth violation in a one year period will result in a one day suspension without pay, plus an additional negative critical incident on the performance appraisal.
4. The fifth violation in a one year period will result in a third negative critical incident and the employee being suspended without pay for two days.

Tobacco Cessation Assistance

Employees will be supported in their efforts to quit tobacco. Information regarding tobacco cessation programs and resources can be obtained from the Wellness Works office.

Definitions

Tobacco Use - the use of any burning tobacco or use of smokeless tobacco products. This includes all forms of cigarettes, cigars, cigarillos, pipes, dip, chew, snuff and other materials that are smoked or smokeless.

Electronic Nicotine Delivery Device – means any electronic cigarette, personal vaporizer or electronic device use to deliver nicotine.

The Board of Health Rule for Smoke-Free Government Grounds: BOH rule requires that all government owned buildings, vehicles, and property are smoke-free in Mecklenburg County, the City of Charlotte, the CATS transit system, and in the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville. Smoke-free is defined as all lighted smoking products.

The County Ordinance for Tobacco-Free Parks: requires that all Mecklenburg County owned parks, greenways, recreation facilities, and park property are tobacco-free. The six golf courses owned by the County and the 19 regional parks are exempted from the ordinance.