

Tobacco-Free Workplace

Objective:	To establish policy regarding tobacco use on County maintained properties or in County maintained facilities, thus reducing exposure to secondhand smoke and/or vapor, reducing tobacco use among visitors and employees, and upholding the County's commitment to enhancing the health of its employees and residents.	Policy/Procedure Number: 01-23
		Effective Date: June 7, 1983
		Responsible Department: County Administration
Reference: <i>(All applicable federal, state, and local laws)</i>	County Code, Chapter 72, Article I; County Code, Chapter 72, Article II; Public Health Law Article 13-E, New York State Clean Indoor Air Act	Modified Date (s): May 19, 1992; July 7, 2009; August 22, 2011; September 20, 2011; May 7, 2019
Legislative Policy Statement:	Recognizing the accumulated weight of scientific studies that document the harm to public health from exposure to both direct and second-hand tobacco use, it is the policy of the Tompkins County Legislature to ban tobacco use in all its facilities and mobile equipment and on all its properties, and to support efforts to educate its employees and the general public as to the harms that accrue from tobacco and nicotine use.	Resolution No.: 2011-166; 89-001; 90-006; 2019-100
		Next Scheduled Review: May 2024
General Information:	Numerous studies have found that tobacco use is a major contributor to indoor and outdoor air pollution. Reliable studies have shown that breathing second-hand smoke or vaping aerosols, whether in an indoor or outdoor atmosphere, is a significant health hazard for several population groups, including older adults, individuals with cardiovascular disease and individuals with impaired respiratory function, including those with asthma and those with obstructive airway disease. Non-tobacco users who suffer allergies, respiratory diseases and other ill effects of breathing secondhand tobacco use may experience a loss of job productivity or may be forced to take periodic sick leave because of such adverse reactions. Smoking is a potential cause of fires and cigarette and cigar burns and ash stains on fixtures and furniture can cause unnecessary losses. Vaping and the use of other aerosol delivery systems has been related to injuries and potential risk of death due to the combustion of these nicotine delivery systems.	

I. Definitions: **Designated Tobacco Use Area** – Any area on the grounds of Tompkins County property clearly identified as a tobacco use and/or smoking area.

Facilities and Property (leased or owned) - Tompkins County maintained buildings, parking lots, entrance lanes, sidewalks, structures, county owned vehicles, privately owned vehicles parked on county property, and landscaped areas.

Tobacco Products – As defined by the FDA includes cigarettes, cigars, roll-your-own tobacco, pipe tobacco, hookah tobacco, dissolvables, nicotine gels, smokeless tobacco (dip, snuff, snus, chewing tobacco), vaporizers, e-cigarettes, and other electronic nicotine or aerosol delivery systems.

Tobacco Use - The intake of tobacco products by smoke or vapor from cigarettes, cigars, pipes, hookahs, vapes, e-cigarettes, or other electronic nicotine aerosol delivery systems, either by the individual smoking/vaping or the oral absorption of nicotine and related toxins through smokeless tobacco products.

Secondhand Smoke - A mixture of smoke from burning tobacco products such as cigarettes, cigars or pipes, that emanates from the burning product or that is exhaled by a smoker and is inhaled by persons nearby.

II. Policy:

- A.** County Code Chapter 72 prohibits tobacco use in any County-owned or occupied buildings or vehicles. The New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking and vaping in almost all public and private indoor workplaces, including restaurants and bars, to protect workers and the public from exposure to harmful secondhand tobacco smoke and vaping aerosols.
- B.** All Tompkins County facilities and property, whether owned or leased, shall be tobacco-free as of November 1, 2011, with the following exceptions:
- *Airport Terminal and Adjacent County Building and Property* - Designated areas for tobacco use with appropriate signage approved by the Airport Manager for employees only, no less than 30 feet from County buildings.
 - *Department of Emergency Response* – Designated tobacco use areas approved by the Director of Emergency Response for employees only, no less than 30 feet from County building. All signage at main entrance to building will indicate no tobacco use on County property.
 - *Sheriff's Office* – Designated tobacco use areas approved by the Sheriff for employees only. All signage at main entrance to building will indicate no tobacco use on County property.
- C.** This policy applies to all staff, clients, vendors, volunteers, contractors, and visitors.

III. Procedure:

- A.** "No Smoking" or "Smoking" signs, or "No Tobacco Use" or "Tobacco Use" signs, or a sign with the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, must be prominently posted and properly maintained to designate an area where tobacco use is prohibited or permitted
- B.** In areas where tobacco use is permitted, all materials for the use of tobacco products including cigarette butts, snuff, chew and matches, shall be extinguished and disposed of in appropriate containers.
- C.** Department Heads and/or Supervisors shall be responsible for insuring that this policy and the law are implemented and adhered to within the County building(s) or areas of County building(s) for which they are responsible.
- D.** Copies of this policy will be distributed to all new employees by the Human Resources Department at the time of hire and will be available to all employees in the Administrative Policy Manual on the County website.
- E.** Employees who use tobacco products in non-tobacco use areas are in violation of New York State law and/or this policy and are subject to appropriate disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or State law.
- F.** Employers, employees and the public may confidentially report violations of the NYS Clean Indoor Air Act by contacting the Tompkins County Health Department or the NYS Regional Environmental Health Program office.

G. Information regarding smoking cessation shall be available to all employees.