



ADMINISTRATIVE DIRECTIVE

<p>Title: Smoking, Tobacco and Electronic Cigarette Use</p> <p>Issuing Department: Town Manager's Office</p> <p>Effective Date: November 1, 2011</p> <p>Reviewed: Human Resources, Public Works, Legal</p> <p>Approved: Gilbert Davidson, Town Manager</p> <p>Type of Action: Revision to Administrative Policy/Directive dated May 3, 2007</p>

1.0 PURPOSE

The Town of Marana is committed to providing a safe and healthy environment for its employees as well as members of the public. The purposes of this directive are to implement relevant provisions of the Smoke-Free Arizona Act, to promote a professional workplace, and to communicate the Town of Marana's employment policies on smoking and the use of smokeless tobacco and electronic cigarette products during work hours and in Town facilities and vehicles.

2.0 DEPARTMENTS AFFECTED

All Town of Marana departments and employees

3.0 REFERENCES

- 3.1 A.R.S. § 36-601.01 - Smoke-Free Arizona Act
- 3.2 Arizona Administrative Code (A.A.C.) R9-2-101 *et seq* - Smoke-Free Arizona
- 3.3 Town of Marana Personnel Policies and Procedures, Chapter 7, Safety and Health
- 3.4 Town of Marana Personnel Policies and Procedures, Policy 5-1, Hours of Work

4.0 DEFINITIONS

- 4.1 Electronic cigarette (or e-cigarette) products: Products designed to deliver nicotine or other substances to a user in the form of a vapor. Typically, they are composed of a rechargeable, battery-operated heating element, a replaceable cartridge that may contain nicotine or other chemicals, and an atomizer that, when heated, converts the contents of the cartridge into a vapor. This vapor can then be inhaled by the user.
- 4.2 Smokeless tobacco products: Snuff, chewing tobacco, smokeless pouches and other forms of loose leaf tobacco

- 4.3 Smoking: Inhaling, exhaling, burning, or carrying or possessing any lighted tobacco product, including cigars, cigarettes, pipe tobacco and any other lighted tobacco product, or any non-tobacco product which is used in a manner similar to tobacco products, such as clove cigarettes

5.0 POLICIES AND PROCEDURES

- 5.1 Employees are prohibited from smoking and the use of smokeless tobacco and electronic cigarette products during work hours, except during meal or rest breaks.

- 5.1.1 Employees who wish to smoke or use smokeless tobacco and electronic cigarette products during meal or rest breaks must do so in designated smoking/tobacco use areas or other areas where smoking and the use of smokeless tobacco and electronic cigarettes is allowed.

- 5.1.2 Police officers working in an undercover capacity may smoke or use smokeless tobacco or electronic cigarettes during work hours if doing so is necessary for the undercover work.

- 5.2 Employees are prohibited from smoking and the use of smokeless tobacco and electronic cigarette products in the following locations:

- 5.2.1 Inside all Town of Marana buildings, including buildings at the Town of Marana Municipal Complex (MMC) and the Marana Operations Center (MOC) and any other Town buildings (i.e., Parks and Recreation Department Building, Senior Center, etc.)

- 5.2.2 Within 20 feet from any entrance, open window or ventilation system of any Town buildings, measured from each outer edge in all directions

- 5.2.3 In the courtyard and visitor parking lot area of the MMC, as depicted on Attachment 7.1 - Map of Designated Smoking/Tobacco Use Areas at Marana Municipal Complex (MMC).

- 5.2.4 In the south and west parking lot areas of the MOC, as depicted on Attachment 7.2 - Map of Designated Smoking/Tobacco Use Areas at Marana Operations Center (MOC).

- 5.2.5 Inside all Town of Marana vehicles

- 5.3 Employees are allowed to smoke or use smokeless tobacco and electronic cigarette products in the following locations:

- 5.3.1 Designated outdoor smoking/tobacco use areas at the MMC and the MOC, as depicted in Attachments 7.1 and 7.2

- 5.3.2 Other outdoor areas at the MMC and the MOC and outdoor areas located outside other Town buildings and at other Town facilities (i.e., parks, well sites, etc.) as long as the smoking and/or use of smokeless tobacco and electronic cigarette products takes place more than 20 feet from any entrance, open window or ventilation system of any building and is not otherwise prohibited by this directive or any other rule, policy or law.

- 5.3.2.1 Employees smoking or using smokeless tobacco or electronic cigarette products in an outdoor area that is not designated as a smoking/tobacco use area, but where

smoking or the use of smokeless tobacco or electronic products is otherwise allowed, shall be considerate of other employees and members of the public. If a member of the public or another employee requests that an employee discontinue smoking or the use of smokeless tobacco or electronic cigarette products at a particular location, the employee shall comply with the request.

5.4 Employees in violation of this directive may be subject to disciplinary action, up to and including termination of employment.

5.4.1 In addition, a person who smokes tobacco products where smoking is prohibited by the Smoke-Free Arizona Act is guilty of a petty offense and will be subject to fines under state law.

5.5 No employee may be discharged or retaliated against because the employee exercises any rights granted by the Smoke-Free Arizona Act or reports or attempts to prosecute a violation of the Act or this directive.

6.0 RESPONSIBILITIES

6.1 All employees are responsible for understanding and observing the prohibitions on smoking and the use of smokeless tobacco and electronic cigarette products as outlined in this directive.

6.2 The Facilities and Fleet Services Manager shall ensure that conspicuous signs or decals are posted at every entrance to Town buildings and in or on all Town vehicles, clearly stating that smoking is prohibited in conformance with the Smoke-Free Arizona Act and this directive. Employees shall not remove any posted signs or decals from any building entrances or Town vehicles. If an employee observes that a sign or decal is missing from a Town vehicle, the employee shall contact the Fleet Shop to obtain a replacement sign or decal. Fleet Shop employees shall inform the Facilities and Fleet Services Manager or designee if they observe that a decal is missing from a Town vehicle.

6.3 The Facilities and Fleet Services Manager shall ensure that designated outdoor smoking/tobacco use areas are located in conformance with the distance requirements imposed by the Smoke-Free Arizona Act and are clearly marked as smoking/tobacco use areas. In addition, the Facilities and Fleet Services Manager shall ensure that appropriate ashtrays or other trash receptacles are maintained at the designated outdoor smoking/tobacco use areas.

6.4 Employees are responsible for properly extinguishing and disposing of used tobacco, non-tobacco and electronic cigarette products in the appropriate ashtray or other trash receptacle.

6.5 The Human Resources Department shall be responsible for providing information to employees upon request regarding smoking/tobacco use cessation programs.

7.0 ATTACHMENTS

7.1 Map of Designated Smoking/Tobacco Use Areas at Marana Municipal Complex (MMC)

7.2 Map of Designated Smoking/Tobacco Use Areas at Marana Operations Center (MOC)