

## APPENDIX G: MODEL TOBACCO-FREE POLICY

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### POLICY MANUAL SECTION – ENVIRONMENT OF CARE

#### Effective Date:

#### TITLE: TOBACCO-FREE ENVIRONMENT

This is a new policy in the (organization name) Policy and Procedure Manual.

**PLEASE NOTE:** This policy supersedes all agency policies referencing tobacco or smoking.

#### I. PURPOSE

It is the policy of (name) to prohibit smoking or the use or sale of any tobacco products on the (name) campus.

As a health care provider committed to the health and safety of staff, patients, physicians, visitors, and business associates, (name) is taking a leadership role on the major public health issue of tobacco use. To promote (name) commitment to public health and safety and to reduce the health and safety risks to those served and employed at the workplace, all (name) facilities, campuses, state vehicles, and properties are tobacco-free environments as of (date). No smoking of cigarettes, cigars, or pipes or use of chewing tobacco or e-cigarettes in any form or other tobacco product will be permitted in facilities or on properties of (name) on or after that date.

This policy is applicable to all staff on the (name) campus whether they are employees of (name) or other agencies, to medical staff, visitors, students, volunteers, vendors, lessees and contractors. This policy is applicable to all inpatients and outpatients.

A ban on tobacco does not take away an individual's rights as there is no "right to smoke" in (state). (name) does not require staff, patients or visitors to stop using tobacco; however, it is required that people do not smoke or use other tobacco products on this [or on all] organization physical sites campus or during work time.

The purpose of this policy is to describe how the tobacco-free workplace requirements will be implemented.

#### DEFINITIONS

**Smoking** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. Smoking includes the use of an electronic smoking device that creates an aerosol or a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking. California Business and Professions Code Section 22950.5(c).

**Tobacco Product** means

(A) A product containing, made from, 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, or snuff.

(B) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

(C) Any component, part, or accessory of a tobacco product, whether or not sold separately.

Tobacco Products do not include products approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

**Nicotine Replacement Products** – e.g., gum, patches, lozenges, inhalers

**Workplace** – workplace means facilities or properties including but not limited to patient care buildings,

clinics, facilities, office buildings, parking lots, (name)-owned vehicles, or property leased or rented out to other entities. This policy applies regardless of whether a (name) facility or property is owned and whether or not the other tenants follow similar guidelines. Employees and clients at off-site patient activities shall not use tobacco products.

## ACCOUNTABILITY

It is the responsibility of all staff members to enforce the organization's tobacco-free environment policy by encouraging their colleagues, clients, visitors and others to comply with the policy. Supervisors are responsible for implementing and enforcing (name) Tobacco-Free Environment policy.

The community, staff, clients and visitors will be informed of the policy through a variety of communication methods.

## II. PROCEDURE

### GENERAL POLICY PROVISIONS

1. No tobacco products or related paraphernalia such as lighters and matches shall be used, sold or bartered anywhere on the (name) campus and may be possessed only in locked personal vehicles.
2. Signs declaring this campus "tobacco-free" shall be posted at the (name) campus entrances and other conspicuous places.
3. (name) will post this policy in employee common areas and in the (name) New Employee Orientation Handbook. All client handouts, pre-admission brochures and website information will be updated to communicate the policy,

#### A. *Employees, Volunteers, Physicians, Students and Contract Workers*

1. Respectful enforcement of this policy is the responsibility of all (name) employees.
2. Employees, students, medical staff, volunteers, vendors, lessees and contractors are expected to comply with this policy.
3. This policy will be explained to employees during New Employee Orientation.
4. Job announcements for all positions on the (name) campus will display a notice that (name) has a tobacco-free work environment policy.
5. Employees are prohibited from smoking or using other tobacco products during any and all parts of their paid work shift. Employees may not smoke or use other tobacco products in their private vehicles while the vehicle is on (name) grounds.
6. Employees who encounter staff or visitors who are violating the tobacco policy are encouraged to politely explain the policy and report the violation to the person's supervisor, if known.
7. Staff who fail to adhere to this policy or supervisors who fail to hold their employees accountable may be subject to progressive discipline culminating in corrective or disciplinary action as defined in (name) Human Resources and Staff policies.

#### B. *Clients*

1. Clients are prohibited from smoking or using tobacco on campus.
2. All clients admitted to (name) will be assessed for history of tobacco use and the need for interventions related to tobacco addiction including nicotine replacement and cessation education.
3. Clients may not possess any tobacco-related items on the campus.
4. Employees who encounter clients who are violating the tobacco policy are encouraged to politely explain the policy, and report the violation to the client's treatment team, if known.
5. Violation of this policy by clients is a treatment issue to be addressed by the treatment team.

C. *Visitors*

1. Signs will be posted at campus entrances and in selected locations inside and outside of the facility.
2. Employees who encounter a visitor who is violating the tobacco policy are encouraged to politely explain the policy to the visitor.
3. Visitors who become agitated or unruly or repeatedly refuse to comply when informed of the tobacco-free campus policy may be reported to (name of appropriate department or personnel). (the identified personnel) will respond to the situation as appropriate, according to their professional judgment and need to maintain a safe environment.

D. *Outside Groups*

Outside groups who use (name) facilities for meetings will be advised of this policy. Violation of the policy will result in the rescinding of approval for the group to meet on this campus.

E. *Guidelines for Enforcement*

Violation examples	First Offense	Second Offense	Third Offense	Fourth Offense
Smoking outside on property but complies with request to stop.	The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.	The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.	The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.	The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.
Smoking outside on property and refuses to comply with policy.	Verbal intervention with employee.	Repeat first offense interventions and document all discussion in a supervisory log. Refer also to the first verbal intervention and make the expectation clear in writing. Sign the log and have the employee sign that this was reviewed and discussed with them.	Present the employee with a Memorandum of Expectation or a Performance Improvement Plan clearly stating the expectation and consequences if the policy is violated again. Clarify that the behavior will affect the performance rating and may result in further corrective or disciplinary action.	Document the new infraction and forward with previous documentation to the appointing authority for consideration of a meeting for corrective or disciplinary action that may affect pay, status, or tenure and possible termination.
Smoking in personal vehicle on campus.	Review policy and perimeter of the campus, give clear expectation it is not to reoccur. Review the Help Quit education available and possible assistance with nicotine replacement and alternative therapies for difficulties with compliance while at work.	Again review the assistance available to comply at work.		
*Excessive absences from the workplace during assigned shift (extra breaks, longer lunch breaks, etc.).				
*Employee's clothing smells strongly of tobacco smoke.				

Staff who witness infractions of any kind are asked to remind the person of the Tobacco-free campus policy using the scripted phrase on the reminder card. If the offender is a client, please report the offense to the client's treatment team if known. If the offender is staff, please report the offense to the supervisor if known.