

## POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 108.03
SUBJECT: STANDARDS OF CONDUCT FOR EMPLOYEES	INITIAL EFFECTIVE DATE: 06/01/92
TITLE: USE OF TOBACCO PRODUCTS AND ELECTRONIC CIGARETTES	LAST REVISION DATE: 10/01/15

### I. POLICY STATEMENT

The City of Denton desires to conduct its operations with the utmost regard for the safety of its employees, its customers, and the public. One of the most valuable assets of the City of Denton is its employee workforce. In recognition of that belief, the City promotes the health, safety, and well-being of each individual through progressive health and benefit programs.

The City's obligations include concern for all employees in all areas of known hazards as well as promoting a professional image. Environmental tobacco smoke is a carcinogen shown to cause disease, including cancer, in healthy non-smokers, as well as aggravate allergic reactions including watery eyes, coughing and headaches in susceptible individuals, all of which lead to impaired performance and increased health care costs. The use of smokeless tobacco is offensive to many people, citizens and co-workers alike. It is unknown how much nicotine or other potentially harmful chemicals are being inhaled with electronic cigarettes; therefore, their safety is unknown. A work environment in which employees are allowed to use smokeless tobacco products and/or electronic cigarettes promotes an image that many regard as unsanitary and/or unprofessional. It is therefore the policy of the City of Denton to prohibit the use of smoking tobacco products, smokeless tobacco products, and electronic cigarettes by City employees at all City worksites and on all City property while on duty, including buildings, vehicles, and equipment.

### II. ADMINISTRATIVE PROCEDURES

#### A. Definitions:

"City Building" means any building or structure owned, leased, rented or operated by the City of Denton.

"City Property" means all property owned, rented or leased by the City. This shall include open areas surrounding City buildings (e.g. parking lots, storage yards, etc.).

"City Worksite" means any location, not on City Property, where City employees are performing duties on behalf of the City (e.g. street, right-of-way, easement, citizen's property, etc.).

"Electronic cigarette" (e.g. e-cigarette) is an electronic inhaler meant to simulate and be a substitute for tobacco smoking. For purposes of this policy, it also includes electronic vaping

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devices, personal vaporizers (PV), or electronic nicotine delivery systems (ENDS).

“Equipment” means mobile equipment other than cars, trucks, buses or vans (e.g. mowers, compactors, scrapers, front-end loaders, backhoes, trenchers, augers, rollers, bulldozers, etc.).

"Smoking" means the combustion of any product or material containing tobacco as well as herbal cigarettes.

"Smokeless Tobacco Products" means any product or preparation containing tobacco, including, but not limited to, chewing tobacco, snuff, and smokeless tobacco, as well as any product that imitates types of smokeless tobacco (e.g., herbal dip or snuff).

"Vehicle" means any car, truck, bus, or van owned or operated by the City of Denton, used for conveying persons, supplies, equipment, etc.

- B. Smoking and the use of all smokeless tobacco products, as well as electronic cigarettes, is prohibited within any City building, on any City property or City worksite, or in any City vehicle or equipment at all times, including during breaks and lunches, if said break or lunch is conducted on City property or on a City worksite. This prohibition extends to employees smoking or using tobacco products or electronic cigarettes in their personal vehicle if it is parked on City property or at a City worksite.

Exceptions will be made in designated areas of the Police Department for suspects and witnesses during interviews and interrogations, and for individuals confined to the City jail. Employees may not smoke, use smokeless tobacco, or electronic cigarettes in these areas at any time.

- C. The Facilities Manager, or designee, shall conspicuously place "No Smoking, Use of Smokeless Tobacco, or Electronic Cigarettes" signs at the entrances of all City buildings and shall additionally place signs designating authorized tobacco and electronic cigarette use in the Police Department.
- D. Employees will have 12 months from the date of this policy revision to completely comply with the prohibition on smoking and using smokeless tobacco products, as well as electronic cigarettes, as outlined in section “B” above. However, employees are still expected to fully comply with provisions of the previous policy that prohibit smoking and the use of smokeless tobacco in City buildings and City vehicles.
- E. Any employee who violates this policy is subject to disciplinary action as outlined in Policy 109.01 *Disciplinary Action*.

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- F. Smoking Cessation Programs: City employees who need or desire assistance with overcoming a nicotine addiction may seek help through the City's health insurance program or Employee Assistance Program (EAP), outlined in Policy 107.10 *Employee Assistance Program*. Interested employees or supervisors may contact a representative of the Human Resources Department for assistance.
- G. Supervisors are responsible and accountable for communicating this policy to, and enforcing the policy upon, their employees.
- H. Employees are expected to report violations of this policy to their immediate supervisor or someone in the chain of command. Employees reporting such violations shall not be subjected to retaliation.