



ALLEGHENY COUNTY DEPARTMENT OF HUMAN RESOURCES

Policies and Procedures

Smoking

Policy Number: Employment, #32

Date Issued: September 11, 2008

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- I. **Purpose:** Due to the acknowledged hazards arising from exposure to environmental tobacco smoke and Allegheny County's desire to protect the health, comfort and work environment of its employees, vendors, visitors, contractors and all persons and entities transacting public business on property and facilities owned or controlled by Allegheny County, this policy is promulgated to comply with and to monitor compliance with the provisions set forth in Pennsylvania's Clean Indoor Air Act, Act 27 of 2008 (CIAA). The CIAA, which was signed into law on June 13, 2008, regulates smoking in public places and workplaces.
- II. **Applicability:** This policy applies to all County employees, as well as all vendors, visitors, contractors and all persons and entities transacting public business.
- III. **Definitions contained in the CIAA:**
 - A. **Public Place:** An enclosed area that serves as a workplace, commercial establishment, or an area where the public is invited or permitted. The term "public place" includes but is not limited to: facilities that provide education, food or health care-related services; vehicles used for mass transportation; mass transportation stations; public facilities; sports and recreational facilities; a theater or performance establishment and nightclubs.
 - B. **Workplace:** An indoor area serving as a place of employment, occupation, business, trade, craft, professional or volunteer activity. Place of employment means that area that an employee uses for work or for any other purpose which includes but is not limited to: offices; meeting rooms; sales, production and storage areas; cafeterias, lunch and break rooms; restrooms; stairways; hallways; warehouses and garages.
 - C. **Smoking:** The carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device.
- IV. **Policy Statement:** Smoking or possession of any lit tobacco product in the workplace and in public places owned by Allegheny County is illegal and prohibited. Use of tobacco products is permitted only in areas designated by Allegheny County, which are at a reasonable distance from workplaces and public places. In the event that owners of facilities leased by Allegheny County establish policies concerning smoking and the use of tobacco that are more restrictive than the County's policy, then the terms of those policies will prevail. Allegheny County prohibits retaliation against any individual because he or she has reported violations of this policy. It is a violation of this policy for any employee

to retaliate against any person who reports a violation or against anyone who participates in the investigation of a reported violation.

Any employee found to be in violation of this policy will be subject to disciplinary action in accordance with the Allegheny County Progressive Discipline Policy. Additionally, any person found to be in violation of the CIAA could be subject to fines and other penalties as required under the law.

V. Procedures:

A. Communication of Policy: The provisions of this policy will be communicated to all current employees and included in the New Employee Orientation Program. Copies of this policy will be maintained by each County Department and Office and will be made available to employees and non-employees upon request. Additionally, this policy will be available on the County's Intranet site at <http://info.county.allegheny.pa.us> and Internet site at www.alleghenycounty.us.

County Departments and Offices that have dealings with non-employees of Allegheny County, such as vendors, visitors, contractors and all persons and entities transacting public business, should make the provisions of this policy known to such persons.

B. Ensuring Compliance: All employees share responsibility for ensuring that the workplace and other public places owned or controlled by Allegheny County remain smoke-free. All employees must comply with this policy and are required to cooperate fully in any preventative, investigative, remedial and corrective actions taken by Allegheny County. Employees may remind violators of the law and are encouraged to report violations of this policy to their supervisors and managers or to Building Guards.

Allegheny County will take all reasonable measures to ensure compliance with CIAA, which include but are not limited to, the following:

1. Posting "No Smoking" signs or the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette in a circle with a bar across it, in workplaces and in all public places owned by Allegheny County;
2. Removing ashtrays from all workplaces and public places owned or controlled by Allegheny County;
3. Designating areas in which smoking is permitted and providing proper receptacles for disposal of cigarette butts;
4. Asking violators to extinguish any smoke producing product or to leave the regulated area.

VI. Smoking Cessation: The Allegheny County Employee Wellness Program helps employees learn more about incorporating healthy choices into their lifestyles with continuing programs for employees. The goals of the Wellness Program are to improve the health of County employees and lower our health care costs. Therefore, Allegheny County will make smoking cessation programs accessible to its employees through the Employee Assistance Program, health insurance program and other Wellness Program initiatives.

VII. Complaints: Complaints regarding violations of Pennsylvania's Clean Indoor Air Act may be reported to the Pennsylvania Department of Health by calling 1-877-835-9535 or by completing a "Violation Form" on-line at www.health.state.pa.us.

VIII. Attachment: The Clean Indoor Air Act, Act 27 of 2008.