



PERSONNEL POLICY 07-09

SUBJECT: Tobacco-Free Workplace Policy

PURPOSE: The City of Clarksville is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. As required by Tennessee Non-Smoker Protection Act and also motivated by our desire to provide a healthy work environment for our employees, the following tobacco policy has been adopted and shall apply to all employees of City of Clarksville.

APPLICABILITY: All City of Clarksville Employees

REFERENCES: Tennessee Non-Smoker Protection Act of 2007

POLICY STATEMENT: It is the policy of City of Clarksville to prohibit smoking and the use of vaping devices on all City property, except as outlined in designated smoking areas listed below, in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." The use of vaping devices (what the FDA calls Electronic Nicotine Delivery Systems or "ENDS") includes, but not limited to: E-cigarettes, E-cigars, E-hookahs, Vape pens, Personal vaporizers, and Electronic pipes. Smokeless tobacco such as chew, dip, snuff and all other forms of tobacco products shall not be used in City buildings, vehicles, or equipment.

GENERAL:

The Tobacco-Free Workplace policy applies to:

- All City employees, including full-time, part-time, temporary and seasonal employees;
- All contractors, consultants and their employees and agents visiting or working on City property;
- All visitors to City property.

The Tobacco-Free Workplace policy will be enforced in all enclosed public places owned or operated by the City and in all vehicles and equipment owned or leased by the City.

Smoking will only be permitted in designated areas named by the department head responsible for the location. Department heads shall notify the Health & Safety Manager of these specific locations. The designated smoking areas must meet the requirements of this policy as listed below:

Non-enclosed areas of public places, including parking lots, open-air porches, patios or decks; and areas enclosed by tents or awnings with removable sides or vents when all such sides or vents are completely removed or open. The designated areas shall not be within 25 feet of an employee or public entrance to the facility and when feasible out of the viewing area of the public. The designated smoking areas shall not be near gas lines or meters, flammables, or areas where combustibles are stored or can accumulate. These areas shall be equipped with ash receptacles/butt cans to ensure that ashes or any smoldering material is contained and these receptacles shall be emptied regularly and maintained per manufacturer's recommendations. Departments may choose to have a completely tobacco-free campus such as City Hall and the City Employee Clinic. A list of tobacco-free campuses and designated smoking areas shall be maintained by the Health & Safety Manager.

We believe that the spirit of thoughtfulness and cooperation which is characteristic at the City is adequate to resolve any disputes which might arise under this policy. Where disputes cannot be so resolved, the rights of the non-tobacco user shall be given precedence, as required by Tennessee Non-Smoker Protection Act.

Employees who violate this tobacco policy will be subject to disciplinary action up to and including discharge.

Resolving complaints about smoking and other tobacco use:

- Any complaints about the application of the policy to the workplace should be brought to the attention of the Department Head or the Human Resources Director for resolution.
- The complaint should be submitted in writing and identify specific objections. The City's Human Resources department will investigate the complaint and resolve it in accordance with the policy.
- No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.

Our tobacco policy is intended to comply with requirements of the Tennessee Non-Smoker Protection Act and provide a safe and healthy workplace.

OFFICIAL DOCUMENT

APPROVED BY THE CITY COUNCIL: NOVEMBER 1, 2007

EFFECTIVE DATE: OCTOBER 1, 2007

REVISED DATE: MAY 3, 2018



WILL WYATT, DIRECTOR OF HUMAN RESOURCES