



Subject: Smoking and the Use of Tobacco Products on City Property
Effective Date: 8/29/2019
Department: Human Resources
Revised Date: [Policy Revised Date]

Revision: 2
Policy Number: HRM-720
Rescinded Date: [Policy Rescinded Date]

City Manager

To All City Employees:

I. Purpose

It is the City of Durham’s responsibility to provide a safe and healthy working environment and to provide safe entry into City facilities, vehicles and grounds. The following policy prohibits smoking and the use of smokeless tobacco products in the workplace, on City grounds, in City vehicles, and on City equipment.

II. Policy

It is the policy of the City of Durham to prohibit smoking on City property consistent with the rules adopted by the Durham County Board of Health rules regarding the regulation of smoking in prescribed areas:

<http://www.dconc.gov/modules/showdocument.aspx?documentid=4406>

It is also the policy of the City of Durham to prohibit the use of smokeless tobacco products on City property.

III. Definitions

Smoking – The use of a vaping device, e-cigarette, lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.

Smokeless tobacco product – A tobacco product that is used by means other than smoking; examples include chewing tobacco and snuff.

IV. Procedure

- A. Department Directors
 - 1. Must ensure that this policy is followed consistently by departmental employees.

2. Must communicate information about the policy to employees.
3. Must ensure supervisors are aware of procedures for reporting violations.
4. Must ensure posted signage is consistent with this policy.

B. Employees must:

1. Adhere to the policy.
2. Identify appropriate locations to engage in tobacco use when taking breaks.
3. Properly dispose of their smoking remains.
4. Notify their supervisor of violations of the policy.

V. Other

- A. The City of Durham respects the rights of employees who chose to smoke and/or use tobacco products. However, smoking and the use of smokeless tobacco products is prohibited in/on City facilities, equipment, vehicles, the grounds of City property, and City and State right-of-ways immediately adjacent to the grounds of City property unless otherwise exempted by the Durham County Board of Health.
- B. Employees may use their break time to engage in tobacco use. However, no additional or extended break time will be given to an employee because of their need to find a non-prohibited space to smoke.
- C. Employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the City's premises.
- D. Failure to adhere to this policy is considered misconduct and may result in disciplinary action.
- E. Employees who are interested in accessing free quitting support services may contact QuitlineNC at 1-800-QUIT-NOW (1-800-784-8669).

VI. Attachments

[Policy Attachments]