



# SMOKE FREE POLICY

**Effective Date: May 21, 1991**

|                             |   |
|-----------------------------|---|
| <b>Owner</b>                | Human Resources   |
| <b>Reviewer(s)</b>          | Human Resources   |
| <b>Approver(s)</b>          | County Manager  |
| <b>Applicable Policies</b>  | N/A   |
| <b>Applicable Documents</b> | North Carolina General Statutes, 126-35,153A-76,153A-81 |
| <b>Storage Location</b>     | DCo Services Hub, DocTract                              |
| <b>Last Review Date</b>     | 07/01/2025  |
| <b>Next Review Date</b>     | 07/01/2028  |
| <b>Review Cycle</b>         | Three Years   |

## 1. PURPOSE

To establish a healthy and safe work environment for all Durham County employees, clients and visitors.

To reduce health hazards, physical irritation, safety violations, and building/vehicle deterioration.

## 2. POLICY

Durham County recognizes the right of individuals to remain in a environment free of Environmental Tobacco Smoke (ETS). Smoking is prohibited in all Durham County Facilities and all Durham County Vehicles.

## 3. APPLICABILITY

All County employees covered under the Personnel Ordinance, as well as those included under a Memorandum of Understanding, are subject to this policy. This also applies to all individuals conducting County business or present on County-owned, leased, or maintained property.

## 3. DEFINITIONS

Smoking - refers to the inhaling, exhaling, burning or carrying of any lighted tobacco smoke producing product.

Environmental Tobacco Smoke (ETS) - refers to the exposure to tobacco smoke whether from exhaled tobacco smoke or tobacco smoke produced by the burning or carrying of any lighted tobacco smoke producing product.

Durham County Facilities - refers to all buildings owned or leased by Durham County, including private offices and rooms, shared space, public space, and space used on behalf of some other agency. Excludes all parking lots owned or leased by Durham County and Durham County Stadium.

County Vehicles - All vehicles owned or leased by the County. Excludes vehicles assigned to a specific Durham County Employee.

## 4. GENERAL GUIDELINES

### A. Implementation

1. The policy takes in consideration difficulties imposed on some Durham County employees.
2. Therefore, policy implementation must occur through a gradual process supervised by the County Manager (or specified personnel) and must provide employees opportunities to participate in stress management and smoking cessation programs.

### B. Durham County Jail

1. The jail renders special consideration. Therefore, the County Manager and the Durham County Sheriff (or specified personnel) must work together to develop a policy best suited for the jail population and staff.



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## C. Enforcement

1. The policy follows standard procedures for all work rules outlined in the Progressive Discipline Process mandated by N.C. General Statutes 126-35.
  - The security staff is responsible for enforcement for clients and visitors.
  - Durham County Judicial Building – all outside areas except the immediate vicinity of public entrance/exit outlets.
  - Durham County Library (Main Branch) – all outside areas except the immediate vicinity of public entrance/exit outlets.
  - Mental Health – all outside areas except the immediate vicinity of public entrance/ exit outlets.
  - North Carolina Cooperative Extension Service – all outside areas except the immediate vicinity of public entrance/exit outlets.
  - Public Health – all outside areas except the immediate vicinity of public entrance/ exit outlets.
  - Social Services – all outside areas except the immediate vicinity of public entrance/ exit outlets.

## 5. RESPONSIBILITY

- It is the responsibility of supervisors and managers to uniformly administer, communicate, and ensure compliance.
- It is the responsibility of the Human Resources Department to interpret, monitor, and update the policy content.
- It is all employees' responsibility to comply with policy guidelines.
- Any violation or policy misuse will result in disciplinary action up to and including dismissal.

## REVISION HISTORY

| Version ID | Revision Date | Author          | Reason for Revision |
|------------|---------------|-----------------|---------------------|
| v.1.0-1991 | 05-21-1991    | Human Resources | Adopted             |
| v.2.0-1991 | 07-01-1991    | Human Resources | Reformat            |
| v.3.0-2025 | 07-01-2025    | Human Resources | Reformat,           |