



Department of Health and Human Services
Office of the Commissioner
Policy and Procedure Statement

Policy # DHHS-09-04

Issue Date: 07/15/04

Revised Date:

I. SUBJECT

Smoking in and Around Department of Health and Human Services Buildings/Facilities

II. POLICY STATEMENT

The purpose of this rule is to protect State employees and the public from the detrimental effects of secondhand smoke.

The Surgeon General's report "The Health Consequences of Involuntary Smoking" concludes that involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers. Simple separation of smokers and non-smokers within the same air space would reduce but does not eliminate exposure of non-smokers to environmental tobacco smoke.

III. RATIONALE

In order to protect the public and our fellow employees from the dangers of exposure to secondhand smoke, **smoking is prohibited in all buildings/facilities and smoking outside the buildings/facilities is prohibited except in specifically designated areas.**

IV. PROCEDURE STATEMENT

1. In general, smoking is prohibited in and around all main entrances to buildings, and within 100 feet of the buildings.
2. Where the 100 foot restriction cannot be imposed due to topography, boundary, or ownership **issues**, regional management teams in each DHHS office shall make a recommendation of a variation which is within the spirit and intent of this policy. Any variation in the 100 foot rule must make certain that any smoking area is also situated away from any entrance, air intake vents or windows. This recommendation shall be made to the Deputy Commissioner, Operations and Support.

3. The smoke free areas will be shown by a simple map/diagram/site combination. Such map/diagram/site combination shall be displayed to effectively inform non-employees of the smoking prohibition as they approach the building. A written description will also be posted on bulletin boards of the facilities.
4. Smoking areas will be provided with adequate extinguishing and collection devices to prevent littering.
5. Smokers are expected to be self-policing in ensuring the cleanliness of the smoking areas in order to preserve the privilege of smoking.
6. Institutions may maintain specific policies subject to approval by the Deputy Commissioner Operations and Support.

V. Enforcement

Enforcement of this rule shall be by counseling first followed by progressive discipline, with terms of the collective bargaining unit agreement or civil service law.

VI. Effective date:

The effective date of this policy consolidation is July 14, 2004.

VII. Distribution

All employees and posting on designated bulletin boards.

February 22, 2007

Review Date

Brenda M. Harvey
Commissioner