


Smoke-Free Workplace Policy for ADOA-Owned and Managed Buildings and ADOA Fleet Management Vehicles	Document No.	0000.000
	Revision No.	000
	Effective Date	1/1/2016

1.0 Revision History

1.1 Revision Table

Date	Rev. No.	Change	Ref. Section
[date approved]	1.0	New policy drafted	Not Applicable

1.2 Approval Signatures

Title	Name	Signature	Date
Director	Craig C Brown		12-17-15
Affected Division Director(s)			

2.0 Purpose

The purpose of this policy is to provide a smoke-free and tobacco-free environment in all State buildings and State vehicles that are under the jurisdiction of the Arizona Department of Administration (ADOA). This policy is intended to comply with the requirements of the Smoke-Free Arizona Act and covers the smoking of any tobacco or tobacco-like products, including electronic cigarettes, and use of smokeless tobacco products including, but not limited to, chewing or “spit” tobacco, snuff, etc.

3.0 Authority

3.1 A.R.S. § 36-601.01, Smoke-Free Arizona Act

3.2 A.R.S. § 41-791, Powers and duties relating to public buildings maintenance; compensation of personnel

- 3.3 A.R.S. § 41-803, Operation of state motor vehicle fleet; public service announcements; energy conservation; alternative and clean burning fuels; definitions
- 3.4 A.A.C. R2-11-112, Smoking [Public Buildings Maintenance]
- 3.5 A.A.C. R2-15-203, Operator Responsibilities [Fleet Management]
- 3.6 A.A.C. Title 9, Chapter 2, Article 1, Smoke-Free Arizona

4.0 Persons Affected

- 4.1 State agencies, boards and/or commissions within State-owned or managed buildings
- 4.2 State agencies, boards and/or commissions utilizing ADOA Fleet Management vehicles
- 4.3 State employees, non-State employees, including but not limited to, tenants, vendors, contractors and consultants, volunteers, customers and visitors within ADOA-owned or managed buildings or vehicles

5.0 Policy

- 5.1 The policy prohibits smoking of any tobacco or tobacco-like products, including electronic cigarettes, and use of smokeless tobacco products in all ADOA-owned or ADOA-managed office buildings, workplaces, and facilities.
- 5.2 The policy prohibits smoking of any tobacco or tobacco-like products, including electronic cigarettes, and use of smokeless tobacco products in any ADOA Fleet Management vehicle.

6.0 Definitions

- 6.1 Electronic cigarette – a device that employs a mechanical heating element, battery or circuit, regardless of shape or size (typically cigarette-shaped), and containing a nicotine-based or other liquid that is vaporized and inhaled, used to simulate the experience of smoking without burning tobacco.
- 6.2 Smoke or smoking – inhaling, exhaling, burning, or carrying or possessing any lighted tobacco product, including cigars, cigarettes, pipe tobacco, and any other lighted or activated tobacco-like product, such as an electronic cigarette.
- 6.3 Smokeless tobacco products – a tobacco or tobacco product that is used by means other than smoking, including but not limited to, chewing or “spit” tobacco and snuff.

7.0 Procedures

- 7.1 Pursuant to A.R.S. § 36-601.01(C) all current and prospective employees must be informed of the Smoke-Free Arizona Act and its provisions.
- 7.2 Signs prohibiting smoking must be posted at each entrance to state-owned and state-managed buildings. The signs must contain lettering of sufficient size to be legible and conspicuous to an individual of normal vision throughout the areas the signs are intended to mark, be legible from a minimum of five (5) feet, have the “no smoking”

symbol, and have the website and telephone number to register a complaint. The sign may be no smaller than four (4) by six (6) inches, at normal viewing height, and not obstructed in any way.

- 7.3 Legible and conspicuous signs prohibiting smoking must be posted in all State-owned vehicles on the vehicle door windows or vehicle dashboard or another area in the vehicle that is visible to each occupant of the vehicle.
- 7.4 Do not smoke tobacco, electronic cigarettes, or use smokeless tobacco products inside a state vehicle or building, and do not smoke tobacco or electronic cigarettes within 20-feet of a door, window, or ventilation system.
- 7.5 Ashtrays are to be placed not less than 20-feet from a door, window, or ventilation system and are not to be moved within 20-feet of a door, window, or ventilation system.

8.0 Breaks

- 8.1 No additional breaks beyond those allowed under the employing agency's break policy may be taken for the purpose of smoking tobacco, electronic cigarettes, or using smokeless tobacco products.

9.0 Penalties

- 9.1 A state employee who violates the provisions of this policy may be subject to corrective/disciplinary action.
- 9.2 Any individual who smokes where prohibited by the Smoke-Free Arizona Act is guilty of a petty offense and may be fined between \$50 and \$300. A.R.S. § 36-601.01(K)

10.0 Resolving Complaints

- 10.1 State employees are encouraged to attempt to resolve smoking/vaping/tobacco related complaints through their supervisors. Complainants shall submit complaints in writing and identify specific objections. Agency management will investigate the complaint and resolve it in accordance with this policy.
- 10.3 Any person may report non-compliance with the Smoke-Free Act to the Arizona Department of Health Services (ADHS). County health departments may investigate complaints about violations of the Smoke-Free Arizona Act at the direction of ADHS.