

	CITY OF HENDERSONVILLE		
Policy Name:	Tobacco Use Policy	Date Adopted by Council :	October 5, 2017

I. Purpose

It is the policy of the City to provide a safe, healthy and efficient work environment for its employees and to protect the public that it serves by establishing and maintaining a healthy and professional work environment where the use of tobacco products is monitored and regulated. Tobacco use is hazardous and affects all segments of the community, including the workplace.

II. Applicability

1. Applicants who have been offered employment will be made aware of the City’s Tobacco Use Policy.
2. All employees are covered under this Tobacco Use Policy and are subject to disciplinary action for violations.
3. Employees will be made aware of tobacco-permitted areas designated by the City Manager or their designee.
4. Visitors and members of the public will be made aware of tobacco-permitted areas designated by the City Manager or their designee through appropriate public signage.
5. Tobacco products include any product containing, made, or derived from tobacco that is intended for human consumption, including cigarettes, snuff, snus, chewing tobacco, e-cigarettes, and any other kinds and forms of tobacco. E-cigarettes means any electronic oral device, such as one composed of heating elements, battery, and/or electronic circuit, which provides a vapor or nicotine or any other substances, and the use of inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

III. Prohibited Conduct for All City Employees and City Visitors

The following conduct is expressly prohibited. Violations will result in disciplinary action up to and including termination:

1. Consumption or use of tobacco products while on City premises that is not designated as a tobacco-permitted area or is the explicit property of the applicant or employee, such as the individual’s personal vehicle.
2. Consumption or use of tobacco products while in City-supplied vehicles.

3. Taking extra breaks to use personal tobacco products.

IV. Procedures and Violations

The City of Hendersonville recognizes the hazards caused by exposure to tobacco. The provisions of this policy shall be enforced by supervisors and department heads. It is the employee's and the visitor's responsibility to comply fully with the Tobacco Use Policy at all times.

1. PRE-EMPLOYMENT Applicants will be made aware of the City's commitment to a healthy workforce and workplace. Applicants will also be made aware of the Tobacco Use Policy and any other City procedures relating to the use of tobacco.
2. CURRENT EMPLOYEES All full time and part time employees will be made aware of the Tobacco Use Policy. City employees are prohibited from using any form of tobacco while on City property, or in City vehicles unless designated as a tobacco-permitted area.

When a variance is granted and an area is designated as a tobacco-permitted area, City employees will be made aware of such variance. The City Manager, or their designee, shall have the authority to designate an employee tobacco-permitted area for each City facility where employees are based.

Employee tobacco-permitted areas at City facilities shall be provided with one appropriate receptacle for cigarette butts and other tobacco-associated remnants. This will serve as the only marker for employee tobacco-permitted areas. No signage will be posted. Employees may refer to this policy or to postings within their workplace for notification and clarification.

Employees should work to maintain a professional demeanor in all public interactions and should ensure that the consumption or use of tobacco does not detriment the professional appearance of the City.

Additional support services may be provided through the Human Resources Department. Employees who use tobacco products are eligible for participation in tobacco cessation programs sponsored by the City.

3. VISITORS Visitors are expected to comply with the Tobacco Use Policy while on City property, in City vehicles, and in City work areas.

The use of tobacco products is prohibited except in areas specifically designated as tobacco-permitted areas for the general public. Clear signage will mark public tobacco-permitted areas.

All other parks, greenways, and undeveloped City-owned property shall remain tobacco-free. Tobacco use is permitted on public sidewalks adjacent to parks and public spaces, but not within the boundaries of the parks or public facilities.

Employees, visitors, and members of the public who violate this policy are subject to fines as provided in the City of Hendersonville City Ordinances, Chapter 26 Article III, as permitted by N. C. G. S. § 130A-498.

V. Summary

No part of this policy, nor any of its procedures, is intended nor shall be construed to affect the City of Hendersonville's right to manage its workplace, to discipline its employees, to change the "at will" nature of employment with the City, or to engage with members of the community in a positive manner. Since it is impossible to anticipate every situation which may arise under this policy, the Human Resources Director should be contacted to resolve any situation not addressed herein. This contact should be made before action is initiated, if at all practical.



TOBACCO-FREE EMPLOYEE RESOURCES

Employee Assistance Program (EAP) - The EAP offers assistance for personal and/or professional concerns by providing free, confidential, short-term counseling and personal consultation. The EAP has a network of counselors that are located near your home and/or work-site. They can help you improve or resolve difficulties, whether personal or work related.

Some examples of concerns that the EAP addresses include:

Family conflict	Depression and anxiety
Relationship issues	Communication breakdowns
Grief and loss	Financial difficulties
Stress	Work related issues
Balancing work and family	Alcohol or drug use/abuse

Confidentiality is one of the most important features of the EAP. Employees can be confident that their privacy and confidentiality will be honored. No one will know that you have used this resource unless you offer that information or unless someone's safety is threatened. There is no cost to you for your phone calls or face-to-face visits with the EAP.

The EAP is provided by Employee Assistance Network, Inc. For more information on the EAP, please view their website at www.eannc.com or contact them at 828-697-2953.

Trestle Tree - The MedCost tobacco cessation partner, Trestle Tree, utilizes health coaches to develop an individualized plan to stop using tobacco. By having a person to talk to one-on-one, this individually tailored approach increases the likelihood of your success.

Trestle Tree coaches tailor their coaching with you based on your unique needs and readiness to change. Trestle Tree focuses on sustained behavior changed and long-term success, but City employees are welcome to complete the program as many times as needed. Coaching is done over the phone at the time you both agree on with appointments lasting between 15-30 minutes. Coaching is available Monday-Thursday from 8:00 am to 10:00 pm and on Friday from 8:00 am to 6:00 pm.

Trestle Tree is provided by a partnership with MedCost. For more information on Trestle Tree, please contact the League's Health Benefits Trust at (919) 715-4000 or visit <http://enroll.trestletree.com> (Passcode: NCLM).



TOBACCO USE POLICY EMPLOYEE ACKNOWLEDGEMENT FORM

I, _____, hereby acknowledge that I have received the Tobacco Use Policy of the City of Hendersonville and understand that it my responsibility to read, understand and comply with the policy.

I further acknowledge the following:

1. I have been notified that the unlawful consumption or use of tobacco products of any kind is prohibited on the City of Hendersonville's property and in the City of Hendersonville's vehicles unless designated by the City Manager or their designee.
2. That I will abide by the City of Hendersonville's Tobacco Use Policy.

I understand that the above in no way creates an obligation or contract of employment and that I, as well as the City of Hendersonville, have the right to end the employment relationship at any time. I further understand that violations of this policy may result in disciplinary action up to and including termination.

Employee Name _____

(Please print)

Date _____

Employee signature

Administrative Procedure

Office of the City Manager

Tobacco Permitted Areas

The City Manager, or their designee, shall have the authority to designate an employee tobacco-permitted area for each City facility where employees are based. Designated areas for employees will not be signed but will be marked with an appropriate receptacle for cigarette butts and other tobacco-associated remnants. Employees may refer to this procedure or to postings within their workplace for notification and clarification.

Employee Tobacco Permitted Areas are designated as follows:

- City Hall | by the picnic tables on the west side of the building
- City Operations | under the shed on the south side of the building
- Motor Pool | behind the building on the east side of the building
- Fire Station #1 | by the generator on the southwest side of the building
- Fire Station #1 | in employee living areas (smokeless/vaporless tobacco use only)
- Fire Station #2 | by the generator on the southeast side of the building
- Fire Station #2 | in employee living areas (smokeless/vaporless tobacco use only)
- Water Treatment Plant | by the splitter box on the northeast side of the building
- Water Treatment Plant | by the bulk chemical building on the northeast side of the building
- Wastewater Treatment Plant | by the front of the Admin. Building on the east side of the building
- Wastewater Treatment Plant | Dewatering building on the south side of the building

Additionally, tobacco use is permitted on City work sites as long as the use does not become a detriment to the professional appearance of the City or affects the City's ability to effectively and efficiently execute its work. Tobacco use is not permitted in City vehicles.

Visitors are expected to comply with the Tobacco Use Policy while on City property, in City vehicles, or in City work areas. The use of tobacco products is prohibited except in areas specifically designated as tobacco-permitted areas for the general public. Clear signage will mark public tobacco permitted areas. All other parks, greenways, and undeveloped City-owned property shall remain tobacco-free. Tobacco use is permitted on public sidewalks adjacent to parks and public spaces, but not within the boundaries of the parks or public facilities.