

## **Administrative Policy 3-5-2**

**DISTRIBUTION:** City Manager, All Departments

**SUBJECT:** Smoking Policy

**PURPOSE:** To establish smoking policies for the City of Muskogee and comply with all applicable federal, state, and local regulations regarding smoking in public places and in the workplace.

**BACKGROUND:** see purpose

**POLICY/**

**PROCEDURES:** **Smoking Policy**

- A. It is the policy of the City of Muskogee to comply with all applicable federal, state, and local regulations regarding smoking in public places and in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.
- B. It is our goal to protect and enhance our indoor air quality and to contribute to the health and well-being of all employees. The City maintains a smoke- and tobacco-free workplace. No smoking or other use of tobacco products (including, but not limited to, pipes, cigars, snuff, or chewing tobacco), or vaping products is permitted in any part of City buildings or in vehicles owned, leased, or rented by the City, except as provided herein. No additional breaks beyond those allowed under the City's break policy may be taken for the purpose of using tobacco or vaping products.
  1. The City of Muskogee recognizes that smoking in the workplace can adversely affect employees. Accordingly, smoking, vaping and all other tobacco products are prohibited in all of its facilities, including work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, garages, private offices, etc.
  2. Smoking and vaping are prohibited in City vehicles at all times.
  3. The use of smokeless tobacco products is prohibited in City vehicles.
  4. Smoking, vaping and the use of all tobacco products is prohibited inside all City facilities unless otherwise provided herein. Directors and supervisors are expected to enforce the regulations. The smoking policy applies to employees and to customers and visitors while on the City's premises.
  5. Smoking and vaping are prohibited on all City premises.
  6. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers with regard to the smoking policy. Smokers have

a special obligation to keep City property litter-free and not to abuse break and work rules. Complaints about smoking issues should be resolved at the lowest level possible, but may be processed through the City's Grievance Procedure. Employees who violate the policy will be subject to disciplinary action.

7. If employees choose to smoke or use a vaping product during break, employees must leave City property during breaks; when smoking off City property, do not leave cigarette butts on the ground or anywhere else, other than in proper receptacles.
8. The City does not discriminate against individuals on the basis of their use of legal products, such as tobacco or vapor.
9. Employees may contact the Employee Assistance Program for information regarding the effects of smoking and the availability of smoking cessation programs.

REFERENCES: Muskogee City Ordinance 3964-A  
Muskogee City Ordinance 4027-A  
Oklahoma Statutes, Title 21, Section 1247  
Oklahoma Statutes, Title 40, Section 500

RESPONSIBLE DEPARTMENT: Human Resources

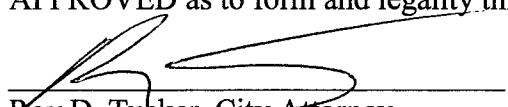
EFFECTIVE: This policy is in effect October 30, 2018 and rescinds and supersedes Administrative Policy 3-5-2 dated January 1, 2016.

  
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Mike Miller, City Manager

10-30-18

Date

APPROVED as to form and legality this 30<sup>th</sup> day of Oct, 2018.

  
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Roy D. Tucker, City Attorney