

I. GENERAL PURPOSE

- A. Ohio law requires employers to provide a Smoke-Free Workplace and environment. The requirements of this policy are either mandated by, or consistent with, that law.
- B. Ohio law prohibits smoking in all “public places” or “places of employment” that are enclosed areas under the direct or indirect control of the employer, including but not limited to, offices, meeting rooms, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles.
- C. Effective January 1, 2005, the City shall not hire employees who smoke or use tobacco or nicotine products. While the hiring practice of this policy does not affect employees hired prior to January 1, 2005, the City of Cuyahoga Falls encourages current employees who use tobacco/nicotine products to pursue a healthier lifestyle utilizing available resources to quit using tobacco or nicotine products.
- D. It is the intent of this policy that employees hired after January 1, 2005, remain tobacco and nicotine-free for the duration of their employment.
- E. For the purpose of this policy, tobacco/nicotine products shall include, but are not limited to, any lighted or unlighted cigarette, cigar, clove cigarette, cigarillo, blunt, pipe, hookah, and any other smoking product, any smokeless or spitless tobacco also known as dip, chew, snuff, snus, orbs, and strips, sticks or electronic cigarettes in any form.

II. POLICY AND PROCEDURES

- A. In accordance with Ohio law and City policy, smoking is prohibited in all buildings and vehicles owned, leased, managed or operated by the City or its employees.
- B. Effective January 1, 2005, the City shall not hire as an employee any person who smokes or uses tobacco or nicotine products. Employees hired after January 1, 2005 must refrain from using all tobacco/nicotine products for the duration of their employment.
- C. An employee who is hired and later violates the smoke and tobacco/nicotine-free workplace and hiring policy will be subject to disciplinary action that can lead up to and include employment termination.
- D. All advertisements and notices seeking applications for positions within the City shall include language to the effect that those who smoke or use tobacco/nicotine products will not be considered for employment with the City.
- E. All applications for employment with the City shall include a question asking whether the applicant smokes or uses tobacco or nicotine products. Any person

found to have answered said question untruthfully will be subject to disciplinary action that can lead up to and include employment termination.

- F. Persons hired before January 1, 2005, who smoke or use tobacco/nicotine products may continue to use them during working hours. These employees may only leave their workstations to smoke or use tobacco or nicotine products during the approved work break(s) and/or lunch period.
- G. All employees share in the responsibility for adhering to and enforcing this policy. Problems should be brought to the attention of the Human Resources Director. Violations of this policy will result in disciplinary action that can lead up to and include employment termination.

III. DESIGNATION OF OUTDOOR SMOKING AREAS

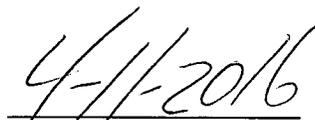
- A. Smoking is only permitted in outdoor designated areas approved by the Service Director and pursuant to Ohio law. These areas must meet the following criteria:
 - 1. The area must be at least 20 feet from entrances, exits and openings to facilities to ensure tobacco smoke does not enter through entrances, windows, ventilation systems, or other means;
 - 2. Non-Smokers do not have to pass through this area to get to another area;
 - 3. The area has been determined as suitable as an outdoor "smoking permitted" area by the Service Director and Department Directors in charge of a facility; and
 - 4. There are no other safety concerns.

IV. COMMUNICATIONS, SIGNS AND HANDLING OF COMPLAINTS

- A. The City will post "No Smoking" signs, consistent with the requirements of the Ohio Revised Code Section 3794.06, which shall contain the phone number (866) 559-6446 for reporting unresolved violations to the Ohio Department of Health's Smoke-Free Workplace enforcement office.
- B. Smoking-related concerns, disputes and complaints that occur should be communicated to Department Directors in charge of the facilities and/or vehicles in question. Unresolved disputes may be reported to the Human Resources Director or to the Ohio Department of Health's Smoke-Free Workplace enforcement office by calling (866) 559-6446.

Approved:


Don S. Walters
Mayor


Date