

PERSONNEL REGULATION
Section 150 - 4

COUNTY OF SANTA CRUZ
EMPLOYEE SMOKING POLICY

Reference: County Code Chapter 7.88 Smoking Pollution Control

BACKGROUND AND PURPOSE

The Board of Supervisors of the County of Santa Cruz hereby finds and declares as follows:

- Numerous studies have found that tobacco smoke is the major contributor to indoor air pollution and that breathing secondhand smoke is a cause of disease in nonsmokers;
- The U.S. Environmental Protection Agency has classified secondhand smoke as a carcinogen for which there is no safe level of exposure. At special risk are children, elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and
- Health hazards induced by breathing secondhand smoke include lung cancer, heart disease, respiratory infection, decreased respiratory function, bronchoconstriction, and bronchospasm.

Definitions

Employee: "Employee" means any person who is employed or retained as an independent contractor by any employer in consideration for direct or indirect monetary wages or profit, or any person who volunteers their services for an employer.

Smoking: "Smoking" means inhaling, exhaling, burning or carrying any lighted, heated or ignited cigar, cigarette, cigarillo, pipe, hookah, electronic smoking device (e-cig), or any plant product intended for human inhalation

POLICY

In order to protect the public health, safety, and welfare, and to guarantee the right of nonsmokers to breathe smoke-free air, the County of Santa Cruz prohibits smoking and vaping in public places and places of employment; this includes inhaling, exhaling, burning or carrying any lighted, heated or ignited cigar, cigarette, cigarillo, pipe, hookah, electronic smoking devices (e-cig), or any plant product intended for human inhalation. All enclosed facilities and vehicles owned, operated or leased by the County of Santa Cruz shall be subject to the following:

Except as expressly allowed under chapter 7.88.100, smoking shall be prohibited in all enclosed public places within the County of Santa Cruz, including, but not limited to, those public places hereinafter listed: elevators, restrooms, employer vehicles, common work areas, places of meeting or public assembly, private offices, waiting rooms, hallways, stairways, medical facilities, cafeterias, employee lounges, and all other enclosed facilities.

Also included are outdoor public places such as parks, beaches, and outdoor recreation areas, as well as outdoor public spaces within a reasonable distance (i.e. 25 feet) from any doorway, window, opening, crack, or vent into an enclosed area in which smoking is prohibited. This applies to any parking area within 25 feet of enclosed facilities owned, operated, or leased by the County of Santa Cruz.

PROCEDURE

Employees will be provided a written copy of the County Employee Smoking Policy at the County In-Processing Session.

Each employee of the County of Santa Cruz is responsible for observing and adhering to the Smoking Policy. Implementation depends on the respect and cooperation of all employees in order to foster a safe and healthy workplace. Any employee who observes a policy violation is encouraged to respectfully remind the violator of this policy and shall report the violation to their immediate supervisor and through others in the chain of command if necessary to achieve a resolution. Cross collaboration may be required if a violator is in a different department than the individual reporting.

COMPLIANCE

All employees of the County of Santa Cruz are expected to adhere to this policy.

Any individual found to be in violation of the policy may be subject to disciplinary action in accordance with personnel policies.

It is unlawful and constitutes an infraction for any person to smoke in any area where smoking is prohibited by the provisions of this policy. Please note, violations and penalties of this policy may result in penalties pursuant to 7.88.130.

SUPPORT

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any rights afforded by chapter 7.88 of the County Code.

No person or employer shall discharge, discriminate against, or in any manner retaliate against any employee who smokes, if the employee obeys the employer's smoking policies and regulations.

The employee assistance program (EAP) and certain health plans offered to employees throughout the County also provide smoking cessation programs and/or support.

Helplines and websites are available to support those interested in cessation services.

You can find other quit options on our website quit page:

[https://santacruzhealth.org/HSAHome/HSADivisions/PublicHealth/CommunityHealthEducation/TobaccoEducationCoalition\(TEC\)/QuitSmoking.aspx](https://santacruzhealth.org/HSAHome/HSADivisions/PublicHealth/CommunityHealthEducation/TobaccoEducationCoalition(TEC)/QuitSmoking.aspx)