

Policy

Policy Title:	Tobacco Free Campus Policy				
Policy Number:	DHS OHA 060-041	Version:	3.0	Effective Date:	05/01/2012

Approved for DHS by *Jim Scherzinger, Chief Operating Officer*

May 1, 2012

Approved for OHA by *Suzanne Hoffman, Chief Operating Officer*

May 1, 2012

Overview:

Description: This policy provides clarity regarding the prohibition of the use of tobacco products in all interior and exterior spaces controlled by the Department of Human Services (DHS) and the Oregon Health Authority (OHA), as well as those interior and/or exterior spaces that DHS and/or OHA share with other government or private tenants.

Purpose/Rationale: Tobacco use is the leading preventable cause of death in Oregon and the nation. According to Oregon physician reports through death certificates, tobacco contributed to 6,965 deaths in 2007 (22 percent of all deaths in the state). In addition, there are an estimated 800 deaths caused by secondhand smoke in Oregon annually.

In Oregon, people with lower incomes and lower education levels smoke at more than three times the rate of those with greater resources. OHP (Medicaid) clients represent a large percentage of lower-income individuals and families in Oregon. An estimated 428,000 Oregonians are clients of OHP, over half of whom are children; adult OHP clients are nearly twice as likely to smoke as Oregon adults in general.

By establishing a Tobacco-free workplace, DHS and OHA will promote employee and client health, and contribute to a healthier workforce, which is consistent with the DHS mission of “assisting people to become independent, healthy and safe” and the OHA mission to “help people and communities achieve optimum physical, mental and social well-being.”

This policy expands the implementation of the pre-existing Tobacco-free DHS policy to prohibit the use of all tobacco products within all spaces controlled by DHS and OHA. In addition, during implementation “Phase 2” of this policy, DHS/OHA will negotiate with property owners or lease-holders to prohibit the use of all tobacco products within all interior and exterior spaces that DHS/OHA leases and/or shares with other government or private tenants.

Applicability: This policy applies to all DHS and OHA employees, contractors, volunteers, clients, and visitors in all interior and exterior spaces controlled, leased, or shared by DHS and/or OHA including all facilities, grounds, vehicles, and employee work spaces.

In “Phase 2” of this policy, DHS and OHA will provide leadership in multi-tenant buildings (those buildings not wholly owned or leased by DHS or OHA) to promote the adoption of this Tobacco-free campus policy.

Failure to Comply: Failure by an employee to comply with this policy may result in disciplinary action, up to and including dismissal from state service. Contractors and volunteers may have their service terminated.

Policy:

Tobacco-free campus

The use of all tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, or any other tobacco product, including “e-cigarettes”†) is prohibited at all times within any interior space and all outside property or grounds controlled, leased, or shared by DHS and OHA (including parking areas and private vehicles while they are on DHS/OHA property). In addition, ash trays, smoking shelters, etc., are prohibited within and should be removed from DHS/OHA campuses.

Communication of Policy

Signs will be used to designate a DHS/OHA controlled facility as a “Tobacco-free Zone”. Signs communicating this message will be clearly posted (1) on the perimeter of the property, (2) at each vehicular and pedestrian entrance, and (3) at other prominent locations. However, all facilities and grounds controlled by DHS/OHA are “Tobacco-free Zones” regardless of whether or not signs are posted.

All local offices will coordinate with DHS and/or OHA Facilities for the posting and installation of approved “Tobacco-free Zone” signs.

A copy of this Tobacco-free Campus Policy will be made available to clients and visitors whenever it is deemed to be necessary to effectively communicate the requirements of this policy.

All DHS/OHA employees, contractors and volunteers will be provided with basic information about the Tobacco-free Campus Policy at initial hire and/or upon request, and periodically thereafter as it is deemed to be necessary, to ensure compliance with this policy.

Compliance

This policy is the shared responsibility of all DHS and OHA personnel. Employees are authorized and encouraged to communicate this policy with courtesy, respect and diplomacy. If difficulties arise with compliance, an employee should notify security or management-level staff.

Any person who observes an individual violating this policy is encouraged to address the noncompliance with the person in question. Management and supervisory staff are responsible for ongoing compliance with this policy within their respected work areas. In addition, management and supervisory staff are expected to adhere to standard practice in resolving any issues of noncompliance.

If questions arise regarding the actual physical parameters of the prohibition for any particular DHS or OHA property, the agency Chief Administrative Officer, or designee, shall provide a final determination.

Resources

DHS and OHA are committed to assisting employees, contractors, volunteers, clients and visitors in overcoming tobacco dependency. Currently, DHS and OHA employees have access to stop-smoking programs and pharmacology (when indicated) as part of their standard medical benefits. In addition, cessation resource information will be provided to any employee who expresses an interest in seeking help to stop using tobacco products. DHS and OHA will also continue to provide change-management classes and technical assistance as needed to ensure adherence to this policy.

DHS/OHA contractors, volunteers, clients and visitors may be referred to the Oregon Tobacco Quit Line, which is a free tobacco cessation resource. The line is operated by the OHA Public Health Division and is available to all Oregonians.

Definitions:

DHS/OHA property: Any interior space and all outside property or grounds controlled by DHS or OHA.

Electronic cigarette (“e-cigarette”): The FDA defines e-cigarettes as products designed to deliver nicotine or other substances to a user in the form of a vapor. Typically, they are composed of a rechargeable, battery-operated heating element, a replaceable cartridge that may contain nicotine or other chemicals, and an atomizer that, when heated, converts the contents of the cartridge into a vapor.

Smokeless tobacco: Non-ceremonial tobacco products including, but not limited to, snuff, snus and chewing tobacco.

Tobacco-free: Tobacco, in any form, is neither smoked, ingested, nor used in any manner on DHS property.

References:

- ‡ In 2010, the US Court of Appeals ruled that “e-cigarettes” and other products made or derived from tobacco can be [regulated as tobacco products](#).
- Tobacco Prevention and Education Program. [Oregon Tobacco Facts & Laws](#). Portland, Oregon: Oregon DHS, Public Health Division, 2009.
- Behavioral Risk Factor Surveillance System (BRFSS) 2007, Consumer Assessment of Healthcare Providers and Systems (CAHPS) survey 2007.
- Smoking at Building Entrances and the Capitol Mall Parking Structure, [DAS Policy 125-6-323](#)
- Oregon Indoor Clean Air Act and Penalties, ORS 433.835 to 433.875 and 433.990
- Prohibition of Tobacco Smoking in Public Places and Workplaces, OAR 333-015-0035
- Tobacco-free DHS Project Quit, <http://www.dhs.state.or.us/tools/tobfree/>
- The Cascade Counseling, Employee Assistance Program <http://www.cascadecenters.com/>
- PEBB [Free & Clear Program](#)

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Policy History:

- **Version 3.0:**
05/01/2012: DHS|OHA version. Phase 2 implementation information clarified; electronic cigarettes added. Policy is moved from DHS Director's Office to the Office of Human Resources. DHS|OHA 060-041 replaces DHS-010-009..
- **Version 2.0:**
08/01/2009: Phase 2 implementation information added.
- **Version 1.0:**
05/30/2008: Initial release.