

SECTION 13: SMOKING AND TOBACCO USE POLICY

13.1 General Policy

It is the policy of Harper County to comply with all applicable federal, state, and local regulations regarding smoking and the use of tobacco products in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

13.2 Definitions

For the Purpose of this policy, the following definitions apply:

- **“Smoking”**: The possession of a lighted cigarette, cigar, pipe or burning tobacco in any other form or device designed for the use of tobacco.
- **“Tobacco Products”**: Cigarettes, cigars, pipes and any other smoking product; dip, chew, snuff, smokeless pouches, snus and any other smokeless tobacco product; nicotine delivery devices, such as e-cigarettes, vaping devices or other similar devices.
- ***The use of FDA-approved nicotine replacement therapy products used for tobacco cessation is not considered a violation of this policy.***

13.3 Policy Implementation

Pursuant to the Kansas Indoor Clean Air Act, smoking and the use of tobacco products shall be prohibited inside all County owned and operated facilities, and within ten feet of any facility doorway, to include operational windows or ventilation systems of facilities where prohibited. In keeping with Harper County’s intent to provide a safe and healthful working environment, this policy has been extended to include county owned, leased, and operated vehicles and equipment.

This policy applies to:

- The grounds of the County Courthouse
- All county-sponsored offsite conferences and meetings
- All vehicles and equipment owned, leased, or operated by the county
- All county employees, including elected officials, temporary or seasonal employees, interns and community service providers
- All visitors (customers, vendors and guests) to county premises
- All contractors and consultants and/or their employees working on county premises

County employees shall not use tobacco products at any time they are talking to or otherwise interacting with members of the public while on County time.

The Board of County Commissioners is responsible for implementing and monitoring smoking and tobacco use regulations. Department Heads are expected to enforce these regulations. Employees who violate this policy shall be subject to the disciplinary procedures as described in Section 8 of this policy manual. Additionally, any person found in violation of the Harper County Smoking and Tobacco Use Policy may be subject to prosecution in accordance with K.S.A. 21-6109 through 21-6116 and amendments thereto. If in violation of this statute, punishment according to the penalty provisions of K.S.A. 21-6112 may apply, including fines up to \$500.

Employees are encouraged to contact the Human Resources Office or Health Department for information regarding the effects of smoking and the availability of smoking-cessation programs.

Approved by Board of County Commissioners 12/16/2019