

LIVINGSTON COUNTY  
SMOKE-FREE  
BUILDINGS & VEHICLES POLICY

RESOLUTION NO 2010-05-154

LIVINGSTON COUNTY, MICHIGAN

APPROVED: 05/03/2010

REVISED RESOLUTION: 793-148 (7/93)

## A SMOKE-FREE WORKPLACE

### STATEMENT OF POLICY

To protect and enhance indoor air quality and contribute to the health and well-being of all Livingston County employees, Livingston County occupied work areas shall be entirely smoke free, effective July 20, 1993.

Smoking will be prohibited within a reasonable distance of any entrances, windows and ventilation systems to any enclosed areas; such reasonable distance shall be a distance sufficient to insure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke and to insure that tobacco smoke does not enter the building or facility through entrances, windows, ventilation systems or any other means. All smoking trash receptacles shall be placed outside the no smoking area in order to discourage smoking in these areas. Further, smoking is strictly prohibited in all County occupied work areas, public spaces including conference rooms, reception areas, restrooms, stairwells, hallways, lobbies, entryways and work stations of all fully enclosed County facilities and within all County vehicles. This policy applies to all employees, clients, visitors or persons otherwise required to be in a county occupied facility or vehicle.

Copies of this policy will be distributed to all new employees by the Human Resources Department at the time of hire and to all existing employees by their supervisor or department head. Signage indicating Livingston County occupied Buildings are smoke free and that smoking is prohibited will be posted at all entrances and throughout each fully enclosed facility.

### ENFORCEMENT OF POLICY

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees, clients, contractors and visitors share in the responsibility for adhering to and enforcing the policy.

**COMPLAINTS:** Persons observing a violation of this policy should bring it to the attention of their immediate supervisor.

**INVESTIGATIONS:** Immediate supervisors receiving a complaint will investigate and take action to resolve the issue as soon as possible.

**VIOLATORS:** Persons found to have violated this policy be subject to disciplinary actions in the same manner and magnitude as violations of other County policies; specifically the disciplinary section of the Livingston County Personnel Policy. Those persons not covered by the Personnel Policy and found to have violated this policy will be subject to the Violations and Penalties section of the Livingston County Policy Requiring Smoke Free Buildings and Vehicles.

## **LIVINGSTON COUNTY POLICY** **REQUIRING SMOKE FREE BUILDINGS AND VEHICLES**

**SECTION I - TITLE.** This Ordinance shall be known as the Livingston County Smoke Free Buildings and Vehicles Ordinance.

**SECTION II - PURPOSE.** The Livingston County Board of Commissioners does hereby find that:



Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution; and



Reliable studies have shown that breathing second-hand smoke is a significant health hazard for several population groups, including elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and



Nonsmokers who suffer allergies, respiratory diseases and other ill effects of breathing secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of such adverse reactions; and



Smoking is a potential cause of fires and cigarette and cigar burns and ash stains on fixtures and furniture and cause unnecessary losses.

The State of Michigan has passed Public Act 188 of 2009 which states that an individual shall not smoke in a public place or at a public meeting, except in a designated smoking area.

Accordingly, the Livingston County Board of Commissioners finds and declares that the purposes of this ordinance are:

1. To protect the public health and welfare by prohibiting smoking in enclosed areas of all County occupied facilities and vehicles; and
2. To strike a reasonable balance between the needs of persons who smoke and the need of nonsmokers to breathe smoke-free air; to recognize that where these needs conflict, that the need to breathe smoke-free air shall have priority.

**SECTION III - DEFINITIONS.** The following words and phrases, whenever used in this article shall be construed as defined in this section:

1. "Employee" means any person who is employed by Livingston County in consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for non-profit.
2. "Employer" means the County of Livingston, Michigan.
3. "Enclosed area" means all space between a floor and a ceiling which is enclosed on all sides by solid walls or windows, which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid.
4. "Place of Employment" means any enclosed area under the control of Livingston County including work areas, employee lounges, restrooms, conference and classrooms, hallways and corridors, entryways and lobbies, stairs and stairwells, closets and storerooms, and including all County vehicles.
5. "Designated Smoking areas" means any area on the grounds of Livingston County property clearly identified as a smoking area.
6. "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, weed, plant or other combustible substance in any manner or in any form.

**SECTION IV - APPLICATION OF ARTICLE TO COUNTY OWNED OR OCCUPIED FACILITIES.** All enclosed facilities owned or occupied by the County of Livingston shall be subject to the provisions of this article, with the exclusion of the Department of Social Services and the Community Mental Health Department. Both of the named agencies shall, at a minimum, operate under State of Michigan Executive Order No. 1992-3, State Government Facilities - Prohibition against smoking, sale or manufacture of tobacco products.

**SECTION V - PROHIBITION OF SMOKING.** Smoking shall be strictly prohibited within all work areas and public spaces including conference rooms, reception areas, restrooms, stairs and stairwells, hallways and corridors, lobbies and entryways, closets and storerooms, classrooms, or other enclosed areas within facilities owned or occupied by the County of Livingston and within County vehicles.

**SECTION VI - POLICY VIOLATIONS AND DISPUTE RESOLUTION.** The Livingston County Board of Commissioners, or their designee, shall oversee enforcement.

Any person observing a violation of this article may bring it to the attention of the appropriate supervisory personnel, and if necessary, refer it to the Livingston County Board of Commissioners for a final decision.