

Title: Smoking & Tobacco Use
Policy Number: 504
Effective Date: July 1, 2009
Revision Date: July 14, 2020
Authorized by: Board of Supervisors

Policy:

It is the policy of Pottawattamie County to comply with all applicable federal, state, and local regulations regarding smoking/tobacco/nicotine use in the workplace and to provide a work environment that promotes productivity and the well-being of its employees. Effective July 1, 2008, Pottawattamie County shall adhere to and shall enforce the SmokeFree Air Act passed by the Iowa Legislature.

For purposes of this policy, “smoking” includes, but is not limited to, burning or vaporizing tobacco or other products in a cigarette, cigar, pipe, electronic cigarette, or any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance.

For purposes of this policy, tobacco includes any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, electronic cigarettes, pipes, bidis, hookahs, smokeless chewing tobacco, and/or snuff.

Comments:

- (1) The County recognizes that smoking in the workplace can adversely affect employees. Accordingly, smoking and tobacco use is prohibited on County property and outdoor areas, which includes but is not limited to:
 - County buildings and property
 - County owned sidewalks and parking lots
 - A sitting or standing area immediately adjacent to a County building
 - County owned courtyard, patio, or deck
 - County park shelters and other county buildings including garages and sheds
 - County owned vehicles
- (2) Department Heads and Supervisors are expected to enforce these regulations. The smoking and tobacco use policy applies to employees as well as customers and visitors while on County property.
- (3) Pottawattamie County is subject to progressive civil fines for violating this law. As a result, employees who violate the policy may be subject to employment related disciplinary action, up to and including termination if the violation occurs during the employee’s normal working hours. In addition, employees may receive a citation and civil fine from a law enforcement official if ticketed for the offense.

- (4) Customers and visitors who smoke on County property should be informed that they are in violation of the SmokeFree Air Act and should be asked to stop smoking. If the individual refuses to stop smoking, they should then be asked to leave the area where smoking is prohibited. If the individual refuses to leave, local law enforcement officials may be contacted.
- (5) Information regarding Iowa's SmokeFree Air Act may be found online at <https://smokefreeair.iowa.gov/> or 1-888-944-2247.