

Category: 300
Number: 324

Subject: **SMOKE-FREE POLICY**

1. **PURPOSE:** The purpose of this policy is to enable Saginaw County to protect the health and safety of its employees and of the general public while using county facilities.
2. **AUTHORITY:** The Saginaw County Board of Commissioners.
3. **APPLICATION:** The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301.
4. **RESPONSIBILITY:**
 - 4.1 The Controller shall be responsible for ensuring that such county facilities, except those exempted under subsection 6.1.2 below, are properly posted in accordance with this Policy and the Michigan Clean Indoor Act. In leased facilities, department directors and agency heads or their designees shall be responsible for ensuring that the leased areas are properly posted.
 - 4.2 Department Heads, and supervisors shall be responsible for familiarizing employees with this Policy and with departmental or agency policies, procedures, issuances and work rules implementing this Policy and for enforcing compliance within the scope of their authority. Enforcement shall be in accordance with existing disciplinary policies.
5. **DEFINITIONS:**
 - 5.1 Cigar means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of tobacco.
 - 5.2 Cigarette means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of paper or any other material except tobacco.
 - 5.3 Smoking or Smoke means the use or the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device.
 - 5.4 Tobacco products mean cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form.

5.5 County facility means any public building owned by the County of Saginaw, either directly, by or through any of its departments or agencies, and that part of any publicly owned or privately owned building which is leased or operated by the County of Saginaw, either directly, by or through any of its departments or agencies.

6. POLICY:

6.1 In compliance with the laws of the State of Michigan, including but not limited to the Michigan Clean Indoor Air Act, Act 368 of 1978, as amended, being Section 333.12601, et seq. of the Michigan Compiled Laws (the Michigan Clean Indoor Act), it shall be the policy of Saginaw County to prohibit smoking of tobacco products (cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form) in all County facilities effective November 1, 1993. This prohibition shall include, but is not limited to: private enclosed offices, open space offices, meeting rooms, conference rooms, eating areas, including cafeterias and break rooms, lounges, restrooms, hallways, stairways and enclosed entrances. This prohibition shall extend to within fifty feet from all entrances to county facilities, except where there are designated outdoor areas determined by the Controller after consultation with the principal tenant.

6.1.1 Rooms or facilities serving as the living units for an individual (such as residents of mental health facilities and a strictly limited number of designated areas in other portions of such facilities as determined appropriate by the responsible Department Head, such living units and designated areas hereinafter are collectively referred to as "exempt areas") shall be exempt from the provisions of this Policy. Department Heads that operate or control such exempt areas shall develop written plans for the implementation of this exemption in consultation with the County Controller by October 15, 1993. At a minimum, such plans shall prohibit smoking by employees of the County in such exempt areas and shall provide for smoke free living units for nonsmoking residents of county facilities to the degree feasible and consistent with the security and operational needs of the department or agency.

6.1.2 Department Heads shall also prohibit smoking in all vehicles owned, leased or under the control of the County of Saginaw effective November 1, 1993. Department Heads have revised written departmental policies, procedures and issuance to conform to this subsection and may issue reasonable written work rules not inconsistent with this subsection.

6.1.3 Employees who smoke and would like to take this opportunity to become entirely smoke free are encouraged to participate in stop smoking programs.

6.2 Prohibition on the Sale of Tobacco Products in County Facilities.

6.2.1 The sale of tobacco products is hereby prohibited in county facilities effective November 1, 1993. This prohibition shall include concessions and vending facilities in County facilities operated under the provisions of Act 260 of the Public Acts of 1978, being Section 393.351, et seq. of the Michigan Compiled Laws.

7. ADMINISTRATIVE PROCEDURES:

7.1 Department Heads shall receive revised written departmental policies, procedures and issuance to conform to this Resolution and may issue reasonable written work rules not inconsistent with this Resolution and the Michigan Clean Indoor Air Act.

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO

Approved as to Legal Content:
Saginaw County Civil Counsel

ADOPTED/AMENDED: April 23, 2002