

# Section 5: A Healthy Workplace

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## Policy #3: Tobacco Free Workplace

Effective Date: July 1, 2011

### I. Purpose

The Town of Mooresville is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. The purpose is to provide a policy that will establish guidance and direction for a tobacco free workplace for the employees of the Town of Mooresville.

### II. Scope

This policy shall apply to all persons holding a paid position as an employee of the Town, except the Town Manager, Town Attorney, a member of any appointed or volunteer board or committee, or any others that may be hired or appointed by the Town Board. For this purpose, and subject to the exceptions set out herein, Town employees shall be defined as those employees in departments and offices for which the Town Board serves as the final budget authority.

### III. Background

None

### IV. Definitions

Tobacco product – any product made or derived from tobacco that is intended for human consumption or use; specific examples include but are not limited to smokeless tobacco, snuff, chewing tobacco, cigarettes, cigars and pipe tobacco.

Tobacco use - inhaling, exhaling, burning or carrying a lighted pipe, cigar, cigarette or other combustible product; and chewing or dipping any smokeless tobacco product.

### V. Legislation

G.S. 130A-498

### VI. Policy

It is the policy of the Town of Mooresville to prohibit all tobacco use in all locations of all work areas, facilities and vehicles operated, owned, leased, occupied, or controlled by the Town.

### VII. Provisions

A. Exceptions

- i. Some limited use as part of law enforcement functions specifically approved by the Chief of Police.
- ii. Designated smoking areas at the Charles Mack Citizen Center.

B. Tobacco Cessation

Employees who use tobacco or who smoke and would like to take this opportunity to quit are encouraged to participate in cessation programs. The Department of Human Resources can assist employees in finding the appropriate resources.

C. Violations

Employees who violate this smoking policy will be subject to disciplinary action up to and including termination.

D. Complaints

Any problems with enforcement or adherence to this policy should be brought to the attention of the appropriate supervisor and handled through the normal chain-of-command.

E. Disputes

The spirit of thoughtfulness and cooperation which is characteristic at the Town is adequate to resolve any disputes which might arise under this policy. Where disputes cannot be so resolved, the rights of the nonsmoker shall be given precedence.

F. Approved Tobacco Use Locations

Department Directors are authorized to designate outside areas at least 50 feet away from any entry into any facility to accommodate employee who use tobacco products.

G. Retaliation

No employee shall suffer any form of retaliation for raising a complaint or asking questions about this policy.

**VIII. Authorization**

Approved by:

Erskine Smith

Town Manager

July 1, 2011

Date