

City of New Haven

Smoking Policy

Purpose: The purpose of this policy is to set acceptable standards of conduct concerning smoking to protect the health and welfare of City employees and visitors and to comply with Connecticut General Statutes § 1 - 21b which prohibits smoking in public buildings.

Issuing Authority: The Chief Administrative Officer is the issuing authority for this policy.

Enforcement Authority: Daily administration and enforcement is the responsibility of all Coordinators and Department Heads. The Director of Labor Relations shall be the authority responsible for interpreting, monitoring and making determinations as to the operation and administration of this policy. The Director of Labor Relations, upon approval of the Chief Administrative Officer, may modify, suspend or cancel any part of the policy. Those Department Heads responsible for the maintenance and operation of individual City owned, leased or rented buildings, shall ensure compliance with the signage requirements of CGS §1-12b.

Policy

1. Violation of this policy is a serious offense and may result in appropriate disciplinary action.
2. Smoking of any kind throughout all City owned, leased or rented buildings is prohibited except as provided in the following section.
3. All areas which had been previously designated as smoking areas, either officially or by past practice, must continue to be smoking areas unless the following actions are taken: (a) the Department Head notifies Labor Relations, in writing, of its request to eliminate the area as a smoking area; and (b) the impact of elimination of the smoking area is negotiated between Labor Relations and the affected union(s) as required by the Municipal Employees Relations Act.
4. "No Smoking" signs must be placed in a conspicuous place in any building where smoking is prohibited.
5. Department Heads must have on file for review by the Director of Labor Relations an approved request for designation of or change of an employee smoking area which is inside a City owned, leased or rented building. The Director of Labor Relations shall maintain a list of such approved areas.
6. If any previously designated smoking area is a public area, it must be made non-smoking in accordance with State Law.
7. Smoking is also prohibited in any City owned vehicle when a non-smoker is present and has requested the vehicle remain smoke free.
8. Anyone may bring violations of this policy to the attention of the Coordinator and Department Head, who must enforce this policy according to the following complaint procedure.

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Complaint Procedure

City of New Haven supervisors, employees and the general public have the right to file a complaint with the Department Head requesting a cessation of smoking by any employee of the City if the following are true:

1. The activity occurred in an undesignated place for smoking, or
2. The activity occurred in an office where the public has probable access, or
3. The activity occurred in any City owned, leased or rented buildings not excluded by statute, or
4. The activity occurred in a City vehicle while a non-smoker was present and requested that the vehicle remain smoke free.

Names of complainants should be kept confidential. Public complainants should be notified as to the actions taken to resolve the issue.

When a complaint is filed, the employee should be instructed to immediately refrain from smoking in any undesignated area or public common place.

If disciplinary action becomes necessary, the Department Head will notify the Director of Labor Relations who is responsible for interpreting, monitoring and making determinations regarding the administration of this policy.

Each employee must comply with all occupational safety and health standards, rules, regulations and policies issued that apply to their own actions and conduct on the job. Any willful violation of this policy may result in disciplinary measures including but not limited to the issuance of warnings, fines, suspensions or termination.

Definitions

Smoking: The lighting or carrying of any lighted cigarette, cigar, pipe or similar device.

Issuing Authority: 

Effective Date: 12/11/09

Previously Revised: Date 6/1/97

A copy of this policy is available for review at the Office of Human Resources. It is also available on the City's computer network at N:\POLICIES or the City's website at <http://www.cityofnewhaven.com/HumanResources/Policies.asp>