TOBACCO POLICY: DESIGNATED SMOKING AREAS

I. POLICY STATEMENT

In accordance with UH Policy EP 10.102, Tobacco Products, it is the policy of the University to provide a safe and healthy learning and working environment for students, faculty, staff, and visitors. In recognition of the scientifically proven harms associated with exposure to environmental tobacco smoke, University community members have a right not to be exposed to smoke-contaminated air. Our community is best served by policies that reduce tobacco product use initiation, reduce consumption among current users, and support cessation efforts among current users who wish to quit.

EP 10.102.III.A.2 states that Chancellors, in consultation with their respective campus communities and after meeting the obligations detailed in Section IV of the EP 10.102, may prohibit smoking in areas identified in this policy, below (IV. Procedures).

II. PURPOSE

The University is committed to providing a safe and healthy learning and working environment and to promoting the health and wellbeing of the campus community. This policy establishes system wide parameters for a healthy, safe and smoke-free environment for students, faculty, staff and visitors to the University. The purpose and objective of this policy is to adhere to and comply with the applicable statutory laws and mandates governing smoking including, but not limited to, Hawai‘i Revised Statutes (HRS), Chapter 328J, as may be amended from time to time. The University shall comply with all subsequent amendments to Chapter 328J, HRS, as applicable.

III. DEFINITIONS

A. "Smoking," as defined in HRS Chapter 328J-1, means inhaling or exhaling the fumes of tobacco or any other plant material, or burning or carrying any lighted smoking equipment for tobacco or any other plant material.

B. "Tobacco product" means any substance that contains tobacco, including, but not limited to, chewing tobacco, cigarettes, cigars, pipes, snuff, smoking tobacco, and smokeless tobacco.
IV. PROCEDURES

A. Designated Smoking Areas

Effective (DATE TBD), permissible smoking areas shall be designated, as determined by campus administration in compliance with state law, and identified on Attachment 1 of this policy.

EP 10.102.III.A.1 states that Chancellors, in consultation with their respective campus communities, shall protect faculty, staff, students and visitors from the effects of exposure to secondhand smoke. Therefore, smoking shall be prohibited in the following areas:

a. All enclosed or partially enclosed areas, including buildings and vehicles owned, rented, leased or operated by the University;
b. In building courtyards, breezeways, and terraces, on exterior stairways and access ramps, and outdoor dining patios, terraces, and lanais;
c. Within 20 feet of building entrances and exits;
d. Within 20 feet of windows that open and ventilation intakes that serve an enclosed or partially enclosed area where smoking is prohibited;
e. Within 50 feet of designated pick-up and drop-off points for campus and public bus transportation;
f. Within the gates of the University’s outdoors sports and performing arts stadiums and arenas, including walkways, corridors, and seating areas; and

g. Any area that has been designated by the person having control of the area as a non-smoking area and marked with a no smoking sign.

B. Tobacco Use Prevention Education and Support for Cessation

University administrators are encouraged to support tobacco use prevention education programs that discourage the initiation of tobacco product use and to assist tobacco product users who are trying to quit. This shall include supporting prevention and education initiatives that encourage non-use and address the risks of tobacco product use, as well as programs and services that include practical steps to quit using tobacco products on campus.

Employees seeking tobacco product cessation guidance should be encouraged to avail themselves of the support services offered through their healthcare providers (e.g. HMSA’s QuitNet program or Kaiser Permanente’s HealthMedia Breathe programs) and/or to the State Department of Health’s Tobacco Quitline. Supervisors are encouraged to approve an employee’s request for authorized leave to participate in smoking cessation programs, if necessary.
C. Marketing and Promotion of Tobacco Products on Campus

1. All advertising and sales of tobacco products on University campuses are prohibited. This section shall not apply to the sale or free distribution of non-University supported magazines and newspapers that incidentally contain tobacco product advertising.

2. The distribution of samples of tobacco products or coupons redeemable for tobacco products on University campuses is prohibited.

3. The sponsorship of campus events or campus organizations by tobacco industry or tobacco promoting organizations is prohibited.

D. Signage

The campus is responsible for posting and maintaining clear and recognizable signage indicating the locations of designated smoking, if applicable, and non-smoking areas. Ashtrays and other cigarette butt receptacles shall be removed from non-smoking areas or relocated to areas where smoking is permitted.

E. Notification

The Chancellor, upon designating designated smoking areas on the campus premises and in all facilities associated with the respective campus as described in EP 10.102, Section III.A.1., must ensure the following notifications and obligations are met prior to implementation of such a designation:

1. All three unions (UHPA, HGEA and UPW) shall be advised of the campus’ intended smoke-free designation at least 60 calendar days prior to the effective date of such a change.

2. The campus must inform all current personnel in writing, either electronically or by hard copy, of the change in designation at least 30 calendar days prior to the effective date of the change. The notice to employees must include the effective date of the change, a description of the smoke-free areas, a list of available smoking cessation resources, and identification of a campus/college contact for questions and concerns.

V. COMPLAINT PROCEDURE

This policy applies to the entire University community, including faculty, staff, students and visitors. While it relies on the thoughtfulness, consideration, and cooperation of smokers and non-smokers, and will not
be enforced through disciplinary measures, other University policies and State laws and rules may be applicable.

The Vice Chancellor for Administration shall be responsible for policy implementation and compliance in collaboration with the Chancellor. Questions, comments, or complaints relating to this policy and/or its implementation should be directed to the Chancellor or designee. Members of the campus community may voluntarily report alleged violations of this policy to the Chancellor or designee or to campus security.

In accordance with UH Policy EP 10.102, Tobacco Products and in lieu of adverse personnel or student conduct code actions, violations of this policy shall be addressed through appropriate education and, if necessary, through local law enforcement in accordance with §328J-11, HRS. Violators may be subject to fines and penalties in accordance with §328J-12, HRS.

VI. REFERENCES

A. Hawai‘i Revised Statutes, Chapter 328J
B. Executive Policy EP 10.102, Tobacco Products: http://hawaii.edu/policy/?action=viewPolicy&policySection=ep&policyChapter=10&policyNumber=102&menuView=closed
C. Link to superseded Executive Policies in old format: https://www.hawaii.edu/policy/archives/ep/
D. Link to Administrative Procedures in old format: https://www.hawaii.edu/policy/archives/apm/sysap.php

VII. HISTORY

This is a new policy, effective (MONTH, DAY, YEAR).