

**RESOLUTION REVISING SECTION 6.9 SMOKE-FREE WORKPLACE POLICY
OF THE HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS'
PERSONNEL POLICY MANUAL**

BY THE BOARD:

WHEREAS, the Board of County Commissioners of Hamilton County, Ohio, maintains the lawful authority in accordance with the Ohio Revised Code to establish, adopt, revise and modify policies, procedures and other rules of employment for employees under the Board's jurisdiction; and

WHEREAS, the Board of County Commissioners adopted Section 6.9 Smoke-Free Workplace Policy on October 1, 1993, to comply with the Ohio Smoking Ban and ensure that Hamilton County buildings, facilities, and vehicles remain free of tobacco smoke; and

WHEREAS, new products that simulate smoking, such as e-cigarettes, personal vaporizers and electronic inhalers, have become available to consumers and such products are not regulated by the FDA at this time; and

WHEREAS, it is the desire of the Board of County Commissioners to modify Section 6.9 by prohibiting all devices, e-cigarettes, personal vaporizers or electronic inhalers, intended to simulate tobacco products, contain tobacco flavoring or deliver nicotine other than for the purpose of cessation.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Hamilton County, Ohio, that Section 6.9 Smoke-Free Workplace Policy is renamed Smoke-Free/Tobacco-Free Workplace Policy and amended to prohibit the use of any device, e-cigarette, personal vaporizer or electronic inhaler, intended to simulate tobacco products, contain tobacco flavoring or deliver nicotine other than for the purpose of cessation, said amended policy attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Human Resources Director is authorized and directed to implement and distribute this change in Personnel Policy Section 6.9; and

BE IT FURTHER RESOLVED that the Clerk of this Board be and hereby is authorized and directed to certify copies of this resolution to the County Administrator and the Human Resources Director.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio, this 30th day of April, 2014.

Mr. Hartmann _____

Mr. Monzel _____

Mr. Portune _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of County Commissioners in session the 30th day of April, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Office of County Commissioners of Hamilton County, Ohio, this 30th day of April, 2014.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

SECTION 6.9: SMOKE-FREE/TOBACCO-FREE WORKPLACE POLICY

- A. The Board of County Commissioners recognizes the health hazards posed to employees and members of the public by the use of tobacco products. As owner, operator and lessee of Hamilton County buildings, facilities and vehicles, the Board of County Commissioners has therefore adopted a Smoke-free/Tobacco-free Workplace Policy to include all tobacco products such as cigarettes, oral tobacco or nasal tobacco, as well as those devices, e-cigarettes, personal vaporizers or electronic inhalers, intended to simulate tobacco products, contain tobacco flavoring or deliver nicotine other than for the purpose of cessation.
- B. No person shall use any tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in any County owned building including areas immediately adjacent to locations of ingress or egress to the building.
- C. No person shall use tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in any vehicle owned or leased by the County.
- D. Employees transporting persons in the course of County business and on County time shall not use tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in the transporting vehicle, whether it is a County vehicle, their own vehicle, or otherwise.
- E. The Board of County Commissioners shall take all necessary and reasonable measures to enforce the Ohio Smoking Ban and ensure that Hamilton County buildings, facilities, and vehicles remain free of tobacco smoke. Any employee who smokes tobacco in violation of this policy is subject to disciplinary action. Repeat offenses may result in fines being issued as determined by Ohio Revised Code Section 3794.09.
- F. An employee who observes someone smoking tobacco in violation of this policy should politely inform the person of the Ohio Smoking Ban and report the violation to a supervisor or Department Head. An employee may also report violations to the Ohio Department of Health by phone at 1-866-559-6446 or by email at NoSmoke@odh.ohio.gov.
- G. An employee who violates any other portion of this policy will also be subject to disciplinary action.

Effective: October 1, 1993

Revised: 12/06/00, 12/07/06, 07/09/07, 04/30/14