



## **PERSONNEL POLICY 07-09**

**SUBJECT:** Smoke-Free Workplace Policy

**PURPOSE:** The City of Clarksville is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. As required by Tennessee Non-Smoker Protection Act and also motivated by our desire to provide a healthy work environment for our employees, the following smoking policy has been adopted and shall apply to all employees of City of Clarksville

**APPLICABILITY:** All City of Clarksville Employees

**REFERENCES:** Tennessee Non-Smoker Protection Act of 2007

**POLICY STATEMENT:** It is the policy of City of Clarksville to prohibit smoking on all City property, except as outlined in designated smoking areas listed below, in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

### **Effective Date**

This policy will become effective on October 1, 2007.

### **GENERAL:**

The Smoke-Free Workplace policy applies to:

- All City employees, including full-time, part-time, temporary and seasonal employees;
- All contractors, consultants and their employees and agents visiting or working on City property;
- All visitors to City property.

The Smoke-Free Workplace policy will be enforced in all enclosed public places owned or operated by the City and in all vehicles owned or leased by the City.

Smoking will be permitted in the designated areas as listed below:

Non-enclosed areas of public places, including parking lots, open-air porches, patios or decks; areas enclosed by garage type doors on one or more sides when all such doors are completely open; and areas enclosed by tents or awnings with removable sides or vents when all such sides or vents are completely removed or open.

We believe that the spirit of thoughtfulness and cooperation which is characteristic at the City 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, as required by Tennessee Non-Smoker Protection Act.

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

Also, a person who knowingly smokes in an area where smoking is prohibited by the provisions of this policy shall be subject to a civil penalty of fifty dollars (\$50). If the management of the premises knowingly fails to comply with any provision of this policy, the fine can be as high as \$500.

Resolving complaints about smoking:

- Any complaints about the application of the policy to the workplace should be brought to the attention of the Department Head or the Human Resources Director for resolution.
- The complaint should be submitted in writing and identify specific objections. The City will investigate the complaint and resolve it in accordance with the policy.
- No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.

Our smoking policy is intended to comply with requirements of the Tennessee Non-Smoker Protection Act.

OFFICIAL DOCUMENT

APPROVED BY THE CITY COUNCIL: NOVEMBER 1, 2007

EFFECTIVE DATE: OCTOBER 1, 2007

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WILLIAM MCNUTT, HR DIRECTOR