

## Model Smoking Distance Policy: [Business Name Here]

[insert business name] is committed to the health and safety of its employees, patrons and visitors, it is [business's name] reasoning to take a leadership role on the major public health issue of tobacco usage. Tobacco use is still the leading cause of preventable deaths in the U.S. Secondhand smoke is proven to cause heart disease, cancer, and many other diseases and there is no risk-free level of exposure to secondhand smoke. Even short-term exposure may increase the risk of heart attacks. This is why [name of business] has adopted a smoking distance policy.

### Scope:

The smoking distance of [...feet] is applicable to all employees, patrons, and anyone else who is within the building and on the grounds of the [name of business]. This policy will work in conjunction and compliance of the Lewis & Clark County Clean Indoor Air Act Enforcement Protocol, which implies that no smoke regardless of distance shall infiltrate into [name of business] or surrounding establishments.

### Definitions:

#### Smoking:

“Smoking” or “To Smoke” includes inhaling, exhaling, burning, lighting, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form, including the use of electronic smoking devices and marijuana.

#### Tobacco Product:

“Tobacco Product” means

- any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, and snus.
- a) any product, regardless of whether or not it contains nicotine, that can be used to deliver nicotine or another substance or solution in any form, including but not limited to aerosolized, vaporized, or heated, to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah.

#### Establishment:

"Establishment" means an enterprise under one roof that serves the public and for which a single person, agency, corporation, or legal entity is responsible.

## Facility:

“Facility” includes, but is not limited to **[list of the business’s enclosed areas]**.

## **Tobacco-free Policies and Procedures:**

- 1) No person, including all employees, staff, visitors, students, volunteers, vendors, and contractors of the facility, shall use any form of Tobacco Product within **[insert distance]** of the facility.
- 2) The tobacco-free policy does not apply to a site that is being used in connection with the practice of cultural activities by American Indians that is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, whether or not the public is allowed access to those places.
- 3) It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
- 4) This Smoking Distance Policy is in addition to any federal, state, or local laws that restrict or otherwise regulate the use of Tobacco Products.

## **Employees:**

- 1) Employees will be encouraged to quit tobacco and offered assistance, including access to the Montana Tobacco Quit Line.
- 2) Failure to adhere to this policy will result in standard disciplinary action as defined in personnel policies.
- 3) Respectful enforcement and adherence of this policy is the responsibility of all **[name of business]** employees. All employees are responsible for abiding by this policy. All supervisors are responsible for active enforcement of this policy.

## **Visitors:**

- 1) Visitors will be informed of this policy through signage, publications, information posted on the **[name of organization]** website and other communication methods.
- 2) Visitors using Tobacco Products will be informed of this policy by **[name of business]** employees. Visitors who disregard this policy or behave inappropriately may be escorted off campus and may be prohibited from visiting or attending functions on the **[name of business]** campus.

## **Policy Communication:**

- 1) Appropriate signs shall be posted in various locations on the campus of each facility in a conspicuous manner.

- 2) The community and visitors will be informed of the policy through a variety of communication methods which may include **[name of business]** newsletters, the **[name of business]** website, bill inserts, paycheck enclosures, print and electronic media, meetings, and other communication materials.
- 3) **[Name of business]** Human Resources Department will communicate this policy to employees. Candidates for employment will be informed of the policy both during the application process and during the employee orientation process.
- 4) This Tobacco-Free Policy shall be communicated to the community **[30, 60, 120]** days prior to its effective date. This policy is effective as of **[effective date]**.

**Policy Contact Information:**

For questions about this Tobacco-Free Policy, contact: **[Name, Title, & Contact Information]**

This Tobacco-Free Policy is accepted by and for **[name of business]** by **[Name]** on **[date]**.

