

POLICY CONCEPT FORM

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| Name and UO Title/Affiliation: | Annie Herz, Associate Director Employee & Labor Relations |
| Policy Title/# (if applicable): | IV.07.09 Smoke and Tobacco-Free University |
| Submitted on Behalf Of: | Mark Schmelz, Chief Human Resources Officer and Associate Vice President |
| Responsible Executive Officer: | Jamie Moffitt, Vice President for Finance and Administration |

SELECT ONE: **New Policy** **Revision** **Repeal**

Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: **Yes** **No**

If yes, which attorney(s): Jeslyn Everitt

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

Smoking and Tobacco Restrictions, IV.07.09, former OAR
<https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-property-facilities-planning-sustainability/smoking>

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary.

University policies:

Drug Free Workplace, UO Policy Statement 03.04.03 (<https://policies.uoregon.edu/policy/by/1/0304-employee-relations/drug-free-workplace>)

Student Conduct Code, III.01.01 (<https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>)

Campus Visitors, IV.05.04 (<https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/campus-visitors>)

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

The current policy, "Smoking and Tobacco Restrictions", is in need of updating so that it reflects current laws, language and behaviors. We propose a new title, "Smoke and Tobacco-Free University" as well.

AFFECTED PARTIES

Who is impacted by this change, and how?

Any individual on university-controlled property

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive?

| Name | Office | Date |
|-------------------|---|-------------|
| Jessica Marquez | SOJC | * |
| Jenna Rakes | HR | * |
| Eleanor Wakefield | Instructor of English, UA rep | * |
| Jeslyn Everitt | General Counsel | * |
| Lourdes Ginart | Geography, GTFF rep | * |
| Martin Stanberry | HR, ADA Coordinator | * |
| Michael Omogrosso | University Housing, SEIU rep | * |
| Jimmy Howard | Dean of Students | * |
| Dan Currier | HR | * |
| Chris Meade | HR | * |
| Kaia Rogers | HR | * |
| Missy Matella | HR | * |
| Adria Godon-Bynum | Health Promotion Manager, Health Center | * |
| Matt Roberts | Senior Director, Community Relations | Fall 2019 |

**Note: Many of the above-listed individuals reviewed this policy as part of an HR policy advisory group, which met winter - summer 2019.*

Reason for Policy

This policy outlines smoking and tobacco restrictions on University Property ~~properties owned or controlled by the University of Oregon.~~

Entities Affected by this Policy

Any individual on University Property ~~owned or controlled property.~~

Web Site Address for this Policy

[To be completed once posted]

Responsible Office

For questions about this policy, please contact Human Resources ~~Healthy Oregon~~ at 541-346-31591137.

Enactment & Revision History

[To be updated if revised]

Policy renumbered to IV.07.09 on 11/8/2018.

Technical revisions enacted by the University Secretary on September 4, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 571 Division 50 Section 0005.

Policy

~~**Smoking and Tobacco Restrictions on University Owned or Controlled Properties**~~

The University of Oregon is committed to maintaining a healthy and safe learning, working, and living environment for our students, faculty, and staff, and other members of our community. Research shows that tobacco use in general constitutes a significant public health hazard. The University therefore strictly prohibits all Smoking or Tobacco Use on University Property and in

University Vehicles. This policy applies to all persons, including but not limited to students, faculty, staff, contractors, and visitors.

(1) Definitions.

(a) "Smoking": ~~means inhaling, exhaling, burning, vaping or carrying any lighted or heated Tobacco or nicotine product, including legal smoking substances (e.g., dip replacements, kratom, salvia) that are not Tobacco, and smoking instruments.~~

~~(b) "Tobacco Use" includes Smoking, chewing, dipping or any other use of Tobacco products.~~

~~(b)~~ "Tobacco": ~~means all~~ All forms of Tobacco, including but not limited to cigarettes, cigars, shisha, pipes, water pipes (hookah), cloval cigarettes, electronic cigarettes (e-cigarettes), and similar devices, and all forms of smokeless Tobacco including but not limited to chew, snus, snuff, sticks, strips and orbs.

~~(c) "Tobacco Use": includes Smoking, chewing, dipping or any other use of Tobacco products.~~

~~(d) "Tobacco-related" means the use of Tobacco brand or corporate name, trademark, logo, symbol, motto, or selling message that is identifiable with those used for any brand of Tobacco products or company that manufactures Tobacco products.~~

~~(e) "Person" means a natural person.~~

~~(f)~~ "University Property": ~~means all~~ All property owned, leased or controlled by the University.

~~(g)~~ "University Vehicle": ~~means any~~ Any vehicle owned, rented or leased by the University.

(2) Prohibitions.

Smoking and Tobacco Use is prohibited on all University Property and in all University Vehicles. The sale, distribution, and/or advertisement of any Tobacco products is prohibited on University Property and in University publications. Products exclusively designed to support smoking cessation are not prohibited. Tobacco may not be sold or distributed on any Property.

~~Any violation of this policy impairs and disrupts the educational or other activities of the University.~~ An employee who violates this policy may be subject to discipline. A student who violates this policy may be subject to sanction action under the Student Conduct Code.

Visitors who violate this policy may be cited and asked to leave pursuant to the Campus Visitors policy.

~~(3) Citation and Appeals. Anyone else who violates this policy may be issued a citation for thirty dollars (\$30). Any complaints about citations issued or appeal of an issued citation may be directed to the Vice President for Finance and Administration or that person's designee. Appeals of citations must be received by the Office of the Vice President for Finance and Administration within thirty (30) days of the date of issuance of the citation.~~

~~(43)~~ Assistance to Employees and Students.

The University will publicize the availability of Tobacco addiction treatment assistance for employees and students.

~~(54)~~ Exceptions.

Exceptions to this ~~administrative~~ policy may be approved by the President ~~of the University upon a finding of reasonable cause.~~ and must be consistent with federal and state law (e.g., the Oregon Indoor Clean Air Act).

Related Resources

N/A

Drug Free Workplace (<https://policies.uoregon.edu/policy/by/1/0304-employee-relations/drug-free-workplace>)

Student Conduct Code (<https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>)

Campus Visitors (<https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/campus-visitors>)

Reason for Policy

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Web Site Address for this Policy

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Responsible Office

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