



GENERAL ORDER

Smoking Prohibitions

Purpose and Scope

The purpose of this order is to provide guidelines to county employees as to the prohibition of smoking in County owned or leased properties, including County vehicles.

Affected Personnel

All employees

Authority

California Business and Professions Code, Section 22950.5

Sacramento County Code Title 6, Chapter 6.84: Clean Indoor Air and Health Protection

California Labor Code, Section 6404.5

California Code of Regulations, Title 8, Section 5148

Effective Date

November 16, 2020

Definitions

Smoke or smoking: Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or 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. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.¹

I. Guidelines

- A. Smoking, including electronic cigarettes or vaping, is prohibited inside County vehicles and within twenty feet of entrances, exits, open windows, or ventilation ducts of County-owned or leased buildings that are occupied by the County, including all Probation facilities.
- B. County-owned or leased buildings include, but are not limited to, open office areas, shared offices, private offices, hallways, restrooms, escalators, elevators, stairways, lobbies, reception areas, waiting rooms, classrooms, meeting or conference rooms, auditoriums, on-site cafeterias, lunchrooms, and lounges.

¹ California Business and Professions Code, Section 22950.5

Smoking Prohibitions

- C. All County employees shall keep the area used for smoking presentable and free of cigarette stubs.

II. Legal Standards

- A. Sacramento County Code Title 6, Chapter 6.84: Clean Indoor Air and Health Protection: Establishes provisions set forth by the Sacramento County Board of Supervisors for the restricting and regulating of smoking in public places and places of work to reduce the hazards and nuisance which smoking causes to those who are involuntarily exposed. A Resolution approved by the Sacramento County Board of Supervisors prohibits smoking by County officers, employees, contractors and volunteers in all County-owned or occupied buildings and county vehicles. Violation of this prohibition constitutes grounds for discipline.
- B. State of California Labor Code, Section 6404.5: Created a uniform statewide standard to restrict smoking in the workplace to decrease or eliminate the harmful effects of exposing employees to tobacco smoke.
- C. State of California Code of Regulations Title 8, Section 5148: Prohibits smoking in the workplace so that no employer shall knowingly or intentionally permit, and no person shall engage in, the smoking of tobacco products in an enclosed space at a place of employment.

Attachments

N/A

Amends/Replaces Previous Procedure

Smoking Administrative Policy & Procedure (no date)

Authorized By: Lee Seale, Chief Probation Officer

Date: 10/27/2020