

Town of Concord

APP # 35
Prohibition of Smoking

I. Purpose

It is recognized that smoking is dangerous to the health of the smoker and that second-hand smoke is a cause of disease, including lung cancer, in healthy nonsmokers. The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke. This applies to **ALL** smoking products, i.e. cigarettes, cigars and pipes. This policy has been developed to protect all persons from the exposure to environmental tobacco smoke and to ensure a safe working environment.

II. Policy

Smoking is prohibited in **ALL** facilities and areas of the workplace with no exceptions. As defined by Massachusetts General Laws, Chapter 270 as amended by the Acts of 2004, "workplace" is defined as "an indoor area, structure or facility or a portion thereof, at which 1 or more employees perform a service for compensation for the employer, other enclosed spaces rented to or otherwise used by the public; and where the employer has the right or authority to exercise control over the space."

Smoking is not permitted anywhere in Town of Concord municipal buildings, including common work areas, elevators, hallways, vehicles, restrooms, cafeterias, employee lounges, conference and meeting rooms and all other enclosed areas on Town property. This policy applies to all employees, citizens, clients, consultants, contractors and visitors.

III. Procedure

- A. Compliance with the smoke-free policy is mandatory for all employees and persons visiting the Town of Concord municipal buildings.
- B. Any disputes involving employee smoking will be referred to their immediate supervisor.
- C. Employees who violate this policy are subject to disciplinary action up to and including termination.

D. No person or employer shall discharge, refuse to hire, refuse to serve, or in any manner retaliate against any employee, applicant or customer because such employee, applicant or customer takes any action in furtherance of the enforcement of this regulation or exercises any right conferred by this policy.

IV. Smoking Cessation Opportunities

The Town of Concord encourages all smoking employees to quit smoking. The Town of Concord is able to provide you with contact information for Smoking Cessation resources and self-help materials for those employees who want to quit.

Employees can contact Corporate EAP Resources at (866) 635-1712.

Employees can also find help quitting at www.trytostop.org or by calling 1-800-TRY-TO-STOP (1-800-879-8676).

V. Additional Information

Please refer to the following for additional information:

- Town of Concord Bylaw, "Smoking In Public Places" Article 62, 1975 Annual Town Meeting
- APP #1 – Appendix A, Use of Town Property-Guidelines

Any questions regarding the smoke-free workplace policy should be directed to Douglas Meagher, Assistant Town Manager at (978) 318-3000.