



PERSONNEL POLICY

SUBJECT: NO SMOKING

DATE: January 1, 2017

Number: 204-16

I. Statement of Policy

Fulton County is dedicated to providing a healthy, comfortable and productive work environment for its employees and the public we serve. This goal can be achieved only through on-going efforts to protect non-smokers and to help employees to stop smoking. To help achieve this goal, Fulton County has enacted Chapter 34 (Health and Sanitation), Article III of the Fulton County Code, wherein the County has established the “Clean Indoor Air Ordinance.”

Smoking is prohibited in any Fulton County owned or leased enclosed building. Loading docks, stairwells and parking garages are included in this prohibition on smoking areas. Smoking is also prohibited on outdoor property of any Fulton County owned or leased enclosed building. This policy applies to all employees, vendors, clients and visitors.

Smoking will not be permitted in any Fulton County owned or leased motorized vehicle or motorized equipment.

This policy will in no instance conflict with any existing or future regulations established for fire, health or safety reasons. Buildings owned by the County, but leased to other agencies or individuals are exempt from this policy. However, if the leased building is considered a “public building” then the subject agency (i.e., lessee), although exempt from Fulton County’s Policies and Procedures, is responsible for complying with state law regarding public buildings.

II. Applicability

This policy and procedure shall apply to all Fulton County employees, elected officials and contract personnel. Persons visiting County facilities shall comply with the County’s smoking restrictions.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".



PERSONNEL PROCEDURE

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I. Overview

For purposes of the No Smoking policy, smoking includes lighting, smoking or carrying a lighted cigarette, cigar or pipe and the use of any electronic smoking device. This list is illustrative only and not exhaustive.

Department heads and elected officials will widely disseminate the No Smoking policy and procedure to all employees.

All new County employees will be informed of the No Smoking policy during the initial Fulton County Department of Human Resources Management Orientation.

Signs will be placed in all appropriate spaces in County buildings indicating that smoking is not allowed. Signs will be installed by the Department of Real Estate and Asset Management (D.R.E.A.M.) to ensure a professional appearance.

II. Enforcement

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers alike. All employees share in the responsibility for adhering to and enforcing this policy. Any conflict should be brought to the attention of appropriate supervisory personnel. In all cases, the right of the non-smoker to protect his or her health and comfort will take precedence over an employee's, a visitor's or a customer's desire to smoke.

Violation of this policy could subject the offender to possible discipline as well as criminal punishment, as referenced in § 34-69 Fulton County Code of Laws, and state law (i.e., O.C.G.A. § 16-12-2). Further, nothing in the No Smoking policy is to be construed as, or inconsistent with, state law regarding smoking in public facilities.

Department heads and Appointing Authorities will take actions as necessary to ensure their employees comply with this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

III. Complaint Procedure

The effectiveness of our efforts depends largely on employees telling us about any violations of the policy. If employees do not report smoking in the workplace, the County cannot become aware of a possible violation of this policy and may not be able to take appropriate corrective action. Any employee who witnesses smoking in the workplace should report it immediately to his or her direct supervisor or, if the conduct involves the employee's direct supervisor, to the next level manager or supervisor above the direct supervisor as soon as possible. The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses.

The Appointing Authority will investigate all complaints of violations of this policy and will take prompt corrective action, including discipline, if appropriate.