

RESOLUTION NO: _____

**A RESOLUTION AMENDING A PERSONNEL POLICY OF THE SEDGWICK
COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas (“County”) has prepared and published a manual of personnel policies and procedures to govern County employment entitled “Sedgwick County Personnel Policies and Procedures Manual”;

WHEREAS, the County has determined the need to amend *Policy 4.309 - Smoking*;

WHEREAS, upon review of said policy, County finds it is desirable that such policy should be repealed and replaced to better serve current needs; and

WHEREAS, County is authorized to establish personnel policies and procedures pursuant to K.S.A. 19-212.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Sedgwick County, Kansas that:

SECTION 1. The current version of *Policy 4.309 – Smoking* is hereby repealed.

SECTION 2. *Policy 4.309 – Smoking and Use of Electronic Cigarettes* (attached hereto and incorporated herein as Exhibit A) is hereby adopted and effective immediately.

Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Dated this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

APPROVED AS TO FORM:



KAREN L. POWELL


Deputy County Counselor

DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

MICHAEL B. O'DONNELL, II,
Commissioner, Second District

RICHARD RANZAU
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

 <p><i>Sedgwick County...</i> <i>working for you</i></p>	<p>Smoking and Electronic Cigarette Use Policy</p>
<p>Last Revision Date: June 13, 2018</p>	<p>Policy No. 4.309</p>
<p>Last Enabling Resolution: _____</p>	<p>Developer/Reviewer: Human Resources/Health Department</p>

1. Purpose

The purpose of the policy is to indicate Sedgwick County's commitment to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. And, this policy is intended to stress the importance of employees maintaining a professional image and being respectful to all persons.

2. Scope

This policy applies to all Sedgwick County employees.

3. Policy Statement

- 3.1. Employees are prohibited from smoking and from the use of electronic cigarettes in County owned, occupied or leased buildings, and within 25 feet of exterior doors, operable windows and air intake vents of such buildings. Employees are also prohibited from smoking and the use of electronic cigarettes in other areas that are clearly designated as "no-smoking."
- 3.2. In rare circumstances it may be necessary for the respective building or facility managers to establish a designated area for smoking and electronic cigarette use in a non-air-conditioned outdoor, clearly marked area within the 25 foot outdoor smoking and electronic cigarette use prohibition area. Smoking and electronic cigarette use is permitted in such designated area. Prior to designating such a smoking area, the respective building or facility manager shall acquire the approval of his or her chain of supervision up through Elected/Appointed Official, Assistant County Manager, or Deputy County Manager.
- 3.3. Employees located in buildings leased by the County shall be required to follow this policy unless such building's lease provides for smoking and electronic cigarette use areas on their premises, in which case such employees may smoke and use electronic cigarette products as allowed by the lease provisions.
- 3.4. Smoking and electronic cigarette use in County owned or leased vehicles and equipment is prohibited except where there is a reasonable law enforcement purpose to do so.

4. Definitions

Smoking – possessing any lighted cigarette, cigar, pipe or other lighted tobacco product.

Electronic Cigarette – a battery-powered device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems.

Smoking Area – the designated physical area where smoking and electronic cigarette usage is allowed.

5. Procedures

- 5.1. Employees who violate this policy will be subject to progressive disciplinary actions as set out in Policy: 4.500 Termination and 4.501 Discipline.