

**Subject: Smoking and Use of Tobacco Products**

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**1. Purpose**

This policy establishes the rules concerning smoking on Tidewater Community College (TCC) campuses, on property controlled by TCC, and in facilities, vehicles, and vessels owned or controlled by TCC. This policy directs compliance with Virginia [Executive Order 41](#) (2006) and the associated guidance provided by the Commonwealth's Secretary of Administration ("[Smoking Ban in State Offices and Vehicles](#)").

**2. Policy**

Smoking<sup>1</sup> or inhaling any substance, by any method, including but not limited to tobacco products, e-cigarettes, and aromatic smoking products, such as clove cigarettes, herbal cigarettes, etc., and using/consuming any type of tobacco products, including but not limited to chewing tobacco and snuff, is prohibited:

1. inside all college-owned and managed facilities, including parking garages, covered walkways, temporary enclosed structures, trailers, and tents as well as structures placed on college property by contractors or vendors;

<sup>1</sup> Wherever appearing in the associated procedures, the term "smoking" shall be understood to include all of the activities identified in this policy section.

2. in college-owned or leased/rented vehicles;
3. within interior spaces onboard college-owned or leased vessels – smoking may be permitted on exterior decks as designated by the vessel's master;
4. on loading docks at college facilities;
5. within 25 feet of all entries, outdoor air intakes, and operable windows of college-owned or managed buildings<sup>2</sup>; and
6. in outdoor areas during a college event or activity scheduled in the area, such as at a student activities or athletic event.

As an exception to this policy, smoking or other use of tobacco products in a theatrical production that is required by the script or for character motivation shall be accomplished using non-tobacco substitute material. If a combustible product is used there must be an appropriate safe method of extinguishing any resultant fire readily available. Audiences must be notified that there will be smoking on stage.

Violations of this policy and its associated procedures shall be cause for disciplinary action under the applicable personnel or student conduct policy.

### **3. Responsibilities**

The Executive Vice President shall be responsible for developing and maintaining procedures that are consistent with this policy and that comply with applicable regulations, policies, and procedures of the Virginia Community College System and the laws, regulations, and policies of the Commonwealth of Virginia. Campus provosts, the Executive Vice President, and the vice presidents for Workforce Solutions and for Finance (the “responsible administrators”) shall be responsible for ensuring that the provisions of this policy and its supporting procedure are implemented at college locations under their purview<sup>3</sup>. Each supervisor, manager, department head, director, dean, and vice president is responsible to enforce the provisions of this policy in his/her respective area of accountability. All students, faculty, and staff are responsible for complying with the smoking policy.

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<sup>2</sup> At the Norfolk Campus, where building entry/exit points are contiguous to the public sidewalks, this restriction applies to TCC employees, contractors, and students. Individuals who are not members of the college community will be requested to move at least 25 feet away from the building entrance while smoking.

<sup>3</sup> For the purposes of this policy document, the term “responsible administrator” refers to the campus provosts for their respective campuses and associated centers, the Executive Vice President for the Green District Administration Building and the District Facilities Maintenance Building, the Vice President for Finance for the District Warehouse and for the location occupied by the Central Financial Aid office, and to the Vice President for Workforce Solutions for the Regional Workforce Development Center and the Suffolk site not otherwise assigned.

## **4. Procedures**

### **4.1. Smokers' Practices**

Those who smoke or use tobacco products outside of buildings are expected to be considerate and courteous of other individuals in the college community. They shall smoke/use tobacco products in locations such that they do not impede traffic flow in or out of buildings and shall be in a location where smoke cannot drift into office, class, or other occupied spaces. Additionally, smokers shall leave their smoking locations free of cigarette butts and other trash materials. Users of smokeless tobacco products shall deposit the residue in a hand-held container which shall be disposed of in an exterior refuse container. All faculty, staff, students and visitors share the responsibility of keeping TCC's campuses and other locations clean, attractive, and litter-free.

### **4.2. Disposal of Smoking Materials**

The responsible administrators shall ensure that receptacles for disposal of smoking materials are provided 25 feet or more away from the public entrances/exits for their respective buildings to aid smokers in disposing of smoking materials. Smokers shall dispose of their smoking materials in a receptacle provided for that purpose and shall not litter state-owned property with smoking material waste. As noted above, users of smokeless tobacco products shall deposit the hand-held container in which any residue is held into an external refuse container.

### **4.3. Employee Work Breaks**

In accordance with Virginia Department of Human Resource [Policy 1.25](#) (Hours of Work) supervisors may grant classified employees working an 8-hour shift one morning break and one afternoon break which shall not exceed fifteen minutes each. These work breaks may be used to smoke outside buildings as provided in Section 2 above. No additional smoking breaks are allowed.

### **4.4. Designation of Outside Smoking Areas**

Provided the provisions of the policy established in Section 2 above are observed, smoking or other use of tobacco products outside of college facilities may not be restricted to designated areas, except as stipulated below.

The responsible administrator at a college location, on the recommendation of the Director of Human Resources or the Coordinator of Educational Accessibility, may agree to provide a reasonable accommodation for the documented disability of a student, employee, or visitor by designating a limited outdoor area at the location as a non-smoking area for a discreet period of time. The determination may be appealed to the Executive Vice President, whose decision in this regard is final.

## 5. Definitions

**E-cigarette:** a battery-powered device such as an electronic cigarette, electronic vaping device, personal vaporizer (PV), or electronic nicotine delivery system (ENDS) which simulates cigarette or tobacco smoking.

**Smoking:** carrying or holding of any lighted pipe, cigar, cigarette, or smoking equipment of any kind or the lighting or inhaling or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

## 6. References

[DHRM Policy 1.25](#) (Hours of Work)

[Executive Order Number 41 \(2006\) Banning Smoking in State Offices and Vehicles](#)

Secretary of Administration: [Smoking Ban in State Offices and Vehicles](#)

## 7. Review Periodicity and Responsibility

The Executive Vice President shall review this policy annually on the anniversary of its approval and, if necessary, recommend revisions.

## 8. Effective Date and Approval

This policy is effective upon its approval by the College President on August 14, 2014.

Policy Approved:

Edna Baehre-Kolovani, Ph.D.  
President

Procedure Developed:

Franklin T. Dunn  
Executive Vice President

## 9. Review and Revision History

This is the first version of this policy.