

Sample Tobacco-free Policies and Checklists

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Comprehensive Components of an Applicant Agency Tobacco-free Policy:

School District Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco product;
 - vapor product (if not defined within the tobacco product definition);
 - school property;
- Tobacco products and vapor products are prohibited anywhere on school property 24 hours a day, seven days a week (both indoors and outdoors) and school-sponsored or school-sanctioned events, including those held off-campus;
- Prohibition of tobacco products and vapor products applies to employees of the school district, students, visitors, and any other person present on school property;
- Prohibition of tobacco products and vapor products applies to personal vehicles while such vehicles are on School Property and school vehicles at all times;
- The District will not accept donations of gifts, money, or materials from the tobacco industry or participate in any type of services, events, or programs that are funded by the tobacco industry;
- The District will provide tobacco cessation information, resources and/or support to employees, parents/guardians, family members, and students (13 and older);
- The District will post signs about the tobacco-free (including vapor products) policy at entrances on school property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

24/7 TOBACCO-FREE CAMPUS POLICY

Introduction

- *[Insert School District Name]* understands the concern of parents, educators, students, and community members regarding the adverse effects of tobacco and secondhand smoke. We want to provide a safe and healthy environment for our students, staff, and community and set the proper example for our students.
- This policy is intended to improve the health and safety of all individuals using the schools.

Definitions

For the purposes of this policy, the following definitions apply:

School Property is defined as any property that is owned, leased, managed, or otherwise controlled by the school district, including vehicles and any outdoor property, such as sporting facilities and parking lots.

Tobacco Product is defined as a product that contains or is derived from tobacco and is intended for human consumption, excluding drugs or devices approved for cessation by the United States Food and Drug Administration. This includes e-cigarettes and vapor products with or without nicotine.

24/7 Tobacco-free Campus is defined as a campus where tobacco use is prohibited anywhere, at any time, and by any person. This extends to school vehicles and school-sponsored or school-sanctioned events, including those held off-campus.

Prohibitions

- Tobacco Product use is prohibited anywhere on School Property, 24 hours a day, seven days a week, by any person. This policy extends to personal vehicles while such vehicles are on School Property, school vehicles, and school-sponsored or school-sanctioned events, including those held off-campus.
- This policy applies to employees of the school district, students, visitors, and any other person present on School Property. This policy also applies to all public school functions (sporting events, concerts, etc.) and any outside agency using the district's facilities, including stadiums. This policy is in effect 24 hours per day, seven days per week.
- The District will not accept donations of gifts, money, or materials from the tobacco industry. This district will not participate in any type of services, events, or programs that are funded by the tobacco industry.
- Students are prohibited from possessing Tobacco Products on School Property and at any off-site, school-sponsored meeting or event, including, but not limited to, field trips and athletic events.
- Ash receptacles, such as ash trays or ash cans, are not permitted on School Property.

Tobacco Cessation Support

- The District will refer employees, parents/guardians, family members, and students (13 and older) interested in quitting tobacco use to the Oklahoma Tobacco Helpline and other cessation resources, if available.
- The District will promote the Oklahoma Tobacco Helpline (1-800-QUIT-NOW or OKHelpline.com) to ensure awareness of the statewide services that are available.
- The District will provide insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the employee:

- Group, individual, and phone counseling
 - A minimum of four counseling sessions of at least 10 minutes each per attempt
 - Two quit attempts per year
 - Free cessation counseling is also offered by the *Oklahoma Tobacco Helpline* (1-800-QUIT-NOW)
- All seven Food and Drug Administration (FDA) approved cessation aids
- The District will communicate and promote the available tobacco cessation benefits and insurance coverage for employees to all prospective employees, new employees at the time of hire, and all existing employees on an annual basis.

Implementation and Enforcement

- Signs should be posted to inform employees, students, visitors, and any other person present of the tobacco-free facility at entrances on School Property.
- The success of this regulation will depend upon the thoughtfulness, consideration, and cooperation of tobacco users and nonusers. All individuals on school premises share in the responsibility for adhering to and enforcing this regulation. All students will receive instruction on avoiding tobacco use. Ultimately, each site administrator will take appropriate steps to enforce the regulation.
- Students found in violation of the policy will have their parents contacted for a first violation. Second offense could include disciplinary action. The school administrator will confiscate the prohibited Tobacco Product. Information about the Oklahoma Tobacco Helpline will be provided to students in violation of this policy in order to provide a resource for tobacco cessation.
- Employees who violate the regulation shall be subject to disciplinary action in accordance with the employee bargaining agreements and/or the districts' faculty handbook. Information about the Oklahoma Tobacco Helpline will be provided to staff members in violation of this policy in order to provide a resource for tobacco cessation.
- Visitors who violate the policy shall be subject to a verbal request to the individual to stop. If the person refuses to stop, the individual will be requested to leave. If the person refuses to leave, they will be referred to local authorities.

Effective Date

Comment on Traditional Tobacco Use

This document acknowledges the traditional and sacred use of tobacco among American Indian people living in Oklahoma. Whenever the word tobacco is referenced in these materials it refers to the use of commercial tobacco.

This 24/7 Tobacco-free Campus Policy is effective as of *[Insert Effective Date Here]*.

Approved by School District:

Name & Title: _____ Signature: _____

Date: _____

Comprehensive Components of an Applicant Agency Tobacco-free Policy:

Community Institution Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco products;
 - vapor products (if not defined within the tobacco product definition);
 - organization property;
- Tobacco products (including vapor products) are prohibited on all organization property (both indoors and outdoors);
- Prohibition of tobacco products (including vapor products) applies at all times;
- Prohibition of tobacco products (including vapor products) applies to all people (such as employees, visitors, vendors, students, clients and any other person on organization property);
- Prohibition of tobacco products (including vapor products) applies to all off-site company sponsored meetings and events;
- Prohibition of tobacco products (including vapor products) applies to organization-owned or leased vehicles at all times;
- Prohibition applies to personal vehicles while on organization property;
- Organization will not accept any tobacco company sponsorship;
- Organization will prohibit tobacco (including vapor products) advertising or promotion on company property and at any off-site organization-sponsored event;
- Organization will provide tobacco cessation information, resources and/or support to employees;
- Organization will post signs about the tobacco-free (including vapor products) policy at entrances to all building on organization property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

COMMUNITY INSTITUTION TOBACCO-FREE POLICY

Introduction

Tobacco use is the number one cause of preventable death in the United States, killing more than 7,500 Oklahomans every year. In recognition of the fact that all forms of tobacco products are hazardous to human health and that there is no safe level of exposure to secondhand smoke, it shall be the policy of *[Insert Name of Community Organization]* (the “Organization”) to prohibit all use of tobacco products.

Definitions

For the purposes of this policy, the following definitions apply:

Organization Property means any real property that is owned, leased, managed, or otherwise controlled by the organization, including outdoor areas such as parking lots.

Employee means any person who performs work or services for the Company, including, but not limited to, full-time employees, part-time employees, temporary employees, independent contractors, subcontractors, volunteers, and interns.

Tobacco Product means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco that are used in manufacturing a component, part, or accessory of a Tobacco Product). The term Tobacco Product does not include any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product (this includes e-cigarettes and vapor products).

Tobacco Company means companies engaged in the growth, preparation for sale, shipment, advertisement, and distribution of tobacco and tobacco-related products. This also includes vapor companies.

Applicability

This policy applies to every employee, unpaid staff, and guest of the organization, and any other person present on Organization Property or at an Organization-sponsored meeting or event.

Prohibitions

- The use of Tobacco Products is prohibited at all times on Organization Property.
- The use of Tobacco Products is prohibited at any off-site Organization-sponsored meeting or event.
- The use of Tobacco Products is prohibited during meetings, activities or when representing the Organization.
- The use of Tobacco Products is prohibited in Organization-owned or Organization-leased vehicles at all times.
- The use of Tobacco Products is prohibited in personal vehicles while such vehicles are on Organization Property.
- Ash receptacles, such as ash trays or ash cans, are not permitted on organization property, or within organization owned or leased vehicles.

- The Organization will not accept any sponsorship from a tobacco company and will not allow tobacco advertising or promotion on Organization Property or at any off- site Organization-sponsored meeting or event.

Tobacco Cessation Support

[Insert Name of Community Organization] is committed to providing support to all employees who wish to stop using tobacco products by doing the following:

The Organization will provide tobacco cessation information, resources, and/or support.

The Organization will promote the Oklahoma Tobacco Helpline (1-800-QUIT-NOW or OKHelpline.com) to ensure awareness of the statewide services that are available.

The Organization will provide insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the employee:

Group, individual, and phone counseling

- A minimum of four counseling sessions of at least 10 minutes each per attempt
- Two quit attempts per year
- Free cessation counseling is also offered by the [Oklahoma Tobacco Helpline](http://OklahomaTobaccoHelpline.com) (1-800-QUIT-NOW)

All seven Food and Drug Administration (FDA) approved cessation aids

- The Organization will communicate and promote the available tobacco cessation benefits and insurance coverage for employees to all prospective employees, new employees at the time of hire, and all existing employees on an annual basis.

Implementation, Support, and Enforcement

Finally, [Insert Name of Community Organization] is committed to facilitating the implementation of the above tobacco free policy elements by doing the following:

- Signs informing people of this policy shall be posted, at a minimum, at entrances to all buildings on Organization Property.
- A copy of this policy shall be included in the Organization policy manual and training materials for employees and unpaid staff with the organization.
- Compliance with this policy is mandatory.
- Employees and unpaid staff with the Organization are responsible for familiarizing themselves with this policy.
- A violation of this policy will be handled in accordance with the Organization's standard disciplinary procedure.
- A violation of this policy by any person other than an employee, or unpaid staff, with the Organization shall be handled in the following manner:
 - First, the Organization will request that the violator stop using the tobacco product.
 - If the violator refuses to stop, the Organization will request that the person leave organization property or the Organization-sponsored meeting or event.

- If the violator refuses to leave, the Organization will follow its standard procedure for removing unwanted visitors.

Effective Date

Comment on Traditional and Sacred Use of Tobacco

This document acknowledges the traditional and sacred use of tobacco among American Indian people living in Oklahoma. Whenever the word tobacco is referenced in these materials it refers to the use of commercial tobacco.

[Insert Name of Community Organization] adopts this tobacco-free policy.

Effective Date _____

Name and Title _____

Signature _____ Date Adopted _____

Comprehensive Components of an Applicant Agency Tobacco-free Policy:

Worksite Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco products;
 - vapor products (if not defined within the tobacco product definition);
 - organization property;
- Tobacco products (including vapor products) are prohibited on all organization property (both indoors and outdoors);
- Prohibition of tobacco products (including vapor products) applies at all times;
- Prohibition of tobacco products (including vapor products) applies to all people (such as employees, visitors, vendors, students, clients and any other person on organization property);
- Prohibition of tobacco products (including vapor products) applies to all off-site company sponsored meetings and events;
- Prohibition of tobacco products (including vapor products) applies to organization-owned or leased vehicles at all times;
- Prohibition applies to personal vehicles while on organization property;
- Organization will not accept any tobacco company sponsorship;
- Organization will prohibit tobacco (including vapor products) advertising or promotion on company property and at any off-site organization-sponsored event;
- Organization will provide tobacco cessation information, resources and/or support to employees;
- Organization will post signs about the tobacco-free (including vapor products) policy at entrances to all building on organization property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

WORKSITE TOBACCO-FREE POLICY

Introduction

Tobacco use is the number one cause of preventable death in the United States, killing more than 7,500 Oklahomans every year. In recognition of the fact that all forms of tobacco products are hazardous to human health and that there is no safe level of exposure to secondhand smoke, it shall be the policy of *[Insert Name of Company]* (the “Company”) to prohibit all use of tobacco products.

Definitions

For the purposes of this policy, the following definitions apply:

Company Property means any real property that is owned, leased, managed, or otherwise controlled by the Company, including outdoor areas such as parking lots.

Employee means any person who performs work or services for the Company, including, but not limited to, full-time employees, part-time employees, temporary employees, independent contractors, subcontractors, volunteers, and interns.

Tobacco Product means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco that are used in manufacturing a component, part, or accessory of a Tobacco Product). The term Tobacco Product does not include any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product (this includes e-cigarettes and vapor products)

Applicability

This policy applies to every employee, visitor, vendor, and any other person present on Company Property or at a Company-sponsored meeting or event.

Prohibitions

The use of Tobacco Products is prohibited at all times on Company Property.

The use of Tobacco Products is prohibited at any off-site Company-sponsored meeting or event.

Employees are prohibited from using Tobacco Products during the hours of their employment, except off the premises during regularly scheduled breaks, if applicable. This prohibition applies during all hours of employment.

The use of Tobacco Products is prohibited in Company-owned or Company-leased vehicles at all times.

The use of Tobacco Products is prohibited in personal vehicles while such vehicles are on Company Property.

Ash receptacles, such as ash trays or ash cans, are not permitted on Company Property, or within Company owned or leased vehicles.

The Company will not accept any sponsorship from a tobacco company and will not allow tobacco advertising or promotion on Company property or at any off-site Company-sponsored meeting or event.

Tobacco Cessation Support

Employees and family members interested in quitting tobacco use will be referred to the Oklahoma Tobacco Helpline and other cessation resources.

The Company will promote the Oklahoma Tobacco Helpline (1-800-QUIT-NOW or OKHelpline.com) to ensure awareness

of the statewide services that are available.

The Company will provide insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the employee:

Group, individual, and phone counseling

- A minimum of four counseling sessions of at least 10 minutes each per attempt
- Two quit attempts per year
- Free cessation counseling is also offered by the [Oklahoma Tobacco Helpline](#) (1-800-QUIT-NOW)

All seven Food and Drug Administration (FDA) approved cessation aids

The Company will communicate and promote the available tobacco cessation benefits and insurance coverage for employees to all prospective employees, new employees at the time of hire, and all existing employees on an annual basis.

Implementation, Support, and Enforcement

Signs informing people of this policy shall be posted, at a minimum, at entrances to all buildings on Company Property.

A copy of this policy shall be included in the Company policy manual and employee training materials.

Employees are responsible for familiarizing themselves with this policy.

Employee compliance with this policy is mandatory.

A violation of this policy by an Employee will be handled in accordance with the Company's standard disciplinary procedure.

A violation of this policy by any person other than an Employee shall be handled in the following manner:

- First, the Company will request that the violator stop using the Tobacco Product.

If the violator refuses to stop, the Company will request that the person leave Company Property or the Company-sponsored meeting or event.

If the violator refuses to leave, the Company will follow its standard procedure for removing unwanted visitors.

Effective Date

Comment on Traditional and Sacred Use of Tobacco

This document acknowledges the traditional and sacred use of tobacco among American Indian people living in Oklahoma. Whenever the word tobacco is referenced in these materials it refers to the use of commercial tobacco.

[Insert Name of Company] adopts this tobacco-free policy.

Effective Date _____ Name and Title _____

Signature _____ Date Adopted _____

Comprehensive Components of an Applicant Agency Tobacco-free Policy:

Tribal Nation Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco product;
 - vapor product;
 - tribal property;
- Tobacco products and vapor products are prohibited on all tribal property (both indoors and outdoors, including parks and recreational areas);
- Prohibition of tobacco products and vapor products applies at all times;
- Prohibition of tobacco products and vapor products applies to all people (such as employees, patients, medical staff, visitors, vendors, volunteers, clients and any other person on organization property);
- Prohibition of tobacco products and vapor products applies to organization-owned or leased vehicles at all times;
- Prohibition applies to personal vehicles while on tribal property;
- Tribal Nation will provide tobacco cessation information, resources and/or support to employees;
- Tribal Nation will post signs about the tobacco-free (including vapor products) policy at entrances to all buildings on organization property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

COMMERCIAL TOBACCO-FREE AND VAPOR-FREE POLICY FOR TRIBAL GOVERNMENT PROPERTY

Traditional Tobacco Use

This document acknowledges the traditional and sacred use of tobacco among American Indian people living in Oklahoma. Whenever the word tobacco is referenced in this document it refers to the use of commercial tobacco.

Introduction

- a. The *[Insert Name of Tribal Nation]* is committed to improving the health and welfare of all tribal members and employees, to promote a healthy environment, and has an obligation to enact policies that provides protection from harm.
- b. The United States Surgeon General has found conclusive scientific evidence that documents adverse health effects from secondhand smoke exposure, including cancer and cardiovascular diseases, and adverse respiratory effects in both children and adults.
- c. The *[Insert Name of Tribal Nation]* recognizes that everyone has the right to breathe clean air and be free from the pollution of commercial tobacco products.
- d. The fundamental use of traditional tobacco shall not be restricted.
- e. It is the intent of the *[Insert Name of Tribal Nation]*, in enacting this policy, to provide for the public health, safety, and welfare by discouraging the inherently dangerous behavior of tobacco product and vapor product use around non-users, especially children; by protecting the public from exposure to secondhand smoke where people work, play, and learn; by reducing the potential for children to wrongly associate tobacco product and vapor product use with a healthy lifestyle; and by affirming and promoting a healthy environment on all *[Insert Name of Tribal Nation]* properties.

Definitions

The following words and phrases, whenever used in this policy, shall have the meanings defined in this section unless the context clearly requires otherwise:

- a. **Commercial Tobacco Product** means any product made or derived from tobacco that is intended for human consumption. Tobacco Product does not include any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product. This includes e-cigarettes and vapor products with or without nicotine.
- b. **Traditional Tobacco Use** as defined by the *[Insert Name of Tribal Nation]* *[insert name of Cultural Preservation office]* means plants for healing the mind, body, and spirit. *[Any additional information on how traditional tobacco is used within the tribe may be added here.]*
- c. **Vapor Product** means any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that

can be used to produce a vapor in a solution or other form. Vapor Product shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic device.

- d. **Indoor Area** means any enclosed area used or visited by employees or the public, at all times, regardless of whether work is being performed. Indoor Area includes work areas, employee lounges, restrooms, conference and meeting rooms, classrooms, cafeterias/lunch rooms, breakrooms, hallways, stairways, private offices, clinics, auditoriums, elevators, childcare and adult day care facilities, housing, warehouses, storage areas, and any other spaces used or visited by employees and nonemployees, as well as all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like.
- e. **Outdoor Area** means any area that is not an Indoor Area, and includes outdoor recreational areas, parking lots, walking trails and any other outside space.
- f. **Tribal Property** means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas, and other property, or portions thereof, owned or operated by the *[Insert Name of Tribal Nation]*, including but not limited to vehicles and equipment owned and leased by the tribe.
- g. **Smoking** of commercial tobacco means inhaling, exhaling, burning, possessing or carrying any lighted or heated commercial tobacco product, including but not limited to cigars, cigarettes, pipe tobacco, hookah pipes, or using any battery operated electronic cigarette or other lighted smoking device.
- h. **Secondhand Smoke** means the particulate matter, gases, and other by-products of combustion emitted from a lighted pipe, the lit end of a cigarette or cigar, or any other form of commercial tobacco and also the exhaled by-products of tobacco combustion previously inhaled during the smoking of a pipe, cigarette, or cigar, or any other form of commercial tobacco.

Prohibitions

Using Tobacco Products and Vapor Products is prohibited on all *[Insert Name of Tribal Nation]* Property, indoor and outdoor, including places of employment, parks and recreational areas at all times.

This policy applies to all employees, patients, medical staff, students, contracted personnel, volunteers, vendors and general public at all times while on tribal property.

Upon the effective date of this policy, there are no areas in which tobacco or vapor use is permitted. All areas previously designated for outdoor tobacco use and vapor are no longer tobacco use or vapor permissible areas.

Nothing in this policy prohibits any person or entity from prohibiting the use of Tobacco Products or Vapor Products on their property, even if the use of Tobacco Products or Vapor Products is not otherwise prohibited in that area.

No person or entity shall knowingly permit the use of Tobacco Products or Vapor Products in an area that is under the control of that person or entity and in which the use of Tobacco Products or Vapor Products is prohibited.

All motor vehicles owned or leased by *[Insert Name of Tribal Nation]* are covered under this policy and tobacco and vapor use is not allowed at any time.

Employees and all other persons are prohibited from using tobacco and vapor products in his/her personal vehicle while on *[Insert Name of Tribal Nation]* owned or leased property or while transporting clients or other employees in the course of tribal business.

No person or entity shall permit the placement of ash receptacles, such as ash trays or ash cans, within an area under the control of that person or entity and in which Smoking is prohibited. However, the presence of ash receptacles shall not be a defense to a charge of the use of Tobacco Products or Vapor Products in violation of any provision of this policy.

No person shall dispose of Tobacco Product or Vapor Product waste within an area in which the use of Tobacco Products or Vapor Products is prohibited.

No person or entity shall intimidate, threaten, or otherwise retaliate against another person or entity that seeks to attain compliance with this policy.

Required Signage

a. The person or entity that has control of an area in which the use of Tobacco Products or Vapor Products is prohibited by this policy shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area, and in at least one other conspicuous point within the area.

For restrictions on the use of Tobacco Products or Vapor Products in Indoor Areas, the sign or decal shall be at least 4 inches by 2 inches in size and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided. For restrictions on the use of Tobacco Products or Vapor Products in Outdoor Areas, signs shall be weather-resistant, at least 15 inches by 15 inches in size, with lettering of at least 1 inch, and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free and vapor-free environment is provided.

For purposes of this section, the *[insert responsible entity]* or his/her designee shall be responsible for the posting of signs on Tribal Property, both indoor and outdoor.

Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of the use of Tobacco Products or Vapor Products in violation of any other provision of this policy.

Penalties and Enforcement

a. Enforcement of this policy shall be the responsibility of *[Insert Name of Appropriate Tribal Entity]*.

a. *[Insert Name of Appropriate Tribal Entity]* will monitor all areas covered by this ordinance. Any person using tobacco products will be approached and they will politely advise violators of the tobacco free policy, verbally.

b. Any person who knowingly violates this policy shall be punished by a citation and fine of not less than *[insert minimum fine amount]* and not more than *[insert maximum fine amount]* in accordance with *[article / chapter]* of the *[Insert Name of Tribal Nation]* Tribal Code.

- c. The possession of a lighted Tobacco Product in violation of this policy is a nuisance.
- d. It is the responsibility of every employee to adhere to the guidelines put forth in this policy.
- e. Tobacco and vapor users are not allowed additional breaks during the work day/week.
- f. Employees interested in quitting tobacco use will be referred to the [Oklahoma Tobacco Helpline](#) and other cessation resources, if available.
- g. Each instance of Tobacco Product or Vapor Product use in violation of this policy shall constitute a separate violation.
- h. Department Directors/Managers Responsibility
 - a. Ensure all employees are educated about the tobacco free policy before employment commences.
 - b. Ensure that all current and new employees under their supervision are advised of the purpose and intent of this policy.
 - c. All visitors, patients, medical staff employees, representative vendors and general public are made aware of the tobacco-free policy prior to its implementation
- i. Human Resource Responsibility
 - a. Ensure that the tobacco-free policy is reviewed at new employee orientation.
- j. The use of tobacco for traditional ceremonial purposes is exempt from this policy and will be permitted by authorization of the *[Insert Name of Tribal Nation]* Administration. Should a question arise as to whether or not such usage is an established ceremonial purpose, the *[Insert Name of Tribal Nation]* spiritual leaders and cultural resources center will be consulted.

Effective Date

This Commercial Tobacco-free and Vapor-free Tribal Government Policy is effective as of *[insert effective date here]*.

Name and Title _____

Signature _____ Date Adopted _____

Comprehensive Components of an Applicant Agency Tobacco-free Policy:

City/Town/County Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco product;
 - vapor product;
 - municipal property;
- Tobacco products and vapor products are prohibited on all municipal property (both indoors and outdoors, including parks and recreational areas);
- Prohibition of tobacco products and vapor products applies during all hours of employment;
- Prohibition of tobacco products and vapor products applies to every employee;
- Prohibition of tobacco products and vapor products applies to municipally-owned or leased vehicles at all times;
- Prohibition applies to personal vehicles during all hours of employment while vehicles are on municipal property;
- Municipality will provide tobacco cessation information, resources and/or support to employees;
- Municipality will post signs about the tobacco-free (including vapor products) policy at entrances to all buildings on municipal property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

TOBACCO-FREE AND VAPOR-FREE WORKSITE POLICY FOR MUNICIPAL PROPERTY

EXHIBIT A

The *[Insert Name of Municipality]* Tobacco-free Policy

SECTION I. DEFINITIONS

[Insert Name of Municipality] establishes the following definitions for the words and phrases used in this Policy, unless context clearly requires otherwise:

“Hosting” means the use of municipal facilities or other resources for a function, an event, or an activity. Examples include fairs, community gardens, classes, support groups, sporting or athletic events, concerts, etc.

“Indoor Area” means any enclosed area used or visited by municipal employees, regardless of whether work is being performed. Indoor Area includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, parking garages, municipal vehicles, and any other spaces used or visited by employees, as well as all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of openings such as doors, doorways, open or closed windows, or stairways.

“Municipal Property” means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas and other property, or portions thereof, owned or operated by the *[City/Township/County]*, including but not limited to vehicles and equipment owned by the municipality.

“Outdoor Area” means any area that is not an Indoor Area, and includes outdoor recreational areas.

“Smoking” means the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device.

“Sponsoring” means providing financial or in-kind support of resources and services for programs, classes, farmers markets, or other types of events and activities promoting healthy living.

“Tobacco Product” means any product that contains tobacco and is intended for human consumption. Tobacco Product does not include any product approved by the United States Food and Drug Administration (FDA) for sale as a tobacco cessation product.

“Vapor Product” means any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Product includes any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic smoking device.

SECTION II. TOBACCO FREE AND VAPOR FREE

[Insert Name of Municipality] commits to supporting employees’ access to clean air by limiting workplace exposure to secondhand tobacco smoke and secondhand vapor by doing the following:

- a. Supporting existing local and state laws that prohibit Smoking and the use of Tobacco Products and Vapor

Products in Indoor Areas and on Municipal Property, through educational materials, requisite signage, and enforcement assistance where applicable;

- b. Prohibiting employees from Smoking or using Tobacco Products and Vapor Products on Municipal Property during all hours of employment, including in Indoor Areas, such as elevators, and Outdoor Areas, such as parks and recreational areas;
- c. Prohibiting employees from Smoking or using Tobacco Products and Vapor Products in all vehicles owned or leased by the [City/Township/County], at all times;
- d. Prohibiting employees from Smoking or using Tobacco Products or Vapor Products in personal vehicles during all hours of employment while such vehicles are on Municipal Property;
- e. Prohibiting ash receptacles (such as ash trays or ash cans) and other Tobacco Product and Vapor Product waste receptacles on Municipal Property or in vehicles owned or leased by the [City/Township/County];
- f. Providing cessation support for employees by doing the following:
 - (1) Referring employees interested in quitting use of Tobacco Products and Vapor Products to the Oklahoma Tobacco Helpline and other cessation resources, if available;
 - (2) Promoting the Oklahoma Tobacco Helpline (1-800-QUIT-NOW or OKHelpline.com) to ensure awareness of the statewide services that are available;
 - (3) Providing insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the employee:
 - (A) Group, individual, and phone counseling:
 - (i) A minimum of 4 counseling sessions of at least 10 minutes each per attempt
 - (ii) Two quit attempts per year
 - (iii) Free cessation counseling is also offered by the Oklahoma Tobacco Helpline (1-800-QUIT-NOW)
 - (B) All 7 FDA-approved cessation aids;
 - (4) Communicating and promoting the available tobacco cessation benefits and insurance coverage employees to all prospective employees, new employees at the time of hire, and all existing employees on an annual basis; and
 - (5) Providing specific implementation and enforcement support for the laws mentioned above, including but not limited to:
 - (A) Posting signs informing people of applicable tobacco-free and vapor-free laws and policies at entrances to all buildings on Municipal Property;
 - (B) Including copies of applicable tobacco-free and vapor-free laws and policies in relevant municipal policy manuals, handbooks, or employee training materials. Employees are responsible for familiarizing themselves with these laws and policies and their applicable enforcement measures; and

Following the employee handbook or policy manual's standard disciplinary procedures if an employee violates

sections (b) or (c) of this Policy, treating the violation of these tobacco-free and vapor-free provisions like any other violation of municipal policy.

SECTION III. GENERAL STATEMENT OF POLICY

It is the intent of the *[Legislative Body]* that this Resolution is a general statement of *[City/Township/County]* policy that cannot form the basis of a private right of action.

SECTION IV. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Resolution, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this Resolution, or its application to any other person or circumstance. The *[Legislative Body]* of the *[Insert Name of Municipality]* hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable.

Effective Date

This Tobacco-free and Vapor-free Worksite Policy is effective as of *[insert effective date here]*.

Name and Title _____

Signature _____ Date Adopted _____

Comprehensive Components of an Applicant Agency Tobacco-free Policy:

Higher Education Institution Checklist

In order for a tobacco-free policy to be considered as comprehensive, all of the policy elements within the checklist below must be present within the tobacco-free policy that is submitted to TSET.

- Definition of the following:
 - tobacco product;
 - vapor product (if not defined within the tobacco product definition);
 - organization property;
- Tobacco products (including vapor products) are prohibited on all organization property (both indoors and outdoors);
- Prohibition of tobacco products (including vapor products) applies at all times;
- Prohibition of tobacco products (including vapor products) applies to all people (such as employees, visitors, vendors, students, clients and any other person on organization property);
- Prohibition of tobacco products (including vapor products) applies to all off-site company sponsored meetings and events;
- Prohibition of tobacco products (including vapor products) applies to organization-owned or leased vehicles at all times;
- Prohibition applies to personal vehicles while on organization property;
- Organization will not accept any tobacco company sponsorship;
- Organization will prohibit tobacco (including vapor products) advertising or promotion on company property and at any off-site organization-sponsored event;
- Organization will provide tobacco cessation information, resources and/or support to employees;
- Organization will post signs about the tobacco-free (including vapor products) policy at entrances to all building on organization property;
- Enforcement plan;
- Official signature; and
- Policy date.

Note: Within the sample tobacco-free policy below, all **yellow** highlighted text meets the required policy components listed within the checklist. The **red** text represents fields that will need to be completed with the lead applicant agency's name if the tobacco-free policy is adopted as is.

All tobacco-free policies must include the lead applicant agency's name somewhere within the policy.

HIGHER EDUCATION CAMPUS TOBACCO-FREE POLICY

Introduction

Tobacco use is the number one cause of preventable death in the United States. Smoking kills more than 7,500 Oklahomans every year. In recognition of the fact that all forms of tobacco products are hazardous to human health and that there is no safe level of exposure to secondhand smoke, it shall be the policy of *[Insert Name of Higher Education Campus]* (the “Campus”) to prohibit all use of tobacco products.

Definitions

The definition for Tobacco Product and Vapor Product are per Oklahoma statutes. For the purposes of this policy, the following definitions apply:

Campus Property means any real property that is owned, leased, managed, or otherwise controlled by the campus, including all indoor and all outdoor areas such as parking lots.

Tobacco Product means any product that contains tobacco and is intended for human consumption. Tobacco Product does not include any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product.

Vapor Product means any noncombustible product that may or may not contain nicotine that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Product shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic device.

Applicability

This policy applies to every student, faculty, staff, visitor, vendor, and any other person present on all Campus Property or at a Campus-sponsored meeting or event.

Prohibitions

- The use of Tobacco Products and Vapor Products is prohibited at all times on Campus Property.
- The use of Tobacco Products and Vapor Products is prohibited by students, faculty, staff, visitor, vendor and any other person present on Campus Property, including any off-site Campus-sponsored meetings or events.
- The use of Tobacco Products and Vapor Products is prohibited in Campus-owned or leased vehicles at all times.
- The use Tobacco Products and Vapor Products is prohibited in personal vehicles while such vehicles are on Campus Property.
- *Ash receptacles, such as ash trays or ash cans, are not permitted on Campus Property, or within Campus owned or leased vehicles.*

- The Campus will not accept any sponsorship from a tobacco or vapor company and will not allow tobacco or vapor advertising or promotion on Campus Property and at any off-site campus-sponsored meeting or event.

Tobacco Cessation Support

- The Campus will refer individuals interested in quitting tobacco use to the Oklahoma Tobacco Helpline and other cessation resources, if available.
- The Campus will promote the Oklahoma Tobacco Helpline (1-800-QUIT-NOW or OKHelpline.com) and provide tobacco cessation information, resources and support to ensure awareness of the statewide services that are available.
- The Campus will provide insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the insurance holder:
 - Group, individual, and phone counseling
 - A minimum of four counseling sessions of at least 10 minutes each per attempt
 - Two quit attempts per year
 - Free cessation counseling is also offered by the Oklahoma Tobacco Helpline (1-800-QUIT-NOW)
 - All seven Food and Drug Administration (FDA) approved cessation aids
- The Campus will communicate and promote the available tobacco cessation benefits and insurance coverage for students and employees to all prospective students and employees, all new students at the time of orientation, all new employees at the time of hire, and all existing students and employees on an annual basis.

Implementation and Enforcement

- Signs informing all students, faculty, staff, and visitors of this policy shall be posted, at minimum, at the entrances to all buildings on Campus Property as well as entrances onto the Campus.
- A copy of this policy shall be included in the Campus policy manual, faculty and staff training materials, and student orientation materials.
- Students, faculty, and staff are responsible for familiarizing themselves with this policy.
- Compliance with this policy is mandatory.
- A violation of this policy will be handled in accordance with the Campus' standard disciplinary procedure.

Effective Date

[Insert Name of Campus] adopts this tobacco-free policy.

Effective Date _____

Name and Title _____

Signature _____ Date Adopted _____