

Eastern Shore Community College Policy

Smoking and Use of Tobacco Products

Effective Date: July 2021
Responsible Office: Finance and Administration

Purpose

This policy establishes the rules concerning smoking and use of tobacco products on Eastern Shore Community College's (ESCC) campus and in facilities, vehicles, and vessels owned or controlled by ESCC.

Authority

Code of Virginia [§ 15.2-2820](#) (Virginia Indoor Clean Air Act)

The President has given the Associate Vice-President of Administration (Security and Human Resources) the responsibility and authority to establish and enforce the college's employee alcohol and drug use policy.

Applicability

This policy applies to all students and employees in all positions at ESCC whether covered or non-covered under the Virginia Personnel Act, whether full-time or part-time, or paid on a salaried or on an hourly basis. This policy also includes all teaching and administrative faculty.

Definitions

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. Wherever appearing in the associated policy and procedures, the term "smoking" shall be understood to include all of the activities identified in this policy section.

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.

Policy

Smoking 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;
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; and
6. in outdoor areas during a college event or activity scheduled in the area, such as at a student activities event.

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

The Associate Vice-President of Administration (AVPA) 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 (VCCS) and the laws, regulations, and policies of the Commonwealth of Virginia. The AVPA and the ESCC Chief of Police shall be responsible for ensuring that the provisions of this policy and its supporting procedures are implemented. 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.

Procedures

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 ESCC clean, attractive, and litter-free.

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.

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.

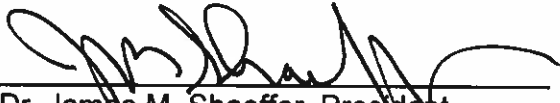
Designation of Outside Smoking Areas

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 on campus, on the recommendation of the Human Resources, 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 AVPA, whose decision in this regard is final.

Review Periodicity and Responsibility

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



Dr. James M. Shaeffer, President
Eastern Shore Community College

Approved: July 14, 2021

Effective: July 15, 2021

