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# SMOKING POLICY

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## POLICY

It is the policy of the California Department of Child Support Services (DCSS) to provide a smoke-free work environment in its facilities for all employees.

To comply with Government Code Section 7596-7598 and AB 846 (effective January 1, 2004), DCSS prohibits smoking within any of its facilities, whether a state-leased or owned building and within 20 feet of any entrance or exit, operable window, or air intake opening of said facilities. Additionally, DCSS prohibits smoking in any areas designated by signage as "No-Smoking." State law further prohibits smoking in state-owned vehicles.

## AUTHORITY

Government Code (GC) § 7596 through 7598  
Personnel Management Liaison (PML) Memorandum 93-19  
Management Memo 04-07  
State Administrative Manual Sections 4102 and 1330.5

## DEFINITIONS

State building is defined as a building owned or leased and occupied by the state.

Within a facility includes any area enclosed by the outermost walls of the building, such as atriums, balconies, stairwells, and similar building features.

Vehicles and equipment are any motor vehicle as defined in Section 415 of the California Vehicle Code. The prohibition also includes all state-owned mobile equipment including light and heavy duty trucks, cargo and passenger vans, buses, and any other mobile equipment with an enclosed driver/passenger compartment regardless of ventilation.

## GENERAL INFORMATION

Smoking breaks may be permitted at the discretion of the supervisor in lieu of the time regularly allotted for breaks and rest periods. Additionally, supervisors may, where appropriate, allow employees to break up their regular break and rest period. Time allowed shall not exceed the regular time allotted for the regular break and rest period as provided for in the applicable bargaining unit contract or laws and rules. If any provisions of this policy are in conflict with any collective bargaining agreements, the collective bargaining agreement shall prevail.

Specific outdoor smoking areas are not established but appropriate smoking litter receptacles are provided outside DCSS buildings for smoking refuse. Employees should utilize these receptacles and refrain from littering or disposing of smoking refuse into flower beds and bark or other areas that present a potential fire hazard.

### RESPONSIBILITIES

The responsibility for ensuring implementation of this policy rests with all employees, as follows:

| <b>Roles</b>            | <b>Responsibility</b>   |
|-------------------------|---|
| All DCSS Employees      | <ul style="list-style-type: none"><li>• Observe and comply with DCSS Smoking policy.</li><li>• Politely remind individuals of DCSS Smoking Policy if you observe violations.</li><li>• Notify immediate supervisor or Health and Safety Officer with any smoking issues/concerns.</li></ul>                                 |
| Supervisor/Manager      | <ul style="list-style-type: none"><li>• Ensure all employees are aware of DCSS Smoking Policy.</li><li>• Consult with and seek assistance from the DCSS Health and Safety Officer regarding any smoking issues/concerns.</li><li>• Take appropriate action to remedy any reported violations.</li></ul>                     |
| Health & Safety Officer | <ul style="list-style-type: none"><li>• Work cooperatively with all DCSS employees to ensure a smoke-free work environment.</li><li>• Work with employees and supervisors to resolve smoking/issues and concerns.</li><li>• Provide information to requesting employees on the State's Smoking Cessation Program.</li></ul> |

### APPLICABILITY

This policy is applicable to all employees of DCSS including those employed in part-time, intermittent, limited-term and non-testing classifications, including student assistants and personnel provided for by personal services contracts, contractors, vendors, and visitors to DCSS.

### ADDITIONAL INFORMATION

State employees interested in Smoking Cessation Program benefits can access information from the following resources:

<http://www.dpa.ca.gov/benefits/wellness/smoking-cessation-health-plans.pdf>

<http://www.californiasmokershelpline.org/>

California Smokers' Helpline: 1-800-NO-BUTTS/1-800-662-8887  
*(Free telephone program funded by the Department of Public Health)*

Any questions regarding interpretation or implementation of this policy shall be referred to the Health and Safety Program at (916) 464-2866.