

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Tobacco Free Workplace	PAGE <u> 1 </u> OF <u> 3 </u> . NUMBER: 10-SAF-01
RULE/CODE REFERENCE:	SUPERSEDES: 10-SAF-01 dated 03/07/14
RELATED ACA STANDARDS:	EFFECTIVE DATE: April 7, 2015
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to institute a tobacco-free environment on the grounds of all Ohio Department of Rehabilitation and Correction correctional facilities and within in all other facilities, buildings, offices or enclosed areas operated by or under the jurisdiction of the Ohio Department of Rehabilitation and Correction.

III. APPLICABILITY

This policy applies to all employees and independent contractors of the Ohio Department of Rehabilitation and Correction, along with visitors, vendors, and volunteers who enter or work within any Department of Rehabilitation and Correction facility or office and inmates housed in state correctional facilities.

IV. DEFINITIONS

Correctional Facility – Any building, grounds, areas of any building, or group of buildings utilized by the department as a penal institution including prisons that are privately operated and managed pursuant to a contract the department enters into under Section 9.06 of the Revised Code. This includes all offices and buildings located on the grounds of a correctional facility, such as the Corrections Training Academy, Training Education Center, and Ohio penal industries operations.

Enclosed Areas – Any area with a roof or other covering overhead, with walls or side coverings of any kind on at least one side.

Smoking –To inhale, exhale, burn or carry any lighted cigarette, cigar, pipe, or other lighted smoking device for burning tobacco or any other plant. Smoking does not include the burning of incense in a religious ceremony.

Tobacco-Free – Prohibited from the activity of smoking, possessing, or using any tobacco products in an area designated by the Department as tobacco free.

Tobacco Product – Any product that contains tobacco, the prepared leaves of any plant belonging to the nicotine family, which shall include, but not be limited to, cigarettes, loose tobacco, cigar, snuff, chewing tobacco, or any other preparation of tobacco, tobacco substitutes, electronic cigarettes, smoking paraphernalia (i.e., matches, lighter, cigarette papers, and rolling machine) and all other items developed or processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-related products as well as packaging material. Packaging material includes, but is not limited to, snuff or cigarette containers. Tobacco product does not include pharmacological aids (i.e., patch, inhaler, gel, gum, or lozenges) for smoking cessation.

Use Tobacco – To chew or maintain any substance containing tobacco, including smokeless tobacco placed in the mouth to enhance the effects of tobacco.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to promote and maintain a tobacco-free environment on the grounds of any correctional facility and within all facilities and offices of the Department consistent with Ohio Revised Code (ORC) Chapter 3794.

VI. PROCEDURES

A. Smoking, use, or possession of tobacco products by any person on the grounds of any correctional facility is prohibited, except for the following:

1. Residential staff housing where inmates are not present.
2. Possession of tobacco product when secured in a locked private vehicle.
3. As specifically authorized by the Managing Officer to meet facility needs.

Tobacco free signs shall be conspicuously posted at each entrance of each facility. Ashtrays or similar smoking receptacles shall be removed from facilities.

B. Tobacco use shall be prohibited on the grounds of all non-prison facilities, buildings, offices and other enclosed areas of the DRC. No tobacco use signs shall be conspicuously posted at each entrance of each non-prison facility, building, office and other enclosed areas.

C. The use of tobacco products and nicotine inhalers is prohibited in all vehicles owned or leased by the state.

D. Any DRC employee violating this policy shall be disciplined in accordance with the DRC Standards of Employee conduct. Inmates who violate this policy shall be charged with a violation of the inmate rules of conduct. Independent contractors, vendors, volunteers, and visitors found to be using tobacco in areas designated as non-tobacco shall be subject to administrative sanctions applicable to their status and/or removal from the DRC facility or non-prison facility, building, office or other enclosed area.

- E. DRC employees are encouraged to support the efforts of smokers attempting to quit smoking and users of tobacco products attempting to quit such use by providing information on smoking and tobacco use cessation programs offered at the various institutions for both staff and inmates.
- F. The use or possession of a nicotine inhaler without a physician's order by any person on the grounds of any correctional facility is prohibited.
- G. The use of a nicotine inhaler without a physician's order shall be prohibited on the grounds of all non-prison facilities, buildings, offices and other enclosed areas of the DRC.