

Waterbury State Office Complex
Local Worksite Smoking Policy

Introduction

This policy is applicable to the worksite formed by the connected buildings of the Waterbury State Office Complex at 103 South Main Street. Multiple workplaces are included in this worksite. As such, the policy is adopted by the Agency of Human Services, the Agency of Natural Resources, the Department of Human Resources, and the Department of Buildings and General Services for all employees and visitors at this worksite.

This policy is implemented in accordance with Personnel Policy 17.4 and in compliance with the provisions of State law (18 VSA Sec. 1421 et seq.). The definitions and requirements of those documents, if more restrictive, shall therefore be applied to and supersede any related provisions of this local worksite policy.

Policy Statement

There are no enclosed designated smoking areas established at the Waterbury State Office Complex.

Smoking is permitted on the grounds of the complex in the specific areas designated on the attached location map. These areas have been determined to be a reasonable distance from doorways and operable windows. Cigarettes and matches must be properly disposed of prior to entering the buildings. "Butt cans" are provided in the designated areas for this purpose. If BGS determines that additional "Butt cans" must be placed in other locations for sanitation purposes, this is not to be construed as establishing a new designated smoking area.

Unless specifically designated under this policy, smoking is prohibited within fifty (50) feet of doorways and operable windows.

Pursuant to state law, an exception is permitted for "designated unenclosed smoking areas if the layout of the workplace is such that smoking will not be a physical irritation to any nonsmoking employee in the workplace and three-fourths of the employees in the workplace agree." Under the law, a workplace is the "enclosed portion of a structure where the unit to which the employee is assigned is located." Only employees assigned to the applicable workplace will be covered where this exception is implemented.

This local worksite policy prevails in all workplaces only when there is not a more restrictive state or federal law or department policy.

This is an employee policy and not intended to apply to patients or inmates of facilities located in the Waterbury State Office Complex.

A copy of this policy and the location map illustrating the designated outdoor smoking areas will be posted in all workplaces of the Waterbury State Office Complex.

Non-smokers may choose to utilize designated smoking areas for work breaks; however, such use will not give rise to valid complaints about smoking in the area. On occasion, some designated smoking areas may be reserved for temporary use for an employer sponsored function, such as a picnic or ice cream social. On those occasions, smoking will not be permitted in the area while the organized work activity is underway.

Work break policies, where in place, are established by management under Personnel Policy 11.1. The language of the Statewide Smoking Policy applies to this worksite policy, which does not enlarge or diminish any individual employee's break rights.

Enforcement

State Personnel Policy #17.4 provides overall guidance regarding compliance with established smoking policies. Enforcement of the Waterbury local worksite smoking policy is a shared responsibility and will be most effective when undertaken at the lowest possible level.

- Self enforcement by smokers
- Employees who are adversely impacted by unwanted second hand smoke are encouraged to politely and directly advise smokers of the intrusion.
- Supervisors and managers are responsible for enforcement of worksite policies, including smoking, with individual employees. This includes investigating and providing feedback regarding complaints about an employee's conduct and imposing corrective or disciplinary action when appropriate. Personnel administrators are available to assist with the supervisory response to complaints.
- Complaints regarding adverse impact of second hand smoke (from a designated smoking area or from smoking in an unauthorized area) or about the conduct of any employee relative to smoking may be directed to:
 - The supervisor or manager of the complainant or the subject of the complaint
 - Personnel staff in the appropriate agency/department
 - The local worksite smoking policy committee
 - The department or agency head