



RESOLUTION
(01- 2015)

**A RESOLUTION OF THE FAIRVIEW CITY COUNCIL APPROVING CHANGES TO
THE CITY'S EMPLOYEE HANDBOOK TO CLARIFY PROHIBITIONS ON
NICOTINE PRODUCTS AND VAPING**

WHEREAS, the Oregon Smoke Free Workplace Law: Indoor Clean Air Act regulates smoking in public places indoors and in some outdoor areas to protect the public from secondhand smoke at work and in public areas as well as permits additional local regulations to further the purposes of the law; and

WHEREAS, tobacco use remains the number one cause of preventable death, and is the leading modifiable health risk factor responsible for much of the illness and suffering related to chronic disease; and

WHEREAS, although the long-term effects of secondhand exposure to vapor released from electronic cigarettes are currently unclear, recent studies have shown that the vapor contains several known toxins; and

WHEREAS, the use of electronic cigarettes and other nicotine vaping equipment in the workplace causes confusion regarding smoking in public places and impedes the City's efforts to reduce the harmful effects of secondhand smoke exposure and create a culture of tobacco-free and smoke-free living; and

WHEREAS, the City desires to clarify its Employee Handbook to clarify that the use of e-cigarettes and vaping is prohibited in all City facilities, including City-owned buildings, vehicles, and offices or other facilities or vehicles rented or leased by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE FAIRVIEW CITY COUNCIL AS FOLLOWS:

Section 1 The City Council hereby approves amendments to the Fairview Employee Handbook as set forth in the attached Exhibit A.

Section 2 This resolution is and shall be effective from the day of its passage.

Resolution adopted by the City Council of the City of Fairview, this 21st day of January, 2015.

Mayor, City of Fairview
Ted Tosterud

ATTEST

City Recorder, City of Fairview
Devree Leymaster

EXHIBIT A

Fairview Employee Handbook – proposed language

(Additions in *italics* and deletions in ~~strikethrough~~)

4.4 Tobacco *and Smoking/Vaping* Policy

A. In keeping with the City’s commitment to provide a safe and healthy work environment, the use of tobacco products is prohibited in all City facilities, including City-owned buildings, vehicles, and offices or other facilities or vehicles rented or leased by the City.

B. This policy applies to all employees and members of the public when inside City-owned or leased facilities of vehicles.

C. Smoking *and vaping* is prohibited within 10 feet of any entrance or air intake to, or any operable window of, such buildings or facilities.

D. *This Section 4.4 does not prohibit use of FDA-approved nicotine replacement therapy products such as nicotine patches, gum and lozenges which are intended to help quit tobacco use and minimize symptoms of nicotine addiction.*

E. *For purposes of this Section 4.4 the following definitions apply:*

1. *“Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, electronic cigarette pipe, hookah, plant or any other smoking, tobacco, nicotine or tobacco-like product or substance in any manner or any form.*
2. *“Tobacco” means any tobacco product, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, electronic cigarettes and any other form of tobacco or nicotine product that may be utilized for smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption.*