

## DELAWARE HEALTH AND SOCIAL SERVICES

DHSS Policy Memorandum Number 35  
Subject: Tobacco Free Campuses

November 15, 2007

### **I. Purpose**

This document sets forth the DHSS policy for the prohibition of tobacco use on Delaware Health and Social Services' five campuses. This policy is applicable to all DHSS owned and operated facilities, grounds, vehicles, and employee work spaces and applies to all persons. With respect to the Office of Management and Budget (OMB) leased and operated facilities, PM 48 applies.

### **II. Background**

On May 31, 2002, Governor Ruth Ann Minner signed comprehensive legislation banning smoking from most indoor public places in Delaware. At that time, the Governor emphasized that "as a government, we can never stop people from engaging in risky behavior themselves;" but she added that we can and should step in when that behavior endangers the health and well-being of other people. In the intervening years since the passage of this landmark legislation, states around the country have enacted laws that ban indoor smoking.

The tobacco free policy on the five DHSS campuses seeks to improve the health of its employees and the people we serve by promoting tobacco use cessation. Reducing tobacco has been shown to increase productivity in the workplace, decrease absenteeism, and possibly lower excess medical expenditures and other costs associated with tobacco use.

### **III. Definitions**

1. Tobacco – any product containing tobacco, including cigarettes, cigars, pipes, smokeless tobacco, or other tobacco products.
2. For the purpose of this PM, cigarettes of any kind, including herbal cigarettes, are considered tobacco products.
3. DHSS Campuses: Areas including the campus grounds, thoroughfares and parking lots of Herman M. Holloway, Sr. in New Castle, Stockley Center in Georgetown, Delaware Hospital for the Chronically Ill (including the Public Health Laboratory) in Smyrna, Emily P. Bissell Hospital in Wilmington, and Governor Bacon Heath Center in Delaware City. The land and buildings currently controlled by the Office of Management and Budget (OMB) south of Wilmington Avenue and those west of Powers Lane are not considered part of Governor Bacon for the purposes of this policy.

#### **IV. Policy**

1. Effective November 15, 2007, the use of tobacco is prohibited at all times on the five campuses operated by Delaware Health and Social Services.
2. This policy includes a prohibition of tobacco use in privately-owned vehicles located on the grounds of DHSS campuses.
3. Employees, visitors and others must respect the areas adjacent to DHSS campuses and shall refrain from leaving DHSS grounds to smoke on neighboring properties. In all cases, individuals are responsible for ensuring that they clean up cigarette and other tobacco waste.
4. Tobacco products will not be sold in any facility operated or owned by the Department.

#### **V. Communication of Policy**

1. Signs bearing the message "Tobacco-Free Campus" will be posted at each DHSS campus entrance and each building will display a decal that states "Tobacco Free Facility." This policy applies to the grounds around DHSS owned facilities whether or not signs are posted. No ashtrays or smoking shelters will be provided on campus grounds.
2. All recruitment ads for positions located on one of DHSS Campuses will be amended to include language notifying prospective employees of our tobacco-free campus.
3. All individuals considering admission or admitted to the DPC, DHCI, EPBH, GBHC, and Stockley Center will be notified of the tobacco-free campus policy.

#### **VI. Tobacco Use Cessation Programs**

DHSS is committed to providing support to all DHSS employees and others using the campus who desire to stop using tobacco products. DHSS is committed to ensuring that staff and to the extent possible, visitors, contractors and others have access to assistance, including over-the-counter tobacco cessation medications and telephone or group counseling.

Supervisors are encouraged to refer employees, contractors and others to cessation services for which they may be eligible. The Delaware Quitline is designed to assist anyone who is seeking to end tobacco addiction through a series of services, including counseling and medications to assist with cessation efforts. DHSS will waive the cost of Quitline materials through December 31, 2007.

#### **VII. Responsibilities**

It is the responsibility of all employees, contractors, visitors and others to adhere to the tobacco free campus policy. Employees who do not comply with this policy will be subject to disciplinary action under existing Merit Rules and collective

bargaining agreements. Contractors in violation of this policy will be reported to their supervisory chain of command and may be denied admission to DHSS campuses and other facilities.

Visitors and others who violate the tobacco free campus policy may be denied admission to DHSS campuses and other facilities. This policy will be enforced through administrative action by supervisors and managers. Supervisors are responsible for ensuring that employees under their direction are aware of the policy and the need for compliance and for taking appropriate action to correct noncompliance. Any person who observes violations of the policy may report these violations to the supervisor of the employee in question. Once the supervisor has been notified of a violation, or if the supervisor observes a violation by an employee, the supervisor is responsible for discussing the violation with the employee and taking appropriate disciplinary action.

Supervisors should utilize the same disciplinary approach as prescribed with any violation of any departmental policies. Supervisors should consult with their division management and Labor Relations for advice on the appropriate discipline.

**VIII. Exclusions:**

1. Patients of the Delaware Psychiatric Center must become tobacco free effective January 15, 2008.
2. Current residents of our long-term care facilities who smoke will be offered tobacco-use cessation programs. Under federal guidelines, current residents who do not quit must be allowed to continue to do so in an outside area designated for residents only.

**IX. Effect:**

1. This policy becomes effective November 15, 2007.
2. This Department Policy Memorandum supercedes all other policies, directives or rules related to this subject.

Vincent P. Meconi November 15, 2007  
Vincent P. Meconi, Secretary