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# CITY OF KETTERING — ADMINISTRATIVE POLICIES

## PERSONNEL POLICIES & PROCEDURES

08/06

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### Policy No. 406: Smoking Policy

#### A. General Provisions

1. It is common knowledge that cigarette smoke is harmful to the health of smokers and that exposure to secondhand smoke may seriously threaten the health of non-smokers as well. According to the American Lung Association, cigarette smoking is the major preventable cause of premature death and disability in the United States.
2. The City of Kettering is dedicated to providing a healthy, comfortable and productive work environment for all its employees and for all citizens who visit their municipal facilities.
3. The City Manager has the ultimate authority for administering this Policy; however, Department Directors and/or administrators in charge of City facilities and/or vehicles, may develop smoking policies not inconsistent with this one. Such policies that provide for “smoking permitted” areas shall be approved by the City Manager, in a manner consistent with Policy No. 1001: Policy Modifications.
4. When the preferences of smoker’s conflict with the “reasonable” preferences and rights of non-smokers, the rights and preferences of the non-smokers shall prevail. The City Manager shall determine what is “reasonable,” after considering other possible accommodations.
5. Smoking is prohibited in all City-operated facilities that are under the City Manager’s control and/or Department Directors’ control, unless otherwise permitted under this Policy.

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### B. Designation of "Smoking Permitted" and "No-Smoking" Areas - All Facilities

#### 1. Smoking Permitted Areas

All "smoking permitted" areas must be approved by the City Manager. These areas will be designated where feasible. By feasible, it is meant that the area meets the following criteria:

- a. The area is completely enclosed and separated from other rooms;
- b. Non-smokers do not have to pass through this area to get to another area;  
and
- c. The area has been determined as suitable as a "smoking permitted" area by Department Directors and/or administrators in charge of a facility.
- d. Outdoor areas and open bay areas where there are no other safety concerns also meet this criteria.

#### 2. No-Smoking Areas

These areas will include, but are not limited to:

- a. Any area in which a fire or safety hazard exists, such as: around gas pumps; in vehicle/equipment areas where flammable vapors are present; in boiler rooms; or in storage rooms where combustibles are present.
- b. Common areas, such as: elevators; hallways; stairwells; lobbies; lounges; waiting rooms; lunch rooms; copier rooms; reception areas; locker rooms; or rest rooms.

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- c. Council chambers, classrooms, conference rooms and meeting rooms.
- d. Private offices are to be no-smoking areas.
- e. Any area not specifically designated as “smoking permitted.”

#### C. Kettering Government Center

- 1. For the purposes of this Policy, the City Manager sets policy and is designated as the facility administrator for the Kettering Government Center.

#### D. City Vehicles

- 1. City vehicles shall be considered no-smoking areas. When a smoker is alone in a City vehicle, the vehicle may become a smoking permitted area, unless a departmental policy exists that designates specific vehicles as no-smoking areas.

#### E. Communications and Handling of Complaints

- 1. Department Directors shall notify their staff of departmental smoking policies applicable to facilities and vehicles under their control. Departmental policies, including “smoking permitted” areas, shall be approved by the City Manager in a manner consistent with Policy No. 1001: Policy Modifications.
- 2. Smoking-related disputes/complaints that occur should be communicated to Department Directors and/or administrators in charge of the facilities and/or vehicles in question.
- 3. Unresolved disputes may be appealed through Policy No. 702: Administrative Grievance Procedure. If a satisfactory arrangement cannot be made by all parties,

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then the area in question may be designated as a “no-smoking” area by the City Manager.

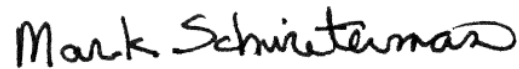
The City Manager hereby delegates the appropriate responsibility and authority to administer this Policy to the City's Assistant City Managers and Department Directors.

Approved:

9/18/06

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Date



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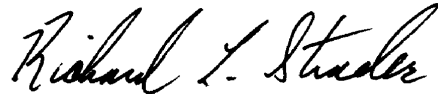
Mark Schwieterman  
City Manager

Issued:

10/31/06

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Date



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Richard L. Strader  
Director of Human Resources