Richard A. McGee Correctional Training Center

TOBACCO USE POLICY

I. PLAN NUMBER AND TITLE

Operational Procedure #B-024
Tobacco Use Policy

II. PURPOSE AND OBJECTIVES

A. The purpose of this policy is to designate times and areas, for tobacco use, at the Richard A. McGee Correctional Training Center (CTC) to provide a tobacco-free environment for all employees and to comply with State law and departmental policy.

B. It is the objective of the CTC to provide a healthful, comfortable, and productive work environment for all employees. The Director of the California Department of Corrections and Rehabilitation (CDCR) has prohibited tobacco use in all CDCR facilities designated to house inmates (e.g., institutions, conservation camps, community correctional facilities, etc.), except for in designated areas.

III. REFERENCE AND COMPLIANCE

Department Operations Manual, Article 11, Sections 31110.1 through 31110.11
California Code of Regulations, Title 15, Division 3, Section 3180 through 3188
Assembly Bill 384 authored by Assembly Member Tim Leslie
Director's Memorandum dated January 30, 2013

IV. APPROVAL AND REVIEW

This operational procedure shall be reviewed annually and submitted to the Academy Administrator for final approval during the month of February. Date of next revision: February 2015.

V. RESPONSIBILITIES

All employees shall:

- Adhere to and enforce this policy.
- Respect the rights of employees who wish to use tobacco.
- Respect the rights of employees who object to tobacco use in the work area.
- Attempt to resolve disagreements informally.
- Bring to the attention of the appropriate supervisor any conflicts that cannot be resolved informally.

VI. DEFINITION

Tobacco use means inhaling, exhaling, chewing, burning, or carrying any lighted cigarette, cigar, pipe, chew, or other lighted smoking equipment (paraphernalia) for tobacco or any other plant, or any electronic cigarette (or e-cigarette), electronic vaping device, personal vaporizer, or electronic nicotine delivery system.

VII. CONTENT

A. Tobacco use will not be allowed on CTC grounds during the hours of 0600 hours to 1700 hours, and anytime inmate workers are on grounds. Tobacco products can only be used from 1700 hours through 0600 hours and anytime on the weekends. CTC staff, visitors, and cadets must keep tobacco products secured in their vehicles at all times. There shall be NO tobacco use in any State-owned vehicle at any time.

B. Tobacco Use Areas: The designated tobacco use area will be adjacent to the water tower in the back part of the facility. Secure receptacles will be placed in this area and all tobacco remnants must be disposed of in these receptacles. Properly disposing of the tobacco remnants will ensure that the safety and security of the CTC is maintained, since there are inmate workers on facility grounds. Signs will be posted that identify the tobacco use area to remind staff to adhere to the rules and regulations of this policy.

C. Assistance For Tobacco Users: The CTC urges tobacco users to contact the local chapter of the American Lung Association, or other entities appropriate, for more information about tobacco cessation programs. These programs provide for a supportive environment in which employees can quit using tobacco through education. The Department's Office of Environmental Health and Safety shall periodically distribute helpful literature for those interested in such programs. Additional information can be obtained from the departmental Employee Assistance Program Coordinator located at headquarters and/or the CTC Health and Safety Officer.

D. Disputes: The CTC will attempt to resolve any disputes over this policy at the informal/lowest level appropriate. In instances where disputes cannot be resolved at the informal/lowest level, a resolution of any disagreement on behalf of an employee may be pursued through the Department's complaint process. Refer to the applicable bargaining unit contract or excluded employee complaint form for the process to file a complaint. Disputes relating to this policy are subject to the provisions of the Department of Personnel Administration's Rule 599.859 for nonrepresented employees and the various bargaining unit contracts for represented employees.

E. Violations: Enforcement of the violation will include progressive discipline of the appropriate level, if applicable or necessary.

F. Notification: Upon approval, a copy of this policy will be given to all employees at the CTC. Upon initial employment, the CTC shall provide new employees with a copy of the Tobacco Use policy.

APPROVED/DISAPPROVED:

T. BILLINGS
Academy Commander

3-4-14
Date

APPROVED/DISAPPROVED:

R. M. CALDERON
Academy Administrator

3/4/14
Date