

TO: All Agency Heads
All State Employees

FROM: Jessica E. Robertson, Commissioner
Indiana Department of Administration

Douglas G. Carter, Superintendent
Indiana State Police

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RE: Indiana Government Center Campus Tobacco-Free Policy

PURPOSE

To reduce the incidents of smoking, vaping, or use of chewing tobacco products throughout the Indiana Government Center (IGC) Campus by designating areas where use of tobacco products and vaping is allowed, and prohibiting use in all other locations.

SCOPE

This policy applies to all persons working on or visiting the IGC Campus.

POLICY STATEMENT

The Indiana Department of Administration (IDOA) is the custodian of State buildings and grounds under IC 4-20.5-6-5, and has designated areas for smoking, vaping, or using chewing tobacco products in the IGC Campus and prohibited those activities in all other areas of the IGC Campus. IDOA, State Personnel Department (INSPD), and Indiana State Police (ISP) have agreed to cooperate in an effort to limit the incidents of smoking to the designated smoking areas.

All persons working on or visiting the IGC Campus who choose to smoke, vape, or use chewing tobacco products are restricted to the designated smoking areas for those activities and are required to properly dispose of debris. Such restrictions will help the State maintain a clean, safe and healthy business environment and gathering place for the public.

Employees who are observed smoking, vaping, or using chewing tobacco products on the IGC Campus in locations other than the designated smoking areas or failing to dispose of debris appropriately may be subject to disciplinary action.

Non-employees who are observed smoking vaping, or using chewing tobacco products on the IGC Campus, in locations other than the designated smoking areas, or failing to dispose of debris appropriately may be required to leave the premises.

DEFINITIONS

Chewing tobacco products include smokeless products such as dip, rub, snuff, Snus, gutka, etc.

Designated smoking area means the area or areas on the Indiana Government Center (IGC) Campus where smoking, vaping, and use of chewing tobacco products are permitted. Area(s) will be identified with signage and can be viewed [here](#).

Indiana Government Center (IGC) Campus means

- The State-owned and maintained buildings and grounds bounded by Washington Street to the south, West Street to the west, Ohio Street to the north, and Capitol Avenue to the east; and
- The State-owned and maintained Washington Street Parking Facility, the Senate Avenue Parking Facility, and their respective grounds.

Smoking means the carrying or holding of a lighted cigarette, cigar, pipe, or any other lighted smoking equipment, or the inhalation or exhalation of smoke from any lighted smoking equipment.

Vaping means any use of electronic cigarettes or similar products regardless of the content or flavor of the cartridge.

RESPONSIBILITIES

Employees, other workers, and visitors are responsible for:

- Not smoking, vaping, or using chewing tobacco products in any location of the IGC Campus other than the designated smoking areas;
- Properly disposing of all debris related to their use of tobacco products; and
- Cooperating with enforcement efforts by promptly complying with requests to cease smoking, vaping, or using chewing tobacco products in unauthorized areas.

IDOA is responsible for:

- Placing appropriate signage around the IGC Campus related to prohibitions on smoking, vaping, and use of chewing tobacco products and the location of designated smoking areas;
- Ensuring that the designated smoking areas for the IGC Campus are regularly cleaned;
- Providing sufficient, safe containers for the debris from smoking; and
- Providing equipment necessary to ensure that employees working near the designated smoking areas are not subjected to second-hand smoke and smells entering their workspaces.

ISP is responsible for:

- Patrolling the IGC Campus and informing tobacco users who are outside the designated smoking area that they must cease smoking, vaping, or using chewing tobacco products at unauthorized locations, properly dispose of their debris, and move to the designated smoking areas if they wish to smoke, vape, or use chewing tobacco products.
- Reporting in writing to INSPD employees who fail to comply for possible disciplinary action.

INSPD is responsible for:

- Notifying agency managers when an employee is reported to INSPD for the use of tobacco products and when disciplinary actions against their employees for violating this policy may be appropriate and consulting on the appropriate level of discipline based on individual circumstances.

Agencies operating on the IGC Campus are responsible for:

- Issuing disciplinary actions for violations of this policy and recording those actions in the personnel files of employees and the PeopleSoft Discipline module; and

- Informing visitors coming to the IGC Campus to conduct agency business of this policy.

PROCEDURES

1. Employees choosing to smoke, vape, or use chewing tobacco products may do so in designated smoking areas. Those activities shall not be conducted outside the designated smoking areas.
2. Improper methods for disposal of debris include rubbing a cigarette on the wall, throwing it on the ground, putting a lit cigarette in the trash, spitting on the ground, etc.
3. Persons smoking, vaping, or using chewing tobacco products outside the designated areas will be informed by ISP Officers or Capital Police Officers to cease smoking, vaping, or using chewing tobacco products at unapproved locations, properly dispose of their debris, and move to a designated smoking area if they wish to smoke, vape, or use chewing tobacco products.
 - a. Failure to promptly comply with instructions is a violation of this policy.
 - b. Violations will be reported by ISP Officers or Capital Police Officers to INSPD for further action.
4. Violations by employees shall result in the following actions:
 - a. Counseling, an educational notice to the employee as a reminder of the policy and notice that continuing violations will result in disciplinary action.
 - b. After that first reminder, discipline will generally progress in this manner for additional violations: reprimand, 1-day suspension, 3-day suspension, dismissal; however, violations by employees who already have disciplinary actions on their records will result in the next level of discipline being imposed on the employee. The foregoing notwithstanding, this policy does not abrogate the employment at will doctrine, where applicable.
5. Use of cessation products such as nicotine gum or patches outside the designated smoking areas does not constitute a violation of this policy.
6. Resources for quitting smoking are available.
 - a. State employees who are interested in receiving free help to quit smoking should call the Indiana Tobacco Prevention and Cessation's toll-free quitline, <http://www.in.gov/quitline>, or 1-800-QUIT-NOW (1-800-784-8669) to talk with a trained quit coach.
 - b. Anthem EAP has resources for Tobacco Cessation under the "Live Free Tobacco". Employees enrolled in a State-sponsored health care plan can talk or instant message (IM) with a Wellness Coach or use QuitNet, a free online program that will assist in cessation efforts with peer support.
 - c. The Go365 wellness program also has a course on Smoking Cessation. It is under Activities>Education>Calculators.

REFERENCES

IC 4-20.5-6-5
IC 7.1-5-12
IC 22-5-4