

Policy 1111 Smoking Regulations

Date of Current Revision: November, 2008

Responsible Officer: Director, Human Resources

1. PURPOSE

This policy establishes the rules and regulations concerning smoking on the JMU campus and in facilities and vehicles owned or controlled by JMU. This policy ensures compliance with the Virginia Indoor Clean Air Act. *Code of Virginia*, Title 15.2, Chapter 28

2. AUTHORITY

The Board of Visitors has the authority to set policy and rules for the safe operation and regulation of the JMU campus and property owned or controlled by JMU. The Board has delegated this authority to the president.

3. DEFINITIONS

Smoking:

The carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or device; or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, cigarette, or any other smoking equipment or device of any kind.

4. APPLICABILITY

This policy applies to all employees, students, visitors, and all other individuals while they are on university owned or operated property, or in university vehicles.

5. POLICY

Smoking is not permitted within buildings, facilities, structures, or vehicles owned or leased by the university. This includes individual offices. Smoking is generally allowed in outdoor spaces.

Non-Smoking Areas

- All areas not designated as smoking areas are non-smoking areas.
- Smoking is always prohibited in buildings, facilities, vehicles, or structures including classrooms, offices, residence halls, meeting rooms, hallways, study areas, conference rooms, elevators, dining areas, the Convocation Center, Godwin Hall Gymnasium, Grafton Stovall Theatre, UREC, etc
- Outdoor spaces may be designated as non-smoking areas by the Director of Facilities Management or Fire/Safety/Environmental Engineer.

6. PROCEDURES

6.1 Petition to Designate Smoking Areas

Persons wishing to have a specific outdoor area designated as a smoking area may petition the building coordinator or other employee in charge of the space for the area to be designated as a smoking area. The building coordinator will forward the petition through the appropriate

individuals up to the AVP or dean in charge. The AVP or dean will either grant or deny the petition. If the petition is granted, the AVP or dean's office will contact the Director of Facilities Management to arrange for the installation of appropriate signage. If the AVP or dean denies the petition, the denial may be appealed to the appropriate senior vice president, whose decision will be final.

6.2 Conflicts

Common courtesy and consideration toward others should be exercised. The university may choose to remove the designation of an area as a smoking area upon the request of any member of the university community. Such requests should be made to the appropriate AVP or dean. Members of the university community who disagree with the AVP or dean's decision to remove the designation of a smoking area or to deny a request to remove the designation of a smoking area may appeal that decision to the appropriate senior vice president, whose decision will be final.

6.3 Accommodations

The university, on the recommendation of the Department of Human Resources, the Office of Equal Opportunity, or the Office of Disability Services, may agree to provide a reasonable accommodation for the documented disability of a student, employee, or visitor by deciding that any area on campus should be a non-smoking area. This decision may be for a limited amount of time or as a permanent designation. The decision will be made by the AVP or dean, and it may be appealed to the appropriate senior vice president, whose decision in this regard is final, and no appeal is available to other parties.

7. RESPONSIBILITIES

It is the responsibility of each supervisor, manager, department head, director, dean and AVP to enforce the provisions of this policy in their area of accountability.

It is the responsibility of all AVP's and deans to decide on petitions to designate smoking areas, requests to remove the designation of an area as a smoking area and requests for accommodations of documented disabilities regarding smoking areas.

It is the responsibility of the senior vice presidents to resolve all appeals from the decision of an AVP or dean concerning the designation of an area as a smoking area or non-smoking area.

It is the responsibility of all students, faculty, staff and visitors to observe the smoking policy.

8. SANCTIONS

Regarding employees, sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

Regarding students, sanctions will be commensurate with the severity and/or frequency of the offense and may include suspension or expulsion of the student. Violations may result in a charge of misconduct under the terms of the Faculty Handbook, Staff Handbook, or Student Standards of Conduct.

9. EXCLUSIONS

This policy does not apply to the use of smoking materials in laboratory research or dramatic productions. Special permission for such research or productions must be obtained from the appropriate AVP/dean prior to the commencement of the research or production.

10. INTERPRETATION

The authority to interpret this policy rests with the president, but is generally delegated to the Director of Human Resources.

Previous update: November, 2006
Approved by the president: October, 2005

Index of Terms

Smoking
No Smoking Areas
Designated Smoking Areas