
SMOKE FREE WORKPLACE POLICY

A. Purpose

The University of Texas Rio Grande Valley (UTRGV) has a responsibility for and is committed to promoting the health, well-being and safety of UTRGV students, faculty, staff and visitors. Tobacco prevention programs are most effective when supplemented by strong tobacco-free policies and when they are incorporated into a broader community effort to reduce tobacco use. In light of this information, and to ensure compliance with external cancer research funding requirements, it is the UTRGV's intent to prohibit tobacco.

B. Persons Affected

This policy applies to all UTRGV employees, students, affiliates, contractors and visitors and is applicable twenty-four (24) hours a day, seven (7) days a week.

C. Definitions

1. Building Manager - A person designated by UTRGV to coordinate and monitor the physical, environmental, fire and life safety, and security conditions in a building. This individual is also responsible for assessing the adequacy of signage on the building and adjacent UTRGV property.
2. Electronic Nicotine Delivery System (ENDS) - A battery-powered vaporizer which simulates tobacco smoking by producing an aerosol that resembles smoke. Also referred to as an electronic cigarette (e-cigarette) or Personal Vaporizer (PV).
3. Smoking Device - Any device used to smoke tobacco products (e.g. pipes, water pipes, hookah, etc.) as well as any ENDS.
4. Tobacco Product - Any product made or derived from tobacco that is intended for human consumption, including without limitation cigarettes, cigars, bidis, kreteks, and any form of smokeless tobacco (e.g., snuff, chewing tobacco, etc.).
5. University Community - Students, faculty, staff, UTRGV affiliates, contractors and visitors.
6. University Property - Property located within the State of Texas that is owned, operated, leased, occupied, or controlled by UTRGV. For purposes of the Tobacco-Free Campus policy, this includes but is not limited to all buildings and associated structures (external stairwells, walkways, balconies etc.), structures, grounds, sidewalks, parking lots, walkways and attached parking structures owned or controlled by UTRGV and all UTRGV-owned vehicles.

D. Policy Statement

UTRGV prohibits the use of all smoking devices and tobacco products on University property. UTRGV prohibits any advertising or sale, or free sampling of tobacco products on University property. Littering the campus with the remains of tobacco products or any other related waste product is prohibited.

E. Responsibilities

Adherence to this policy is the responsibility of all members of the University community. It is expected that students, faculty, staff, University affiliates, contractors and visitors to campus will comply with this policy. Members of the University community are empowered to respectfully inform others about the policy in an ongoing effort to enhance awareness of and encourage compliance with this policy.

F. Procedures

1. Enforcement of Policy:

Effective implementation of this policy relies on the courtesy, respect and cooperation of all members of the University community.

- a. Violations of this policy can be will be enforced through routine inspections or the result of complaints from the campus community.
- b. If someone is seen using smoking devices or tobacco products on University property, an individual may inform the user of this policy and request compliance with this policy. If the individual does not comply, details of the policy violation may be referred to the University of Texas Police, or the Vice President for Operations and Chief of Staff for appropriate resolution as described immediately below in this subsection 1.c and 1.d.
- c. The University of Texas Police have the option of issuing a citation when this policy is violated.
- d. Where cases are referred to the Vice President for Operations and Chief of Staff for resolution, such resolution may include referral to:
 - i. The Office of Human Resources when the concern is related to a staff person.
 - ii. The appropriate department chair or dean when the concern is related to a faculty member.
 - iii. The Office of the Dean of Students, or a designee of the office, when the concern is related to a student.
 - iv. University Operations, or a designee of the office, when the concern is related to contractors and visitors.

2. Exceptions to Policy:

Smoking devices or tobacco products may be permitted under the following circumstances:

- a. Sponsored research involving smoking devices or tobacco products, provided the University employee obtains the prior approval of the Associate Vice President for Research and a waiver is requested and granted in accordance with sponsored research requirements, if any. Smoke, like any other laboratory air contaminant, shall be controlled. The designs for designated laboratories must be approved by the Department of Environmental Health, Safety and Risk Management.
- b. By artists or actors who participate in UTRGV authorized performances that require use of smoking devices or tobacco products as part of the artistic production.
- c. Educational or clinical purposes with prior approval of the dean or director responsible for the facility or the Associate Vice President for Research, and in the case of smoking, the University Fire Marshal.
- d. On the grounds of off-campus graduate housing facilities and, in the case where UTRGV employees are required to live in off-campus UTRGV-provided housing as a condition of their employment, off-campus UTRGV-provided lodging, so long as no cancer prevention research is being conducted on said grounds.

3. Awareness and Education:

The implementation of this policy is augmented by an awareness and education campaign that includes but is not limited to:

- a. Notification of our Tobacco-Free Campus policy to current and prospective students and employees through communication available on University websites;
- b. Notification during the admission and enrollment process or during new hire orientation for faculty and staff, as applicable;
- c. Informational meetings, postings, and electronic notifications;
- d. Tobacco cessation programming for students and employees;
- e. Notices bearing the message "Tobacco-Free Campus" or the international "No Tobacco" symbol or similar signage will be posted at major vehicular crossways, pedestrian crosswalks and building entrances. However, the Tobacco-Free Campus policy applies to all University property whether or not notices are posted unless specified as an approved exception in Section F (2) above.
- f. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events and sporting events using University facilities will be required to abide by the Tobacco-Free Campus policy. Organizers of such events are responsible for communicating the policy to attendees.

4. *Tobacco Cessation Assistance:*

UTRGV is committed to supporting all students and employees who wish to stop using tobacco products and assistance is available.

For a full listing of tobacco cessation resources please visit the Centers for Disease Control and Prevention (CDC) website.

G. Relevant Federal and/or State Statutes, Board of Regents Rule, UTS Policy, and/or Coordinating Board Rule

The University of Texas System Board of Regents' Rules and Regulations Rule 80111, Smoke Free Facilities

25 Texas Administrative Code Section 703.20