

Handbook of Operating Procedures

TOBACCO-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 UTRGV's intent to prohibit tobacco products and smoking devices on UTRGV property.

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. Policy

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.

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.

D. Procedures

1. *Enforcement of Policy:*

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

- a. Violations of this policy can and 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, or the individual may contact the UTRGV University Police at (956-882-7777), or the

Compliance Office utilizing an online complaint process located at www.utrgv.edu/keepUTRGVTobaccoFree for appropriate resolution as described immediately below in this subsection 1.c and 1.d.

- c. UTRGV University Police will inform the violator of this Tobacco-Free Workplace policy and request compliance with the policy.
- d. Where cases are referred to the Compliance Office 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 Department Chair/Program Director 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. Campus Auxiliary Services, 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 UTRGV employee obtains the prior approval of the Associate Vice President for Research (or designee) 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 (or designee), and in the case of smoking, the UTRGV 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 Workplace policy to current and prospective students and employees through communication available on UTRGV 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 similar signage will be posted at specified pedestrian walkways and specified building entrances. However, the Tobacco-Free Workplace policy applies to all University property whether or not notices are posted unless specified as an approved exception in Section D (2) above.
 - f. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events and sporting events using UTRGV facilities will be required to abide by the Tobacco-Free Workplace 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 Office of Employee Benefits website: <http://www.utsystem.edu/offices/employee-benefits/lw/tobacco-cessation>. Additional resources are available on the HR Wellness website: www.utrgv.edu/hr/wellness or the Centers for Disease Control and Prevention (CDC) website: www.cdc.gov/tobacco.

E. Definitions

1. 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).
2. Smoking Device – Any device used to smoke tobacco products (e.g. pipes, water pipes, hookah, etc.) as well as any ENDS.
3. 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.).
4. University Community – Students, faculty, staff, UTRGV affiliates, contractors and visitors.
5. 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 Workplace policy, this includes but is not limited to all buildings and associated structures

(dormitories/on-campus residences, 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.

F. Related Statutes or Regulations, Rules, Policies, or Standards

[University of Texas System Board of Regents' Rules and Regulations Rule 80111, Smoke Free Facilities](#)

[25 Texas Administrative Code Section 703.20](#)

G. Dates Reviewed or Amended

Reviewed and amended with no significant changes – 10/11/2018.

Reviewed and amended (non-substantive: updated responsible executive) - May 9, 2022.