

# YOUTH SERVICES POLICY

<b>Title:</b> No Smoking and Tobacco-Free Policy	<b>Type:</b> A. Administrative <b>Sub Type:</b> 2. Personnel <b>Number:</b> A.2.16
<b>Page 1 of 4</b>	
<b>References:</b> La. R.S. 40:1293.1 PART II. "Smoking Regulation", 40:1291.1 "Louisiana Smokefree Air Act" and 40.1291.11 SUBPART B. "Prohibitions and Exemptions"; ACA Standard 4-JCF-1B-04 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policy A.2.1 "Employee Manual"	
<b>STATUS: Approved</b>	
<b>Approved By:</b> Otha "Curtis" Nelson, Jr., Deputy Secretary	<b>Date of Approval:</b> 03/07/2023

**I. AUTHORITY:**

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

**II. PURPOSE:**

To protect the health and safety of YS staff, youth, contract personnel, volunteers and visitors who might be exposed to environmental smoke by reducing the risk of secondhand smoke; reducing the entrance of contraband; promoting and encouraging a positive and healthy environment for youth; promoting a healthy and wholesome role model for youth; and establishing policy regarding smoking, vaping and the use of tobacco products by YS employees.

**III. APPLICABILITY:**

This policy shall apply to all employees, contract personnel, volunteers and visitors of YS.

Unit Heads are responsible for ensuring compliance with the contents of this policy.

**IV. DEFINITIONS:**

**Designated Smoking Area** – Designated smoking areas are those identified by the Unit Head where smoking is permitted beyond the required twenty-five foot boundaries defined in LA R.S. 40:1263.

**Electronic Cigarette (e-cigarette)** – A handheld electronic device that tries to create the feeling of tobacco smoking. The device works by heating a liquid to generate an aerosol, commonly called a "vapor", that the user inhales.

***Prohibited Smoking Area*** - Prohibited smoking areas are outdoor areas proximate to a state office building that are within twenty-five feet of an entrance to the building or a wheelchair ramp or other structure that facilitates access by a disabled person or to which access by the public is not restricted.

***Regional Offices*** - All Community Based Services field offices located throughout the state.

***Secure Care Facility*** – For the purposes of this policy, any and all buildings and grounds related to a YS secure facility.

***Tobacco Product*** - Any cigar, cigarette, smokeless tobacco, smoking tobacco, or any other related product that contains tobacco.

***Unit Head*** – For the purposes of this policy, the Unit Head consists of the Deputy Secretary, Undersecretary, Assistant Secretary, Chief of Operations, Youth Facilities Director - Statewide, Executive Management Advisor, General Counsel, Regional Directors, Facility Directors and Regional Managers.

***Vaping*** – To inhale and exhale the vapor produced by an electronic cigarette or similar device, including e-pipes, e-hookahs, and e-cigars.

***Visitor*** - Any person who is on facility grounds for an authorized visit, or who is attempting to gain entry to the grounds for a visit, to conduct business with YS staff or youth for purposes of a tour, as a volunteer, etc.

***Volunteer*** - An individual who donates their time and effort to enhance YS' activities and programs. These individuals are selected on the basis of their skills or personal qualities to provide services in such areas as transition back into the community, recreation, counseling, education, religion, etc. Volunteers may include student interns, job service training program participants, senior citizens, faith-based organizations, and other workers who serve without financial compensation.

## V. POLICY:

The Surgeon General of the United States continues to issue warnings to the general public about the harmful effects of smoking and exposure to environmental tobacco smoke or second hand smoke.

The Deputy Secretary recognizes the health and safety issues caused by exposure to environmental smoke and the importance of protecting and enhancing the air quality of all employees and visitors; therefore, this policy shall be enforced for YS central office, secure care facilities and CBS regional offices.

Accordingly, smoking, vaping, other tobacco product use, and any form of smoking device, is prohibited in all state owned buildings, all buildings located on the grounds of a YS secure care facility, buildings located in the CBS regional offices, and at YS Central Office. Designated smoking areas shall meet the twenty-five foot boundaries required in LA R.S. 40:1293.3. In addition, smoking is prohibited in all state vehicles.

**VI. PROCEDURES:**

- A. No-Smoking and no vaping signs shall be clearly posted in all areas where smoking is prohibited. Current No-Smoking signs that do not mention vaping may be retained and shall be replaced as budgets allow or when each individual sign needs replacement due to wear and tear.
- B. The Deputy Secretary shall designate smoking areas for YS Central Office that are in accordance with areas established by State Police.
- C. Regional Managers shall prohibit smoking and vaping within twenty-five feet of an entrance to the building or a wheelchair ramp or other structure that facilitates access by a disabled person or to which access by the public is not restricted.
- D. It is the responsibility of all employees to adhere to the provisions of this policy, and to report any non-compliant activities to the appropriate supervisory personnel.
- E. Employees shall not be granted additional breaks or additional time on the allowed morning and afternoon breaks to access designated smoking areas for the purpose of vaping or using tobacco products. Those persons needing to smoke more than once in the morning and afternoon can divide their breaks into smaller increments. Employees are required to govern themselves in accordance with their workload and in consideration of co-workers, supervisors, and subordinate staff.
- F. While smoking in designated areas, YS/OJJ employees are responsible for practicing good housekeeping in these areas by extinguishing all smoking materials in designated containers and proper disposal of trash and cigarette remains.
- G. Facilities:
  - 1. Facility Directors shall designate a smoking area for each facility outside of the "secure area" of the facility.
  - 2. There shall be no smoking, vaping or tobacco products allowed within the facilities at any time, which includes during work hours, lunch, or breaks.

3. Tobacco or vaping products may be "checked-in" at the front gate for use during breaks or lunch times, as long as the consumption of the product remains off facility grounds.
4. All employees, visitors, guests, vendors, and contract personnel are required to comply with this policy.
5. Signs shall be placed outside the gates declaring that the YS facilities are tobacco-free and smoke-free.
6. All job applicants for YS facilities shall be informed that smoking, vaping and other tobacco product use is prohibited, except in designated areas.

**VII. DISCIPLINARY ACTIONS:**

Any staff found guilty of non-compliance with this policy may be subject to disciplinary action. (Refer to YS Policy No. A.2.1)

**Previous Regulation/Policy Number:** A.2.16

**Previous Effective Date:** 03/04/2022

**Attachments/References:**