



1111 Franklin Street  
Oakland, California 94607-5200  
Phone: (510) 987-9074  
Fax: (510) 987-9086  
<http://www.ucop.edu>

January 9, 2014

CHANCELLORS  
MEDICAL CENTER CHIEF EXECUTIVE OFFICERS  
VICE PRESIDENT, AGRICULTURE AND NATURAL RESOURCES

Dear Colleagues:

Enclosed is the University of California Smoke and Tobacco Free Environment Policy issued in accordance with the policy letter disseminated on January 9, 2012, by President Yudof to the Chancellors indicating that all UC locations are to institute a smoke and tobacco free policy by January 1, 2014.

As a public institution of higher education involved in the research and treatment of the effects of smoking and tobacco use, the University of California recognizes its responsibility to provide leadership in the endorsement of a smoke/tobacco-free environment for its stakeholders. This systemwide policy is to assist in the promotion of a healthier work and learning environment for the entire UC community.

The Smoke and Tobacco Free Environment Policy is effective as of January 1, 2014, and will be published online at <http://policy.ucop.edu/>.

Yours very truly,



Janet Napolitano  
President

Enclosure

cc: Lawrence Berkeley National Laboratory Director  
Members, President's Cabinet  
Chief Human Resource Officers  
Universitywide Policy Office



# Smoke and Tobacco Free Environment

<b>Responsible Officer:</b>	Chief Risk Officer
<b>Responsible Office:</b>	RK - Risk / EH&S
<b>Issuance Date:</b>	1/9/2014
<b>Effective Date:</b>	1/1/2014
<b>Scope:</b>	UC students, staff, academic appointees, visitors, patients, contractors, and volunteers. This policy does not apply to Lawrence Berkeley National Laboratory or other properties owned by the US Department of Energy.

<b>Contact:</b>	Erike Young
<b>Email:</b>	Erike.young@ucop.edu
<b>Phone #:</b>	(510) 987-0170

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## I. POLICY SUMMARY

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As a public institution of higher education with units that research and treat the effects of smoking and tobacco use, the University of California recognizes its responsibility to exercise leadership in the promotion of a healthy, smoke/tobacco-free environment for all students, academic appointees, staff, and visitors. The systemwide policy and associated procedures are intended to provide a healthier, safe and productive work and learning environment for the entire UC community.

In a letter, dated January 9th, 2012, President Yudof announced to all Chancellors that the University of California (UC), as a national leader in healthcare and environmental practices, that all UC campuses, buildings, and owned/operated properties will be smoke and tobacco-free environments effective January 2, 2014. Each campus was charged to develop campus specific policies and procedures to implement the smoke and tobacco-free directive. In the context of this policy, the authorities and responsibilities delegated to the Chancellors are also delegated to the Executive Vice President of Business Operations – Office of the President and the Vice President—

Agriculture and Natural Resources for locations under their respective jurisdiction.

This policy does not apply to Lawrence Berkeley National Laboratory or other properties owned by the US Department of Energy.

This systemwide policy establishes minimum requirements and practices for all UC campuses. Campuses may establish more stringent requirements.

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## II. DEFINITIONS

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**Members of the UC Community** include academic appointees, staff, students, volunteers, contractors, patients and visitors to all University controlled properties.

**University Controlled Properties** refers to University owned properties including those leased to others as well as properties leased to the University in which the University has a 100% ownership interest or an exclusive lease interest.

**Smoke/Tobacco-Free** means that smoking, the use of smokeless tobacco products, the use of unregulated nicotine products, and the use of electronic smoking devices (which includes e-cigarettes) is strictly prohibited on all University Controlled Properties.

**Smoking** means inhaling, exhaling, burning, or carrying of any lighted or heated tobacco product, as well as smoking substances that are not tobacco, and operating electronic smoking devices and other smoking instruments.

**Tobacco Use** includes inhaling, smoking, chewing, dipping, or any other assimilation of tobacco products.

**Tobacco Product** means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, hookahs, electronic cigarettes, and all forms of smokeless tobacco.

**Tobacco-Related** means the use of tobacco brand or corporate name, trademark, logo, symbol, motto, or selling message that is identifiable with those used for any brand of tobacco products or company which manufactures tobacco.

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## III. POLICY TEXT

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Effective January 2nd, 2014, the University of California prohibits smoking and the use of tobacco products at all University controlled properties. Each campus shall develop campus specific policies and procedures to implement this policy that include all of the following minimum requirements:

**University of California – Policy Smoking Policy**  
**Smoke and Tobacco Free Environment**

- Smoking, the use of smokeless tobacco products, electronic smoking devices (e.g., e-cigarettes), and the use of nicotine products not regulated by the U.S. Food and Drug Administration for treating nicotine or tobacco dependence are strictly prohibited in indoor and outdoor spaces, including parking lots.
- The policy must apply to all UC facilities, whether owned or leased.
- The sale and advertising of tobacco, tobacco-related products, electronic smoking devices, and products related to electronic smoking devices are prohibited at all UC controlled properties except for advertising in newspapers, magazines, or other written materials sold, bought, or distributed on UC property.
- This policy applies to all members of the UC community including academic appointees, staff, students, alumni, volunteers, contractors, visitors, and anyone entering onto University-controlled properties.
- Enforcement should be primarily educational with an emphasis on cessation resources.

The following exemptions may be included in campus policies and procedures:

- For property acquired or received by gift or bequest after the effective date of this policy, the provision of this policy shall apply (i) 30 days following the date of such acquisition or receipt, if the property is then unoccupied; or (ii) if the property is occupied at the time of acquisition or receipt, 30 days following the expiration of such preexisting occupancy agreement.
- Smoking and/or tobacco use may be permitted for traditional ceremonial activities of recognized cultural and/or religious groups.
- Research involving tobacco or tobacco products, or tobacco use for educational or clinical purposes upon review and written pre-approval as specified by local campus procedures.

This policy serves the UC goal of meeting sustainable green building design standards through LEED (Leadership in Energy and Environmental Design) certification.

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#### **IV. COMPLIANCE / RESPONSIBILITIES**

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Noncompliance with the policy is handled in accordance with Personnel Policies for Staff Members (PPSM) policies 62-65 pertaining to disciplinary actions and Academic Personnel Manual (APM) 015-016 pertaining to the Faculty Code of

Conduct and administration of discipline; APM 140 and 150 pertaining to Non-Senate Academic Appointees; and campus specific policies on student conduct.

Through the authority provided in California Government Code 7597.1, the governing bodies of the University of California have the authority, in establishing policy for smoking and tobacco use, to set enforcement standards at local campuses. Each campus has the authority to establish fines for violations of this policy, but such fines shall not exceed \$100.00 per violation.

*There will be no reprisal against anyone seeking assistance in enforcing this policy.*

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## V. PROCEDURES

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Each campus shall develop local procedures to implement this policy. In the context of this policy, locations under the jurisdiction of the Vice President—Agriculture and Natural Resources, the authorities and responsibilities delegated to the Chancellors are also delegated to the Vice President—Agriculture and Natural Resources. As part of the implementation process, campuses should consider the following principles when developing local campus procedures:

- All academic appointees, staff, students, and visitors to university controlled properties are expected to adhere to this policy and the applicable procedures. All have a collective responsibility to promote the safety and health of the campus community. Effective implementation depends on the respect and cooperation of all members of the University community.
- In an ongoing effort to enhance awareness and encourage a culture of compliance, members of the campus community are encouraged to respectfully inform others about the policy. It is the responsibility of Senior Management, as well as deans, directors, and department heads to communicate this policy to their employees and volunteers and for event organizers to communicate this it to event attendees.
- In addition, visitors, guests, volunteers, trainees, vendors, contractors, and supplemental staff employed through contract agencies must be made aware of and are expected to adhere to this smoke/tobacco-free policy.
- A comprehensive education and outreach campaign, including resources and referrals for cessation will be made available.

## **VI. RELATED INFORMATION**

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- University Smoke-Free Policy Proposal  
([http://www.ucop.edu/risk-services/files/smoke-free\\_policy.pdf](http://www.ucop.edu/risk-services/files/smoke-free_policy.pdf))
- President Yudof Letter of 01/09/12 to the UC Chancellors  
(<http://www.ucop.edu/risk-services/files/chancellors-smokefree-policy010912.pdf>)
- California Government Code 7597.1  
(<http://law.onecle.com/california/government/7597.1.html>)
- LEED Certification  
(<http://www.usgbc.org/leed>)

## **VII. FREQUENTLY ASKED QUESTIONS**

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For a list of frequently asked questions, visit the UC Smoke/Tobacco-Free website at [www.UCtobaccofree.com](http://www.UCtobaccofree.com). The website also provides links to related resources, including links to other UC campuses and medical centers, as well as universities and colleges that have successfully implemented a similar policy.

## **VIII. REVISION HISTORY**

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This is the first version of this Policy.