

HACLA SMOKING POLICY

The City of Los Angeles has adopted a Smoking Ordinance regulating place of employment. The Ordinance (No. 159498) amends Section 41.50 of the Los Angeles Municipal Code and requires all employers to adopt, implement, and maintain a written smoking policy.

As an employer, the following is to serve as the official smoking policy of the Housing Authority of the City of Los Angeles.

DEFINITIONS:

"Places of Employment" means all facilities which employees normally frequent during the course of employment, including work areas, public counter areas, lounges, lunchrooms, cafeterias, and conference rooms.

"Smoke" or "Smoking" means carrying or holding a lighted pipe, cigar, or cigarette of any kind, or the emitting or exhaling of smoke of any kind.

Regulated Areas:

Facilities to be designated as non-smoking areas include:

1. Restrooms;
2. Elevators;
3. Nurses Aid Stations or similar facilities;
4. At least two-thirds of the seating capacity and floor space in cafeterias, lunchrooms, and employee lounges.

Work Areas, including public counter areas and departmental conference rooms, are to be regulated as follows:

1. Efforts shall be made by Department Heads, Managers or Supervisors to accommodate the desires of both smokers and non-smokers.
2. A smoke-free work area should be provided to non-smokers to the maximum extent possible, but expenses need not be incurred to make structural or physical modifications in providing these areas. Methods of accommodating the desires of smokers and non-smokers may include, but are not limited to, changing desk assignments, rearranging furniture, moving partitions, providing smokeless ashtrays, or improving ventilation. Such changes should not require relocation of electrical and telephone outlets or revisions to office lighting and air distribution systems.

3. Specific work areas may be designated as non-smoking areas.

4. Private enclosed offices occupied exclusively by smokers and all outdoor areas are exempted from the above regulations.

Posting of Signs

The description of "No Smoking" areas in work areas, work-site lunchrooms, and employee lounges shall be the responsibility of each Housing Authority Department Head, Manager, or Supervisor. To insure uniformity of signs, "No Smoking" sign requests shall be forwarded to the Authority's Personnel Office. Sign requests shall be submitted in writing and clearly set forth the exact location of each sign. The signs shall be posted not less than five (5) feet and not more than eight (8) feet above floor level and shall be of sufficient number and location to cause the message of at least one of the signs to be clearly visible, legible, and readable.

IMPLEMENTATION OF POLICY/COMPLAINTS:

The intent of this policy is to emphasize cooperation between smokers and non-smokers. It is important to recognize that each work space is different and that regulation must be considered on a case by case basis. All employees and Management are encouraged to seek fair and equitable accommodations and to resolve disputes in a spirit of compromise conducive to maintaining harmonious working relationships. It is expected that complaints regarding smoking can be handled by supervisors and most disputes between smokers and non-smokers resolved informally. Such policy, however, shall not preclude employees from filing formal grievances, according to appropriate Authority grievance procedures, where there are allegations that this policy has been violated.

NOTIFICATION TO EMPLOYEES:

This policy is being communicated in writing to all current Housing Authority employees. All new employees shall be notified of this policy by the Personnel Office at the time they are processed for authority employment. In addition, new employees hired to work in designated "No Smoking" areas should be so advised prior to employment.

PENALTIES:

In accordance with Los Angeles Municipal Code Section 41.50, it is unlawful to smoke in posted "No Smoking" areas, to wilfully destroy or mutilate "No Smoking" signs, or to discriminate against employees exercising their rights under this policy. Any employee failing to comply with the requirements of this policy

may be subject to Housing Authority disciplinary procedures, as well as the criminal penalties set forth in Ordinance No. 159498.

