



Edward M. Augustus, Jr.
City Manager

CITY OF WORCESTER

Date: January 26, 2016
To: All City Hall Employees
From: Edward M. Augustus Jr., City Manager
Re: The use of “Tobacco Products” in or around City Hall

The effects of smoking and second hand smoke have proven to have a devastating impact on the community’s health. Despite knowing that tobacco use causes cancer and other related chronic illnesses, it still remains the leading preventable cause of death in our country, killing over 400,000 people each year. In 2014, the Surgeon General’s 50th Anniversary Report on tobacco use highlights progress in tobacco control and prevention; however, it also calls for action around education, cessation and policy.

We are interested in your health and have an obligation to protect our employees and the residents of our City. After some 18 months of discussion and deliberation, the Worcester City Council voted at the end of November 2015 to amend and strengthen the City’s tobacco ordinance in an effort to help preserve the health of our community. This amendment is in line with the City’s Community Health Improvement Plan (CHIP); **to be the healthiest you in the healthiest city in the healthiest region by 2020.**

The information in this letter provides specifics on the ordinance but also options available for support. We know that use of tobacco products is highly addictive and as such have provided cessation resources available to all our employees.

As stated above, the Worcester City Council has amended the *Revised Ordinances of 2008, Chapter 8, §3 Tobacco Products Control Ordinance* regarding Tobacco Products in and around municipal buildings, city owned vehicles, parks, libraries, playgrounds, athletic fields, swimming areas, open space preservation areas, taxi areas and bus shelter waiting areas.

A “Tobacco Product” is defined as follows: Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled, vaped, snorted, sniffed or ingested by any other means, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or electronic cigarettes, electronic cigars, electronic pipes, electronic hookah, or other similar products, regardless of nicotine content, that rely on vaporization or aerosolization. “Tobacco Product” includes any component or part of a tobacco product and does not include any product that has been approved by the United States Food and Drug Administration (FDA) either as a tobacco



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cessation product or for other medical purposes and which is being marketed and sold or prescribed solely for the approved purpose.

The ordinance states, in part: *“Smoking or otherwise consuming any tobacco product or any other combustible product is hereby prohibited in municipal buildings and workplaces located in the city of Worcester in accordance with Section 22 of Chapter 270 of the General Laws (commonly known as the “Massachusetts Smoke-free Workplace Law”). Municipal buildings shall include any buildings owned or leased by the city of Worcester, its agencies and authorities, including, but not limited to, City Hall, Union Station (with the exemption of Byblos Lounge) and all city libraries.” Any person who violates the provisions of this rule shall be fined \$100.00.* Revised Ordinances, Ch.8, §3(d).

“Smoking, or otherwise consuming any tobacco product or any other combustible product is prohibited within fifty (50) feet of all municipal building entrances and exit ways.” Any person who violates this rule shall be issued a civil citation carrying penalty of \$100. Revised Ordinances, Ch.8, §3(e).

There is no smoking in the City Hall garage or on the 2nd floor outside landing in the front of City Hall. For your information, 50 feet from the back door of City Hall is approximately $\frac{3}{4}$ of the way across the back deck to the Common or after the first bench if you go right or left from the door. There is no smoking on the Common. There is no smoking in front of City Hall until you reach the opposite side of the stairs in each direction. Please see the attached diagrams so that you are clear on the buffer zone area.

Violations of this article by employees should be reported directly to the Human Resources office where it will be investigated. An employee violating this policy shall be subject to a civil citation of \$100 and the City’s disciplinary policy and procedures.

The following programs are offered to employees and family members who need assistance with smoking cessation:

Quit to Win program from Fallon Health

- Free to all employees and their family members
- Information sessions will be in all City Department starting in the month of February
- Recognizes that different people require different quit plans
- Confidential
- 7 week on-site class or via phone or text counseling with a cessation coach
- Develops a quitting strategy specific to each smoker’s own habit
- With a doctor prescription there is no co-pay for Nicotine Replacement Therapy (NRT)
- Call 888-807-2909 or email QuitToWin@fchp.org for more information.

Quit Now from Mass DPH

- Telephone quit line with optional free nicotine replacement therapy (NRT) 1(800) QUIT-NOW and www.makesmokinghistory.org
- Provides trained quit coach to provide free confidential services
- Develop quit plan with 4 weeks of telephonic coaching
- Eligible quitters receive up to 4 weeks free NRT gum, patches or lozenges

Quit Coaching from E4 Health Employee Assistance Program

- Telephonic quitting and wellness coaching
- Confidential
- Call 24/7 **1 (800) 227-2195**

I appreciate your attention to this important matter and your compliance with the *Revised Ordinances of 2008, Chapter 8, §3 Tobacco Products Control Ordinance* regarding Tobacco Products in and around municipal buildings, city owned vehicles, parks, libraries, playgrounds, athletic fields, swimming areas, open space preservation areas, taxi areas and bus shelter waiting areas.

Please review the attached copy of the ordinance, sign the acknowledgement of receipt form, and return to Pam Callahan in the Human Resources Office, Room 109.

I hereby acknowledge receipt of, and understand the attached *Revised Ordinances of 2008, Chapter 8, §3 Tobacco Products Control Ordinance* regarding Tobacco Products and the use of Tobacco Products in and around Worcester City Hall, all other city owned or leased buildings, and city owned vehicles. I understand that if I violate this ordinance, I will be personally subject to a civil citation carrying a penalty of \$100 and discipline up to and including termination.

Please fill out the information below and return to Pam Callahan in the Human Resources Office, Room 109, City Hall.

Name: _____

Dept.: _____ Division: _____

Work Phone: _____

Signature: _____ Date: _____