

Office of Personnel Management

Policy

Policy Title: Drug and Smoke Free Work Policy	Policy Number: 70.02
Citation: Arkansas Code Annotated §§ 20-27-1801 through 1809 Governor's Policy Directive #15 Governor's Policy Directive #5	Forms: None

Definitions

Enclosed area: All space between a floor and ceiling that is enclosed on all sides by solid walls or windows, exclusive of doorways, that extend from the floor to the ceiling.

Place of employment: An enclosed area under the control of a public or private employer that employees utilize during the course of employment, including, but not limited to: work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, and hallways.

Public place: An enclosed area to which the public is invited or in which the public is permitted.

Smoking: Inhaling, exhaling, burning, or carrying any lighted tobacco product, including cigarettes, cigars, and pipe tobacco; and other lighted combustible plant material.

Specific Purposes

Smoking is prohibited in all vehicles and enclosed areas owned, leased, or operated by the state, its agencies and authorities. Smoking is prohibited in all public places and enclosed areas within places of employment, including, but not limited to:

- (a) Common work areas;
- (b) Auditoriums;
- (c) Classrooms;
- (d) Conference and meeting rooms;
- (e) Private offices;
- (f) Elevators;
- (g) Health care facilities;
- (h) Cafeterias;
- (i) Employee lounges;
- (j) Stairs;
- (k) Restrooms; and
- (l) All other enclosed areas.

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Arkansas policy is that smoking of tobacco or products containing tobacco in any form is prohibited within twenty-five (25) feet of an entrance to any building owned or leased by the State of Arkansas. It is up to each agency to develop a policy designating certain areas for smoking.

An individual, person, entity, or business shall not discriminate or retaliate in any manner against a person for making a complaint of a violation of this policy or furnishing information concerning a violation to a person, entity or business or to an enforcement authority.

State agencies that receive federal funds certify that they will maintain a drug free workplace. Failure to do so may result in a suspension of contract payments, contract termination or debarment from future government awards. Any employees violating this policy will be subject to discipline up to and including termination.

State agencies, boards, commissions and institutions are required to certify that they are in compliance with the Drug Free Workplace Act of 1988. It is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency's or institution's workplace is prohibited. Violation of this policy can subject employees to discipline up to and including termination.

Revised September 11, 2013