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County of Hawai'i Department of Human Resources

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Memorandum No. 22-037

To: Department and Agency Heads

Attention: Departmental Human Resource Representatives *WLK*

From: Waylen L. K. Leopoldino, Director of Human Resources

Date: May 12, 2022

Subject: Hawai'i County Smoking Prohibition

This is a friendly reminder of the prohibitions set forth in Circular No. 06-09 (enclosed for your reference) related to smoking, including the use of electronic smoking devices, in the following areas:

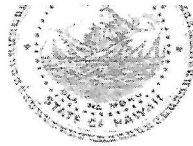
- Any enclosed or partially enclosed area (partially enclosed means areas closed in by a roof or overhang and at least 2 walls) or building owned, leased, operated, or maintained by the County, except for residential dwelling units which shall be regulated herein as multifamily dwellings.
- All vehicles owned or leased by the County.
- Within a minimum distance of twenty feet from any entrance to, exit from, or any fresh air intake of any enclosed area to insure that tobacco smoke or vapor does not enter the enclosed area through entrances, windows, ventilation systems, or other means.

Additionally, the use of any tobacco products, including the use of electronic smoking devices shall be prohibited at all County parks and recreational facilities listed in Hawai'i County Code, section 15-68.1. For your use, also enclosed is an approved "No Smoking" sign.

This list has been extracted from Hawai'i County Code, Chapter 14, Article 4.

RC/WLKL:gy

Enclosures



County of Hawai`i Department of Civil Service

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Circular No. 06-09

To: All Department and Agency Heads
From: Michael R. Ben, Director of Human Resources *MRB*
Date: November 16, 2006
Subject: New Non-Smoking Law

Overview

The new State Non-smoking law, Chapter 328J, HRS, takes effect today. The new law prohibits smoking in the following places:

- all public facilities operated by the state or the counties;
- all enclosed or partially enclosed places open to the public (partially enclosed areas are areas closed in by a roof or overhang, and at least two walls – i.e., lobbies, lanais, interior courtyards, patios, and covered walkways);
- all public and commercial transportation;
- sports arenas;
- outdoor arenas; wholesale
- stadiums; and
- amphitheatres

Smoking is also prohibited within **20 feet of the entrances, exits, and ventilation intakes of any of the above locations.**

Implementation Guidance and Directives

To comply with the new law, Departments are required to do the following:

- Post signage in affected areas indicating that smoking is prohibited by law. The Department of Finance and the Department of Public Works are available to assist with the procurement of official signage. Temporary signage is available on the County Intranet under the Department of Human Resources, Health and Safety Division at http://coh03/netinfo/dept/civil_service.htm#HEALTH%20&%20SAFETY or at our Health and Safety Division office, Room 221, Aupuni Center.

- Designate a smoking area that complies with the new law in all of their respective work areas.
- Educate employees about the new law. Copies of the brochure, "Live, Work, Breath – the Hawaii Smoke-Free Law Guide for Businesses" for distribution to all County employees, is available on the County Intranet under the Department of Human Resources, Health and Safety Division at http://coh03/netinfo/dept/civil_service.htm#HEALTH%20&%20SAFETY.
- Educate employees of the options they have when encountering violators of the new law. These options are:
 - Report violators to immediate supervisor
 - Call the Department of Health, Tobacco Prevention and Education Program at (808) 586-4613 to file a complaint over the phone or request a form be sent to your address
 - Write a letter to the Department of Health, Tobacco Prevention and Education Program, 1250 Punchbowl St., Room 217, Honolulu, HI 96813
 - Fill out an online complaint form at www.HawaiiSmokeFree.com
 - Call the Aloha United Way Helpline at 211 to file a complaint over the phone, or request a form be sent to your address
- Advise employees that, to properly file a complaint, they will need to include the following information: Their name and contact information; the name and location (address if possible) of the office or work area; date and time of the offense; and a brief description of what happened. The complaint should also include whether or not the employee notified his/her supervisor or manager about the smoking violation and what action was taken.
- Inform employees that the State Department of Health is the enforcing authority of this law. When receiving complaints, supervisors and managers must immediately investigate the complaint, and if violations of the non-smoking law are found, they must take steps to correct the violations.

Violations

Departments that do not comply with the new law may be fined up to \$500.00. Please advise your employees that as with other matters of law, should they violate the law during work hours, they may be subject to disciplinary action.

Please call Nicholas Hermes at 961-8361 if you have any questions.

NMH/MRB:ssst