

# Gaining support from property management to create tobacco-free grounds

Helping tobacco users to quit, reducing use among those who use tobacco and protecting non-tobacco users

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**Minnesota Department of Health**

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## Background

Tobacco use is the single most preventable cause of death and disease in the United States.<sup>1</sup> The financial and human costs of tobacco use to our society are significant (for example, higher rates of certain cancers, heart disease and complications from diabetes).<sup>1</sup> In Minnesota, smoking was responsible over 2 billion in excess medical expenditures – a per capita expense of \$554 for every man, woman, and child in the state.<sup>2</sup> In addition, exposure to secondhand smoke is linked to serious and life threatening health problems including heart attacks (myocardial infarction), lower birth weights and pre-term births.<sup>3,4</sup> While most scientific evidence relates to indoor exposure, secondhand smoke exposure levels can be significant outdoors, particularly when smokers are in close proximity to others.<sup>5</sup>

Building owners, management companies and businesses can demonstrate leadership and commitment to reducing the negative impacts of tobacco use by adopting a comprehensive tobacco-free policy for tenants and visitors.

In addition to preventing secondhand smoke exposure, outdoor smoke-free laws help smokers who are trying to quit, by eliminating the sight and smell of tobacco smoke. And, in light of increasing smokeless tobacco rates in the State of Minnesota, it is important to have the policy cover all forms of tobacco – to support those who want to quit, reduce tobacco use and those who are tobacco-free.

## Why tobacco-free commercial properties?

When a tobacco-free policy includes all grounds, the owner/organization serves as an example for the entire community of a business that is committed to the health of all tenants and visitors.

### Benefits of adopting a comprehensive tobacco-free grounds policy

Such policies:

- Create a safer and healthier environment
- Convey an increased positive corporate image
- Reduce maintenance costs (for example, reducing/eliminating littered tobacco products)
- Reduce the risk of building fire (for example, eliminates combustible materials within receptacles at door entrances)
- Demonstrate the building ownership cares about tenant and visitor health

1. Centers for Disease Control and Prevention. Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses—United States, 2000–2004. *Morbidity and Mortality Weekly Report* 2008;57(45):1226–8.
2. [http://www.preventionminnesota.com/objects/pdfs/X18121\\_A\\_HCC\\_and\\_Smoking.pdf](http://www.preventionminnesota.com/objects/pdfs/X18121_A_HCC_and_Smoking.pdf). Accessed February 20, 2013.
3. [http://www.tobaccofreekids.org/press\\_releases/post/id\\_1178](http://www.tobaccofreekids.org/press_releases/post/id_1178). Accessed February 20, 2013.
4. <http://www.reuters.com/article/2013/02/14/us-smoking-births-idUSBRE91D1M720130214>. Accessed February 20, 2013.
5. <http://news.stanford.edu/news/2007/may9/smoking-050907.html>. Accessed February 25, 2013.

## **Property owners and management companies: What you need to know.**

The rate of tobacco use among adult Minnesotans is 16.1 percent (Minnesota Adult Tobacco Survey 2010). Therefore, eight in 10 Minnesota adults do not use tobacco. **It is important to protect the health of all individuals**, and provide an environment that helps tobacco users to think about quitting and to help them reduce tobacco use and make more quit attempts. Providing a completely tobacco-free environment for your property(s) does just that.

Enacting a tobacco-free policy takes about nine months. We encourage you to follow these steps for success. Although it may take nine months – getting started now gets you on the path to creating a healthier environment.

### ***Here are the recommended steps***

1. Survey tenant organizations within your leased space to inquire about their interest in having a tobacco-free environment (month 1 & 2)
2. Use the best-practice policy and create a draft (month 3)
3. Review the draft with tenant organizations; gain input (month 4)
4. Revise draft (month 5)
5. Announce policy change four months in advance (month 6)
6. Provide a monthly reminder of the policy. Also, consider outdoor improvements to create/enhance a (tobacco-free) space for tenants/visitors to enjoy during breaks/lunch (months 7, 8 and 9)
7. Policy goes “live”. Unveil the outdoor space during a kick-off event.
8. [As a complement to the property tobacco-free policy, encourage tenants to enact a Policy Amendment that outlines how their organization will enforce and support the property policy. See page 6 below for more information.]

(For more detail on the steps to enact/enhance a tobacco-free policy, see the Tobacco Policy Mini Plan.)

## Tenants: What you need to know

### ***Engage other tenants in the process***

Work to gain agreement from other tenants to have tobacco-free grounds. Once you have accomplished this, you might together approach the property owner/manager to request a tobacco-free grounds policy. Here is a more in-depth look at this process.

Suggested steps:

- Have a conversation with the representative from the property owner/manager who will be your contact for this request.
  - Educate property owner/manager of the benefits of a tobacco free grounds policy and what it would mean for them.
  - If needed, receive a list of other tenants (Inquire whether they have previously expressed support for a tobacco-free policy).
  - Become familiar with any existing tobacco policy for the property your organization occupies.
    - What the current tobacco policy, if any?
  - Where are the current designated/popular smoking areas?
  - What, if any, signage is currently displayed on the grounds identifying non-tobacco use areas?
- Contact other tenants to survey interest and have conversations to uncover support and possible barriers for a policy.
- Prepare a document that outlines support to create a tobacco-free policy.
- Secure and hold meeting with the property owner/manager to address tobacco use on building grounds.
  - Be prepared to talk about the survey data, if relevant and appropriate.
- Request and commit to future meetings should you not be able to reach resolution at this first meeting.
- If the property owner/manager is interested in a tobacco-free grounds policy, consider how you might be able to assist.

***If it is not possible to implement a tobacco-free grounds policy for this property, consider what other steps can be taken to reduce tobacco's harm.***

- Does the lease provide for your organization's ability to implement its own policy?
  - If so, work to implement a tobacco-free policy that pertains to your organization's employees.

## **Leased space tobacco-free policy (for property owner/manager use)**

We have found that in a situation such as this, the policy will look a lot like a tobacco-free worksite policy.

### **Tobacco-free Property Policy**

#### **Purpose**

[Property owner/manager] is committed to providing a healthy and safer environment for all employees and visitors. We also wish to reduce maintenance costs and risk of fire.

Tobacco use is also a major cause of preventable disease and death. The average cost of a pack of cigarettes is \$5.22, while each pack smoked in Minnesota costs an estimated \$8.85 in medical expenses and lost productivity. In addition, smoking is estimated to be responsible for more than one-third of all sick days taken each year (CDC 2012).

Our organization wants to support our tenants in creating healthier environments for their employees.

The following is the policy for the property located at <address>, and applies to all tenants and visitors to the property.

#### **Policy**

This policy will go into effect on [month/day/year] and will be reviewed on a [yearly/other] basis.

The *use* of **any** form of tobacco (for example, cigarettes, e-cigarettes, cigars, chewing tobacco, snuff, snus, pipes, etc.) is prohibited at all times in the following locations:

- Inside all buildings
- Outside on all grounds, including parking lots and sidewalks, including loading docks and other work areas
- In company and private vehicles in parking lots.
- Immediate adjacent city sidewalks surrounding buildings

Tobacco trash receptacles will be available in select places at the edge of the property. The *littering* of tobacco-related products on the grounds, parking lots or neighboring property is also prohibited.

Signs will be posted around buildings and grounds to notify employees, contractors and visitors of this policy.

Tenants and their employees, contractors and visitors are responsible for knowing and understanding the tobacco policy for their location and should contact their building representative if they have questions.

## Policy Appendix (for tenant use)

### Tenant provisions

Our policy does not fulfill all of the best practices related to a tobacco-free workplace policy, therefore, we recommend that each tenant within the building create their own organization-specific tobacco-free workplace policy that complements (takes over where our policy leaves off).

For example, your organization will want to write a policy that includes (at a minimum) the following enhancements:

- Prohibits use of any form of tobacco in organization vehicles **at all times** (versus just while parked on our property)
- Includes enforcement protocol (your supervisors have a role to enforce the policy)
- Promotes available tobacco cessation resources

### Policy Amendment

**In addition to each of the policy provisions enacted by <property management company> on <date>, <your organization's name> supports the healthy environment and employees' healthy choices by creating the following enhancements. The <your organization's name> tobacco-free workplace policy includes the following:**

#### Tobacco-free organization vehicles

Organization-owned vehicles regardless of location (on property or off-property) are to be tobacco-free at **all times**. This includes any form of tobacco (for example, cigarettes, e-cigarettes, cigars, chewing tobacco, snuff, snus, pipes, etc.).

#### Enforcement

Employees who violate the organization or property owner/manager policy may be subject to disciplinary action, up to and including discharge.

As with all [employer] personnel policies, supervisors are responsible for educating employees about the tobacco-use policy and ensuring the policy is enforced. This includes

- **Reviewing** this policy with employees under their supervision and providing employees with location-specific information regarding the defined tobacco-free areas
- **Enforcing** this policy for all employees, whether or not such employees report to the supervisor/manager.
- **Informing** visitors of the policy.
- **Investigating** all allegations of violations of this policy in a timely manner and taking disciplinary action, as appropriate.

### **Related enforcement procedures**

- [Enforcement personnel: building management/security/other] personnel will be requested to monitor or report any potential violations of the policy. [Employer] will work with [building management company/security] to determine if increased capacity exists or could be added, at a reasonable cost, during an initial enforcement period in [date].
- Any management representative, e.g., Supervisor, Director, Vice President, etc. will be expected to enforce the Policy (as described above) if he/she observes any potential violations of the policy.
- When [Enforcement personnel] observe an employee using tobacco in violation of the policy, personnel will approach the employee and issue the employee a “Tobacco Use Violation” form.
- [Enforcement personnel] will *not* engage in discussions / explanations/arguments with the alleged violator, but will simply issue the violation notice to the employee.
- If the alleged violator refuses to provide his/her name to the [Enforcement personnel], the personnel will report this to [employer] human resources.
- [Enforcement personnel] will provide two copies of any violation notices issued to [employer] human resources at the end of each day.
- Human Resources will maintain one copy of the violation notice and will determine the direct supervisor of the employee and send a copy of the violation notice to the supervisor.
- The supervisor will conduct an investigation regarding the alleged violation of the tobacco use policy.
- Based upon the outcome of the investigation, appropriate action will be taken.

### **Disciplinary procedures**

When an employee is cited (as described above) for violating the policy:

- First violation will result in a verbal warning
- Second violation in a written warning
- Third violation will result in a period of probation
- Fourth violation in a period of suspension
- Fifth violation in termination of employment.

### **Tobacco cessation resources**

Tenants are encouraged to promote tobacco cessation information to their employees, such as through their health plan [or QUITPLAN of Minnesota]. Please contact your health plan to gather information.