



**OREGON YOUTH AUTHORITY**  
**Policy Statement**  
**Part I – Administrative Services**



*Subject:*

**Smoke-, Tobacco-, Aerosol-, and Vapor-free Agency**

*Section – Policy Number:*

**C: Property Management - 8.0**

*Supersedes:*

**I-C-8.0 (12/14)**  
**I-C-8.0 (10/04)**  
**I-C-8.0 (04/01)**

*Effective Date:*

**10/26/2023**

*Date of Last*

*Revision/Review:*

**None**

**Related Standards and References:**

- [ORS 433.835](#) through [433.875](#) (Oregon Indoor Clean Air Act)
- [OAR 333-015-035](#) (Oregon Indoor Clean Air Act: General Provisions)
- [American Indian Religious Freedom Act, 42 USC 1996](#)
- Collective Bargaining Agreements ([SEIU](#), [AFSCME](#) Local 191)

**Related Procedures:**

- None

**Policy Owner:**

Human Resources Director

**Approved:**

  
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 Joseph O'Leary, Director

**I. PURPOSE:**

This policy establishes OYA's standards to maintain a smoke-, tobacco-, aerosol-, and vapor-free agency.

**II. POLICY DEFINITIONS:**

**Inhalant delivery system:** A device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold separately or is not sold separately. An Inhalant delivery system *does not include* any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose if the product is marketed and sold solely for the approved purpose; and tobacco products.

**III. POLICY:**

OYA recognizes the use of tobacco products and inhalant delivery systems creates health hazards. OYA cannot ensure an environment free of pollutants but must provide safe environments and comply with indoor clean air laws.

All OYA staff are prohibited from using tobacco products (including, but not limited to, cigarettes, cigars, pipes, chew, snuff, nicotine pouches, and smokeless tobacco) and inhalant delivery devices inside state agency buildings

and on state agency grounds that are adjacent to state agency buildings. This includes OYA-owned or -leased buildings, facilities, and their premises.

This policy does not apply to use of noncommercial tobacco products for ceremonial purposes in spaces designated, on a permanent or temporary use basis, for traditional ceremonies in accordance with the American Indian Religious Freedom Act, 42 USC 1996.

#### **IV. GENERAL STANDARDS:**

##### **A. Smoke-, tobacco-, aerosol-, and vapor-free agency**

1. All OYA-owned or leased buildings and facilities must comply with the Oregon Indoor Clean Air Act.
  - a) In buildings where OYA shares space with other businesses or agencies, the designated building manager may establish and implement a smoking and vaping policy governing the areas of the building which are used “in common” while complying with related Oregon Indoor Clean Air laws.
  - b) In shared space buildings, those areas exclusively used by OYA are smoke-, vape-, aerosol- and tobacco-free.
2. Nicotine gum and nicotine patches are allowed.
3. OYA promotes staff and youth health by having a healthy workplace, aligning with OYA’s mission to provide youth opportunities for reformation in safe environments.
4. Staff practices must be focused on creating developmentally appropriate environments and be positive role models and influencers in their interactions with youth.

**B.** When OYA operates youth programs in a shared space with other businesses or agencies, areas exclusively used by OYA must be smoke, tobacco, aerosol, and vapor free.

**C.** Staff, volunteers, contractors, and visitors are prohibited from providing tobacco or nicotine in any form to youth.

In all instances, staff are prohibited from using tobacco products or inhalant delivery systems while working directly with youth.

##### **D. Posted notice**

1. Facility and office administration must ensure OYA buildings and grounds under their purview have signs posted at each entrance and exit indicating using tobacco, smoking, aerosolizing, or vaporizing of inhalants is prohibited on the premises.

2. Signs will use international symbols or the words “no smoking or vaping,” “smoking and vaping prohibited,” “tobacco-free area,” or similar language.

E. All staff must report to management any person observed violating this policy.

F. Resources

OYA is committed to helping staff quit tobacco and nicotine dependency by helping staff enroll in tobacco and nicotine cessation programs as part of their state employee medical benefits.

**V. LOCAL OPERATING PROTOCOL REQUIRED: NO**