

## **Frequently Asked Questions**

### **Why was Executive Order 2013-43 issued?**

All state property in Oklahoma has been tobacco free since Executive Order 2012-01 was implemented in 2012. Since that time, the availability and use of e-cigarettes and vaping devices have increased in Oklahoma, which raises new concerns about the potential long-term health risks for individuals exposed to the vapor. State Health Commissioner Dr. Terry Cline issued a public health advisory on December 17, 2013 urging people to use caution around e-cigarettes and vaping devices. Accordingly, Governor Mary Fallin issued Executive Order 2013-43 prohibiting the use of e-cigarettes and vaping devices on state property.

### **When do state owned properties have to be in compliance with the executive order?**

The executive order was issued on December 23<sup>rd</sup>, 2013 to be effective on January 1, 2014.

### **Where and to whom does the executive order apply?**

The executive order prohibiting the use of e-cigarettes and vaping devices on state property applies to every person on all properties owned, leased or contracted for use by the State of Oklahoma, to include both indoor and outdoor locations.

Specifically, the executive order applies to employees, visitors, guests, spectators, volunteers, faculty, staff, students, contractors, subcontractors, vendors and any other individual providing any type of product or service on state owned/leased property. Additionally, the order applies to any and all properties owned, leased or contracted for use by the state of Oklahoma, including but not limited to all buildings, land and vehicles.

### **Are e-cigarettes and vaping devices prohibited beyond the normal hours of operation and on weekends as well?**

Yes. The executive order is in effect 24 hours a day, seven days a week, regardless of business hours, and applies to any regular activity or special event held on state-owned property. This includes, but is not limited to, athletic events, conferences and training outside of the normal service hours of state agencies.

### **Why can't e-cigarettes and vapor products be used on state property? Isn't the vapor just water vapor?**

There are two primary concerns related to the use of vapor products outdoors on state property. First, these products are relatively new, and much more research is needed on

the potential impact for users and bystanders. Research has shown that the vapor is not just water vapor – e-cigarettes and vapor products still release nicotine and toxic chemicals into the air. Citizens in Oklahoma have come to expect clean air in most places, and the use of e-cigarettes and vapor products results in less clean air than currently experienced on state property.

The second concern is related to social norms and public perception of smoking prevalence. Many e-cigarettes look like traditional cigarettes and emit a vapor that looks like traditional cigarette smoke. Research shows that teens that see tobacco use in their homes or public places in their community may come to see smoking as a normal part of adult behavior. Since many state agencies offer services to families and youth, it is important to maintain social norms that protect youth from exposure to tobacco use of any kind on state property or by state employees while providing services to Oklahoma citizens.

**What about vaping devices that contain no nicotine? Can they be used on state property?**

No. The executive order prohibits the use of any e-cigarette or vaping device, regardless of nicotine content. The vapor produced by these products looks the same, and thus may create confusion for employees and enforcement challenges for state agencies.

**My state agency leases space in a building that has many other leased offices occupied by businesses that are not state agencies. What boundaries of this property or building must be in compliance with the executive order?**

A state agency that is located on property shared with other agencies or businesses can comply with this executive order by modifying its policy to prohibit the use of e-cigarettes and vaping devices on the parts of the property that are under its control. The use of any vaping devices should be prohibited within the boundaries of the office space and other areas that are under the state agency's control (including any hallways, entrances or outdoor areas under its control) and in the agency's state vehicles. Shared areas and common areas in a shared building typically would not be under the control of the state agency.

**Will the use of e-cigarettes or vaping devices by employees and others in personal vehicles located on state property be prohibited by the executive order?**

Yes, as well as any other form of tobacco use.

**Will the executive order apply to contractors working on construction projects on state property?**

Contractors conducting business on state property will be subject to the tobacco-free policy the same as anyone else on state property.

**Are all state-owned colleges and universities required to be in compliance with the executive order?**

Yes. Several state-owned colleges and universities have already included e-cigarettes in their comprehensive tobacco-free policy, and all state-owned colleges and universities must be in compliance with this executive order.

**How should this change be communicated to everyone so they will be made aware that e-cigarettes or vaping devices may not be used on state property?**

- Decals will be provided to state agencies and should be placed at all entrance doors.
- Managers and supervisors should inform all employees of this new policy.
- In addition to decals, agencies are encouraged to implement policy communication and awareness efforts. Examples include e-mail blasts, a designated area on agency website, and/or policy information announced and distributed during activities and events.
- Organizers of events (including, but not limited to, meetings, conferences, and trainings) using the facilities and property should notify attendees through the most efficient means possible.
- Any contracts for use or lease of the property or facilities should clearly state the tobacco free policy, including e-cigarettes and vaping devices.
- Candidates for employment should be informed of the policy both during the application process and during the employee orientation process.
- Additionally, state agencies should provide information about services available through the Oklahoma Tobacco Helpline to all employees. By calling 1-800-QUIT-NOW or going to [www.okhelpline.com](http://www.okhelpline.com), individuals can receive free quit coaching and may be eligible for free FDA-approved cessation medications, such as patches, lozenges or gum.

**How will the executive order be enforced?**

As with any policy, each state agency will be charged with ensuring employees and visitors are in compliance. Agencies may utilize a variety of communication methods to remind employees or visitors of the policy proactively, as well as reminding employees and visitors of the policy if someone is in violation.