ADMINISTRATIVE DIRECTIVE NO. 181

This 2nd day of January 2013,

IT APPEARS THAT:

(A) The Executive Branch of the State of Delaware has adopted a Tobacco-Free Workplace Policy, which went into effect on January 1, 2013.

(B) The Judicial Branch is committed to providing a healthy and productive work environment for employees, clients, visitors and others who come to the Delaware Courts.

NOW THEREFORE, IT IS DIRECTED, with unanimous approval of the members of the Supreme Court, pursuant to Del. Const., Art. IV, §13(1), that:

(1) The attached Judicial Branch Tobacco-Free Workplace Policy is hereby adopted, effective immediately.

(2) Presiding Judges and Judicial Branch Agency Heads shall ensure that this policy is disseminated to all employees in their courts and agencies.

BY THE COURT:

Chief Justice Myron T. Steele

c: The Honorable Jack A. Markell
The Honorable Randy J. Holland
The Honorable Carolyn Berger
The Honorable Jack B. Jacobs
The Honorable Henry duPont Ridgely
Members of the Judicial Conference
Justice of the Peace Court Judges
The Honorable Joseph R. Biden, III
The Honorable Brendan O'Neill
State Court Administrator
Court Administrators
Clerk of the Supreme Court
Counsel to the Governor
Chair Senate Judiciary Committee
Chair House Judiciary Committee

Judicial Branch
Tobacco-Free Workplace Policy

The use of tobacco products is prohibited within the boundaries of all state workplaces including all buildings, facilities, indoor and outdoor spaces and the surrounding grounds owned by the State, with the exception of jurors and alternatives impaneled for trial. Impaneled jurors and alternates have not come to the court voluntarily and are often not free to leave the premises when they choose. Adherence to the policy for impaneled jurors and alternates might cause disruption to trials and eliminate an entire class of potential jurors. A secured area (non-public, if possible) will be designated for these jurors.

This policy applies to parking lots, walkways, State vehicles and private vehicles parked or operated on State workplace property. This policy does not include public roads or sidewalks.

For the purposes of this policy, tobacco is defined as any type of tobacco product including, but not limited to: cigarettes, cigars, cigarillos, electronic cigarettes, pipes, bides, hookahs, smokeless, spit tobacco or snuff.

The success of this policy will depend on the courtesy and cooperation of both tobacco users and nonusers. Everyone is responsible for respectfully following and helping to enforce the policy.

Violations of this policy may be subject to discipline, up to and including dismissal, based on the standards set forth in the Judicial Branch Personnel Rules and the Merit Rules, collective bargaining agreements, or other applicable laws or policies.