



## Toward a Tobacco Free Future

*Effective July 1, 2013, the University of Pennsylvania Health System will cease hiring tobacco users in our efforts to improve the overall health of our workforce while reducing health care benefit costs.*

*The new policy will not impact the employment of current UPHS employees who are tobacco users. Rather, we will continue to provide free smoking cessation classes and nicotine replacement therapy (NRT) to support our staff in eliminating the use of tobacco products. During Open Enrollment in Spring 2013, employees will be required to complete an attestation regarding their use of tobacco products. Employees who are not actively enrolled in a smoking cessation program or using NRT can expect to pay a higher premium for their health care benefit.*

*Effective July 1, 2013, employees will be required to complete an attestation regarding their spouse and/or dependents use of tobacco products—if they are participating in the UPHS health care benefit plan. Plan participants who use tobacco products can expect to pay a higher premium for their health care benefit.*

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### **What is the effective date of this new policy?**

*The University of Pennsylvania Health System will cease hiring tobacco users effective July 1, 2013. All applicants will be required to complete an attestation that they have not used tobacco products for the previous six months.*

### **Is this policy for all entities?**

*Yes, with the exception of clinical practices located in New Jersey. However, current employees (regardless of location) who are tobacco users can expect to pay a higher premium for their health care benefit.*

### **Who does this policy apply to?**

*This policy applies to all UPHS employees and residents who are employed on or after July 1, 2013. This policy does not impact University employees.*

### **How are applicants screened for tobacco use?**

*As of July 1, 2013 applicants for employment at UPHS will be asked to attest that they are non-nicotine users on their employment application. Falsification of information on the employment application is grounds for discipline up to and including termination.*

**Is the screening for tobacco use legal?**

*Yes. Users of tobacco are not in a legally protected class. Non-tobacco hiring policies are legal in 20 states including Pennsylvania. In 1987 a federal Appeal Court ruled that smokers are not a "protected class" entitled to special legal protections and that courts need no further rationale than the Surgeon General's warning on cigarette cartons: Cigarette smoking is hazardous to your health.*

**If an applicant is a tobacco user, can he/she reapply for employment at UPHS? If so, when?**

*Yes. Candidates/applicants may reapply when they can truthfully attest that they have not been a tobacco user for the previous six months.*

**Will the Tobacco Free Hiring policy impact current UPHS employees?**

*No. Current employees will be grandfathered---but tobacco users can expect to pay a higher premium on their health care benefit.*

**What if an applicant is hired as a non-tobacco user and then subsequently begins to use tobacco?**

*UPHS is concerned about improving the overall health of its workforce. The employee will be provided an opportunity to participate in smoking cessation classes and nicotine replacement therapy. The employee can also expect to pay a higher premium on their health care benefit.*

**Why the focus on tobacco users?**

*The health risks and related costs associated with tobacco use have caused UPHS to mobilize action for moving toward a tobacco free future by focusing on the health of its workforce while containing the escalating costs of health care associated with tobacco use.*

**If a current employee terminates employment with UPHS and then re-applies, will they be subject to the new policy?**

*Yes.*

**What factors will UPHS consider next?**

*The University of Pennsylvania Health System is committed to a safe and healthy work environment and to promoting the health and wellbeing of its employees. Other than requiring future applicants to attest to being a non-tobacco user, there are no specific plans to restrict employment for other conditions.*

**Will physicians be subject to the tobacco free hiring policy?**

*All physicians who are employed by UPHS are subject to this policy—inclusive of residents and fellows. Due to the recruitment cycle and match process for residents—the effective implementation date for these groups is July 1, 2014. Faculty and staff employed by the University are not subject to this policy.*

**Will residents of communities in our service delivery area who have higher smoking rates—be adversely impacted by this policy?**

*Even surrounding communities who have a relatively high usage of tobacco products---have far more non-tobacco users than tobacco users. The implementation of this policy does not adversely impact our recruitment efforts. We are committed to enforcing this policy while ensuring that our overall hiring rate in these communities does not decrease.*

**If an employee falsifies their non-tobacco use attestation—what will be the consequences?**

*Employees who falsify information on the employment application or benefit enrollment form may be subject to discipline up to and including termination. We rely on our employees to be truthful in the information submitted for employment or benefit enrollment purposes.*