



EXECUTIVE ORDER NO. 13-2014

**PROTECTING NAVAJO NATION EMPLOYEES EXPOSURE TO
COMMERCIAL TOBACCO PRODUCTS AND SECONDHAND SMOKE IN THE
WORK PLACE**

**THE NAVAJO NATION
EXECUTIVE ORDER NO. 13-2014**

August 14, 2014

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2 N.N.C. § 1005 (A);
2. The President shall have the enumerated power of issuing an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such status. 2 N.N.C. § 1005 (C) (14);
3. An executive order shall have the force of law upon the recipient. Id.
4. Executive Order No. 02-2011 was implemented April 26, 2011 for the similar purpose. Executive Order No. 13-2014 provides clarification and will supersede Executive Order No. 02-2011.
5. The cultural, spiritual, and ceremonial use of Hozooji Dzil Natoh/ Natural Mountain Smoke is the fundamental values and principles of Dine Life Way;
6. Navajo cultural teachings about the Hozooji Dzil Natoh/ Natural Mountain Smoke and its use are of importance to the health, wellness, and welfare of the Navajo people;

7. The Navajo fundamental traditional and ceremonial use of Hozooji Dzil Natcho/ Natural Mountain Smoke shall not be restricted;
8. Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a group A carcinogen;
9. There are no safe levels of secondhand smoke and no available adequate ventilation technology based upon scientific studies that can ensure that protection and prevention of involuntary exposure to secondhand commercial tobacco smoke and its health –related illness; and
10. Everyone has the right to breathe clean air and be free from the pollution of spit tobacco smokeless tobacco, e-cigarettes, or any other commercial tobacco products.

THEREFORE:

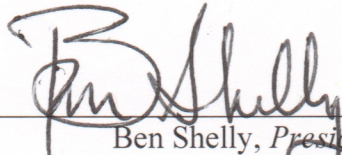
I, Ben Shelly, President of the Navajo Nation, by the authority vested, I hereby issue the following order:

1. Policy. It is the policy of the Navajo Nation Executive Branch to establish a commercial tobacco free environment for government employees and member of the public visiting or occupying Navajo Nation facilities. The use of commercial tobacco products is thus prohibited in all interior space owned, rented, or leased by the executive branch of the Navajo Nation and in any outdoor areas under the executive branch, and within a reasonable distance of 25 feet of entrances, operable windows, and ventilation systems of enclosed areas where commercial tobacco products are hereby deemed prohibited.
2. Other locations. The heads of agencies shall evaluate the need to restrict smoking at doorways and in courtyards under the auspices of the executive branch in order to protect workers and visitors from environmental tobacco smoke, and may restrict smoking in these areas in light of this evaluation.
3. Responsibility for implementation. The heads of divisions agencies departments and programs are responsible for implementing and ensuring compliance with the provisions of this order. Independent agencies are mandated to comply with the provisions of this order.
4. Consistency with the other laws. The provisions of this order shall be implemented consistent with the laws and highest welfare of the people.

5. Construction. Nothing in this order shall limit a division, agency, department or program head from establishing more protective policies on smoking in the workplace for employees and members of the public who are served, invited and welcome.

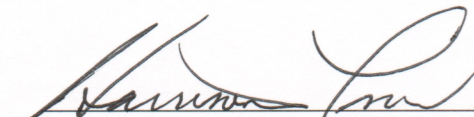
Executed at the Office of the President and Vice President of the Navajo Nation

On this 14th day of August 2014.



Ben Shelly, *President*
THE NAVAJO NATION

ATTEST:



Harrison Tsosie, *Attorney General*
THE NAVAJO NATION