

27 7/71 DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
POLICY ON SMOKING IN DHEW-OCCUPIED BUILDINGS

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1. PURPOSE

To implement the Secretary's decision to establish a policy on smoking in Department-occupied facilities.

2. POLICY

- A. The Department recognizes the right of individuals working or visiting in DHEW controlled buildings or space to an environment reasonably free of contaminants. The Department also recognizes the right of individuals to smoke in such buildings, provided such action does not endanger life or property, cause discomfort or unreasonable annoyance to non-smokers or infringe upon their rights.
- B. The Secretary of HEW has directed that the appropriate official(s) in each building occupied by DHEW shall take affirmative action to implement the smoking policy as set forth in this Circular.
- C. The Secretary requests the full cooperation of all supervisors and employees to insure that an equitable balance is maintained of the rights of non-smokers and those of smokers in implementing or enforcing the smoking policy.

3. APPLICABILITY

- A. The provisions of this Circular are applicable to all organizational elements that occupy Government owned and leased, DHEW controlled real property.
- B. These provisions are also applicable to DHEW elements occupying Government owned and leased space which is assigned by GSA, and space obtained on a use permit,

or nominal rental or rent-free basis. In such cases, the Department policy will apply within the confines of the assigned space over which DHEW has exclusive custody and control.

4. RESPONSIBILITIES

- A. Government-owned, DHEW-controlled buildings are usually occupied by elements of one operating agency. In those instances, the senior DHEW official, or his designee, has the responsibility for implementing the Secretary's directive as it relates to space under his jurisdiction and control. Where two or more DHEW operating agencies occupy the same building and the officials are of equal rank, these officials will share implementing responsibility and issue a single directive to all DHEW employees occupying the building.
- B. When the buildings are controlled by other Government agencies, such as GSA or non-Government organizations or individuals, the Secretary's directive will be applied when the space is being utilized exclusively for HEW activities.
- C. In addition to the actions required by this Circular, officers-in-charge of all Public Health Service facilities shall implement the "Policy on Smoking for Medical Care Facilities of the Department of Defense, Public Health Service, and Veterans Administration," within their respective areas of jurisdiction (see Attachment 1).

5. IMPLEMENTING GUIDELINES

- A. General. DHEW officials shall be guided by the following in implementing and enforcing the smoking policy in areas under DHEW control (see Section 3) and based on the type of space involved.
- B. Conference Rooms and Auditoriums. No smoking shall be permitted in conference rooms and auditoriums. Prompt action shall be taken to post appropriate no-smoking signs in these areas. Ashtrays should be removed from these areas and receptacles for disposing of cigarettes, etc., placed at entrances. A receptacle (preferably the wall mounted type) may also be placed

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inside the room or auditorium so that visitors may dispose of cigarette butts, etc., when they become aware of the smoking restriction. The decision to prohibit smoking in Department conference rooms and auditoriums was made to recognize the rights of non-smokers and protect them from the discomfort and possible health hazard which could result when numbers of smokers are confined to a crowded and sometimes poorly ventilated area.

- C. Cafeterias. No-smoking areas are to be established in cafeterias under contract to DHEW in Department controlled buildings. This may be accomplished by agreement between the responsible DHEW official and the concessionaire, and then included as a provision in future amendments and new contracts. A no-smoking area should be designated and posted based on an estimate of smoking and non-smoking patrons served. Careful evaluations should be made after designating separate areas and further adjustments as to size made, based on experience. Improvements to air-conditioning or exhaust systems should also be considered in such areas where ventilation is poor.
- D. Corridors, Lobbies, and Restrooms. There will be no limitation on smoking in corridors, lobbies, and restrooms, as persons are not in these areas for long periods of time.
- E. Work Areas. Supervisors should plan work space in such a way that preference of employees who request a no-smoking work area can be accommodated, provided that: (1) efficiency of work units will not be impaired; (2) additional space will not be required; and (3) costly alterations to the space or procurement of additional office equipment will not be necessary. In establishing and continuing a no-smoking policy in work areas under their jurisdiction, supervisors must strive to maintain an equitable balance between the rights of non-smokers and of smokers.
- F. Air Quality Standards. It is recognized that excessive smoke and excessive amounts of pollutants in air circulated in a room or area can cause discomfort or

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unreasonable annoyance to individuals. Corrective action shall be taken when such conditions exist, repetitive complaints are received, and responsible buildings management personnel determine there is sufficient justification to request an air test and appropriate corrections to the air conditioning or exhaust system. The National Primary and Secondary Ambient Air Quality Standards, Part 410, Chapter II, Title 42, Code of Federal Regulations, shall be used in making air tests. The Public Buildings Services, General Services Administration, by agreement with DHEW, will make such tests upon request.

G. Notices and Signs

1. Notices to Employees. Officials responsible for implementing the provisions of the Circular shall inform employees under their jurisdiction of the provisions applicable to them.
2. Signs. Suitable "no-smoking" signs shall be mounted in all rooms or areas where the no-smoking policy applies.

6. REFERRAL OF QUESTIONS

Technical questions concerning smoking and health, educational materials, or suggested methods of discouraging cigarette smoking in Government buildings, should be referred to the National Clearing House on Smoking and Health, Health Services and Mental Health Administration, DHEW, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

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