

CHAPTER 1-60  
POLICY ON SMOKING IN  
HEW OCCUPIED BUILDINGS AND FACILITIES

- 1-60-00 Purpose
- 10 Policy
- 20 Applicability and Scope
- 30 Responsibilities
- 40 Implementation Directives
- 50 Education and Training
- 60 Complaint Procedure
- 70 Notices and Signs
- 80 Referral of Questions

1-60-00 Purpose

The purpose of this chapter is to provide a Departmentwide policy on smoking in HEW-occupied buildings and facilities. It supersedes General Administration Manual Circular 72.1, dated February 7, 1972, "Policy on Smoking in HEW-Occupied Buildings".

1-60-10 Policy

- A. It is the policy of the Department to protect the rights of nonsmokers (both Federal employees and the public) by restricting smoking in certain areas of HEW-occupied buildings and facilities. The Department also recognizes the rights of individuals to smoke, provided such action does not endanger life or property, cause discomfort or unreasonable annoyance to nonsmokers or infringe upon their rights.
- B. In recognition of the fact that smoking is dangerous to the health of smokers; that tobacco smoke in a confined area creates a health hazard to nonsmokers suffering from heart disease, respiratory diseases or allergies related to tobacco smoke; and that smoke in a confined area may be irritating and annoying to nonsmokers and violates their privilege of breathing air relatively free from tobacco smoke contamination, every effort will be made to provide an environment reasonably free of such contaminants.

1-60-20 Applicability and Scope

- A. The provisions of this directive apply to all organizational elements of HEW that occupy Government owned and leased HEW buildings and facilities.

680204316

General Administrat.

- B. These provisions are also applicable to HEW 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 HEW has exclusive custody and control.

1-60-30 Responsibilities

- A. The Heads of POCs (for their headquarters, regional and field components); PROs (for the organizational elements under their direct control); and Director, Office of Management Services, OS (for the Office of the Secretary at headquarters); are responsible and accountable for implementing the provisions of this chapter. They will:
- (1) Prepare an implementation plan setting forth the provisions of this chapter and methods to insure compliance within 60 days of its effective date. A copy of the plan will be submitted to the Assistant Secretary for Management and Budget for review.
  - (2) Include in the plan provisions for the following:
    - a. In Government owned HEW occupied buildings and facilities, the senior HEW official has the responsibility for implementing the Secretary's policy as it relates to space under his or her jurisdiction and control as implemented by his or her appropriate headquarters. Where two or more HEW organizational elements occupy the same building or facility and the officials are of the same rank, these officials will share implementing responsibility and issue a single directive covering HEW employees occupying the building or facility.
    - b. In buildings that are controlled by other Government Agencies, such as GSA or non-Government organizations or individuals, the Secretary's policy will be applied when the space is being utilized exclusively for HEW activities. If an agreement with the occupant, owner, or lessor can be reached on the control of smoking, officials are authorized to jointly issue implementing directives.

General Administration

680204317

1-60-30 (Continued)

- c. In addition to the actions required by this chapter, 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 jurisdictions. (See Exhibit 1-60-1)
- B. Heads of Staff Offices will support the provisions of this policy and assist the Heads of POCs, PROs, and Director, Office of Management Services, OS, in its implementation. The ASMB and Assistant Secretary for Personnel and Administration will provide within their areas of responsibility supporting funds and training guidance and assistance.

1-60-40 Implementation Directives

- A. General. HEW officials are directed to implement and enforce the smoking policy in areas under HEW control (see paragraph 3) according to the type of space involved.
- B. Smoking shall not be permitted in:
- (1) Conference rooms and classrooms. Conference rooms and classrooms are defined as a room designated for meetings and training sessions or for instructional purposes and are not used as an office or part of and individual's usual working area. Included in this definition are multi-purpose rooms while used as conference rooms or classrooms. The person responsible for holding the conference, meeting, or training session is also responsible for enforcing the no-smoking rule.

Prompt action shall be taken to post appropriate "No Smoking" signs in these areas. There shall be no ashtrays in these areas and receptacles for disposing of cigarettes, etc., shall be placed at entrances.

- (2) Auditoriums. Smoking shall not be permitted in auditoriums. Prompt action shall be taken to post appropriate no-smoking signs in auditoriums. There shall be no ashtrays in these areas. Receptacles may be placed just inside the auditorium so that visitors may dispose of cigarettes, etc., when they become aware of the smoking restriction.

680204318

General Administ

- (3) Libraries. Smoking shall not be permitted in libraries except in such areas as may be designated as smoking areas.
- (4) Elevators. Elevators shall be designated as no-smoking areas.
- (5) Shuttle Vehicles. Smoking shall be prohibited in shuttle vehicles under HEW control. A "No Smoking" sign shall be posted in each vehicle and the driver should inform all passengers of this requirement.

C. Work Areas

(1) Separation of Smokers and Nonsmokers

In consideration of the rights of nonsmokers in work areas, they will, within practical limits, be given the opportunity to be assigned to offices or workplaces separate and physically distinct from those of employees who smoke. The following provisions will apply in making these determinations:

- 1- Efficiency of work units or administrative effectiveness shall not be impaired.
- 2- Excessive costs will not result from providing physical separation.
- 3- Additional space will not be required.

(2) In common work areas, in which two or more employees are assigned, supervisors will prohibit smoking if an employee objects in writing to tobacco smoke in the immediate work environment on the basis that it is having an adverse effect upon his or her health.

680204319

- (3) Recognizing the rights of smokers who continue to smoke, supervisors will establish areas in which smoking is permitted. Such areas will be conspicuously posted.
- (4) Smoking will be prohibited in those work environments in which the combination of smoking and special occupational factors presents a particular hazard to the health and safety of employees.
- (5) The safety and health regulations and procedures established under C. (4) above, which prohibits smoking because of occupational exposure, will be enforced by all levels of management and supervisors. Violators of these regulations and procedures will be subject to disciplinary action under the provisions of Section 73.735-1101 of the Department's Standards of Conduct.
- (6) In addition to the prohibition of smoking in accordance with paragraphs C. (1), (2), and (4) above, an employee who occupies a private office is authorized to declare that office a no-smoking area.
- (7) As a general rule, a minimum rate of 5 cfm of fresh air per person is recommended to remove smoke from a work area and provide an environment reasonably free of contaminants.

D. Cafeterias or Dining Areas. No-smoking areas shall be established in cafeterias or dining areas under contract to HEW in Department-controlled buildings. This may be accomplished by agreement between the responsible HEW official and the concessionaire, and then included as a provision in future amendments and new contracts. A no-smoking area shall 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 future adjustments as to size should be made, based on experience. Improvements to air-conditioning or exhaust systems will also be considered in such areas where ventilation is poor.

680204320

E. Corridors, Lobbies and Restrooms. Normally, smoking in corridors, lobbies and restrooms of HEW-controlled buildings will be permitted, except as follows:

- (1) Large lobbies or entrances that are used for waiting rooms, etc., will be divided into smoking and non-smoking areas. These areas will be properly posted to assure that all persons can easily determine where smoking is permitted. In addition, there will be no ashtrays or receptacles in the designated no-smoking area.
- (2) If lobbies or hallways are utilized by smokers to a degree that results in employee complaints, the official in charge is responsible for evaluating the conditions and, if necessary, establishing them in a whole or part as no-smoking areas.
- (3) It is determined that the air changes are not sufficient to assure reasonably clean air.

1-60-50 Education and Training

In view of the dangers to health caused by smoking, supervisors and employees will be given training on the dangers of smoking, methods of breaking the smoking habit, and the provisions of the chapter. The Assistant Secretary for Personnel Administration will provide for such training in supervisor's training programs and employee orientation sessions. In addition, within applicable regulations, employees will be provided with reasonable time off during working hours to attend established training programs that assist in breaking the smoking habit to the extent that the efficiency of work units will not be impaired. The Assistant Secretary for Personnel Administration will issue Department guidance covering such training.

1-60-60 Grievances

If an employee feels that the provisions of this policy are not being implemented the employee is entitled to utilize either the HEW agency grievance procedure, or a negotiated grievance procedure, whichever is applicable. Employees who file a grievance under these procedures will not be subjected to restraint, interference, coercion, discrimination or reprisal by virtue of having filed such a grievance.

680204321

1-60-70 Notices and Signs

- A. Notices to Employees. Officials responsible for implementing requirements of this chapter shall inform employees under their jurisdiction in writing of the provisions applicable to them.
- B. Signs.
- (1) Suitable "No Smoking" signs shall be mounted in all rooms and areas where the no-smoking policy applies. Where common or public smoking areas are established, a card or other device will give directions to the nearest area. These directional signs will be placed adjacent to the "No Smoking" sign whenever possible.
  - (2) The numbers of signs to be posted or displayed will depend on the size of the room or area. Generally, two should be sufficient for small rooms and four for large rooms.
  - (3) Signs placed in designated no smoking areas (including rooms) will bear the message "No Smoking". Generally, the size of lettering should be one inch high for small rooms or areas and two inches high for large rooms and areas.
  - (4) The accepted international symbol for no smoking may be used on doors or appropriately displayed in no smoking areas, in addition to the signs indicated above.

1-60-80 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 Office on Smoking and Health, Office of the Assistant Secretary for Health, Department of Health, Education, and Welfare, Washington, D.C. 20201.

680204322