

GENERAL SERVICES ADMINISTRATION, 41 CFR Part 101-20, Management of Buildings and Grounds; Revision of Building Rules and Regulations.

§ 101-20.109-10 Regulation of Smoking.

(Ref. Federal Register/ Vol. 44, No. 74/ Monday, April 16, 1979)

Regulations for controlling smoking in GSA-controlled buildings and facilities are set forth below. These regulations are intended to be supplemented by additional agency action. It is not the intent of GSA to assume the enforcement role of these regulations, except in public areas or in joint-use space. It is intended that agency guidelines will provide administrative procedures for enforcement within space assigned to them and for resolution of agency/employee complaints. Local laws should also be compiled with wherever applicable.

"Smoking" is defined, for the purpose of these regulations, to include the carrying of lit tobacco products.

(a) Smoking is prohibited in the following areas:

- (1) Auditoriums, classrooms, and conference rooms. Buildings managers shall ensure that signs and adequate receptacles for smoking refuse are placed outside the entrances to auditoriums, classrooms, and conference rooms. Exceptions to this policy in agency assigned space may be granted on a case-by-case basis by the agency head.
- (2) Elevators. "No smoking" signs shall be posted in elevators, and adequate receptacles shall be placed outside the entrances.
- (3) Shuttle vehicles.
- (4) Hazardous areas. Each agency shall post and enforce "no smoking" rules in any location under its jurisdiction which involves flammable liquids, flammable gases, or flammable vapors, or in all locations where there is a collection of readily ignitable, combustible materials.

(b) Smoking is not permitted in libraries, except in those nonstack areas that are designated as "smoking" areas. These areas shall be established by the building manager in collaboration with the heads of occupant agencies.

(c) Employees occupying an office may unanimously declare that office a "no smoking" area.

(d) "No smoking" areas shall be established in cafeterias. These areas shall be designated as "no smoking" areas by each building manager, in collaboration with the heads of the occupant agencies. The areas designated shall be based upon an estimate of the number of smoking and nonsmoking patrons served. This should be adjusted on the basis of local experience. The "no smoking" areas shall be identified by appropriate signs.

(e) The establishment of "no smoking" work areas in open space should be thoroughly investigated. Supervisors should plan work space in a manner so that employees who desire a "no smoking" area can be accommodated. Provided, That (1) efficiency of work units will not be impaired, (2) additional space will not be required, and

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(3) costly alterations in the space or procurement of additional office equipment will not be necessary. Agencies are responsible for ensuring that "no smoking" areas are identified by appropriate signs. In establishing and continuing a smoking policy in work areas under their jurisdiction, supervisors should strive to maintain an equitable balance between the rights of nonsmokers and those of smokers.

(f) In medical care facilities such as medical clinics and health units, smoking is restricted to staff lounges, private offices, and specifically designated areas.

(g) Waiting areas shall be divided into areas designated as "smoking" and "no smoking" areas when size allows.

(h) Agencies are responsible for providing adequate noncombustible ash trays or receptacles in locations where smoking is permitted.

(Sec. 205(c), 65 Stat. 300(40 U. S. C. 486(c))

EFFECTIVE DATE: April 16, 1979.

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