

Office of the
Chief of Staff

U.S. Department of Commerce

facsimile coversheet



Date:

Anne McGuire
7/18/97

Fax #:

6404
456-7028

To:

~~Elizabeth Dry~~

Phone: (202) 482-4246

From: Beth Bergere

Fax: (202) 482-2741

Number of pages including coversheet:

10

Subject:

Smoking regulations at DoC

Message:

(Based on GSA Smoking
Regs. in Federal Register 41 CFR 101-20)
attached

6.102 Regulation of Smoking

6.102-1 General Provisions

- (a) Sections 6.102 through 6.102-5 provide the regulations for controlling smoking in all DOC-occupied buildings and facilities, including DOC-controlled and GSA-controlled space. For purposes of these Sections, smoking is defined as a lighted cigar, cigarette, pipe or any other lit tobacco product.
- (b) These Sections apply to all DOC employees and to all visitors while present in DOC-occupied space.
- (c) DOC's smoking regulations are based on the General Services Administration (GSA) Federal Property Management Regulations

(FPMR). FPMR Section 101-20.109-10 is the governing authority for the regulation of smoking in GSA-controlled buildings. It is DOC policy that the regulation of smoking in DOC-controlled buildings will also be governed by the requirements of FPMR Section 101-20.109-10.

6.102-2 Substance of the GSA Smoking Regulations

FPMR Section 101-20.109-10 provides as follows:

- (1) In recognition of the increased health hazards of passive smoke on the non-smoker, smoking is to be held to an absolute minimum in areas where there are non-smokers;
- (2) In recognition of the needs of smokers, smoking areas should be designated in Federal buildings which are convenient, do not negatively impact worker productivity, and do not impinge on the health of those who do not smoke;
- (3) Smoking is absolutely prohibited in the following areas:
 - a. auditoriums, classrooms and conference rooms
 - b. elevators
 - c. medical care facilities
 - d. libraries
 - e. hazardous areas;
- (4) Smoking is prohibited in general office space, corridors, lobbies, restrooms and stairways, except in certain "designated smoking areas";
- (5) A "designated smoking area" shall be established in all cafeterias;

- (6) Agency heads are given the responsibility for designating smoking areas consistent with the FPMR standards for the regulation of smoking. Agency heads are to give appropriate consideration to the views of employees affected and/or their representatives and are to take fully into consideration the health issues involved;
- (7) Agencies are responsible for providing adequate ashtrays or receptacles in the "designated smoking areas";
- (8) Suitable uniform signs reading "No Smoking Except in Designated Areas" shall be placed on or near entrance doors of buildings subject to these regulations. It is not necessary to display a sign in every room of each building;
- (9) An agency is not required to make any expenditures for structural or non-structural changes to accommodate the preferences of non-smoking employees; and
- (10) Prior to implementation of smoking regulations; where there is an exclusive representative for the employees, the agency shall meet its obligations under 5 U.S.C. Ch. 71. In all other cases, agencies should consult directly with employees.

6.102-1 DOC Implementation of GSA Smoking Regulations

- (a) To ensure fairness and consistency, the policy on the regulation of smoking shall be the same in DOC-controlled space as in GSA-controlled space. Accordingly, the GSA standards summarized in Section 6.102-2 are applicable to all DOC-occupied space, whether or not under the control of GSA.

- (b) To ensure maximum effectiveness and responsiveness, the authority for designating smoking areas consistent with the GSA standards shall be redelegated within DOC to the lowest organizational units practical. With this in mind, the following delegation of authority is made:
- (1) The responsibility for designating smoking areas is delegated to Secretarial Officers, Heads of Departmental Offices and Heads of Operating Units for space in their respective jurisdictions. This authority shall be redelegated, in the best judgment of these officials, to the lowest organizational unit practical within their respective organizations.
- (c) Within the Office of the Secretary, the authority for designating smoking areas in corridors, lobbies, restrooms, and cafeterias is assigned to the building manager of the facility. In all other cases, the appropriate Secretarial Officers or Heads of Operating Units should consider making similar redelegations for the designation of smoking areas in permissible common areas under their control. In shared DOC facilities, the largest occupant should provide designations for common areas.
- (d) When designating smoking areas in DOC-occupied buildings, the designating official shall follow the standards set forth in FPMR Section 101-20.109-10(c) and ensure that these areas are identified by uniform signs reading "Designated Smoking Area". Signs will be furnished and installed by the agency.
- (e) The furnishing of ashtrays or receptacles in corridors, lobbies,

restrooms, stairways and cafeterias which are "designated smoking areas" in DOC-controlled buildings shall be the responsibility of the building manager, if applicable, or otherwise of the highest ranking official, or designee, of that facility.

- (f) The posting of suitable uniform signs reading "No Smoking Except in Designated Areas" on or near entrance doors of DOC-controlled buildings shall be the responsibility of the building manager, if applicable, or otherwise of the highest ranking official, or designee, of that facility. The signs shall be furnished and installed by the GSA Building Manager in buildings managed by GSA.

6.102-4 Procurement of Signs

In accordance with the Federal Acquisition Regulation, Part 8, the mandatory source of supply for the purchase of the aforementioned signs is UNICOR, Federal Prison Industries, Inc. (FPI). Prior approval from FPI is required before using any other source of supply. Purchase Orders should be submitted to: UNICOR, Federal Prison Industries, Inc., 320 First Street, N.W., Washington, D.C. 20534, (202) 724-8239.

6.102-5 Appeal Process

- (a) Secretarial Officers and Heads of Operating Units shall designate officials to be responsible for resolving conflicts concerning a particular designation or non-designation of a smoking area in DOC-occupied space within their respective jurisdictions.
- (b) For Departmental Offices, the Administration Directors, or designees, shall be the officials responsible for resolving conflicts concerning a particular designation or non-designation of

a smoking area in DOC-occupied general office space within their jurisdiction.

- (c) The Director, Office of Procurement and Administrative Services or designate, shall be the official in charge of resolving conflicts concerning designations or non-designations of smoking areas in corridors, lobbies, restrooms, stairways or cafeterias in space within the jurisdiction of the Office of the Secretary.
- (d) Nothing herein is meant to affect an employee's right to pursue a grievance under agency procedures authorized by 5 CFR Chapter 71 or procedures negotiated under 5 U.S.C. Chapter 71.

6.102-6 Enforcement

- (a) It is the role of the DOC official with responsibility for designating smoking areas in a particular block of DOC-occupied space to enforce compliance in that block.
- (b) Failure on the part of a DOC employee to comply with the restrictions on smoking in non-designated areas in DOC-occupied buildings, or failure to follow instructions regarding smoking restrictions given by the employee's supervisor or a duly authorized official designated in paragraph (a), above, may subject the employee to disciplinary action. Guidance on the disciplinary process, including penalties for insubordination, safety violations, and other offenses, is provided in Department Administrative Order 202-751: Discipline and Department Administrative Order 202-752: Adverse Actions. These orders should be consulted when enforcing compliance with DOC directives and policies on smoking.

6.102-7 Effect of State and Local Regulations

Generally, the smoking regulations established in this Subpart supersede any contrary state or local regulations. However, in situations where DOC employees are assigned to non-Federally-controlled space where they are interspersed with non-Federal employees and where the Federal presence in the space does not break down into identifiable units, then these DOC employees shall comply with any established state and/or local ordinances.

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-20

(FPMR Amendment 2-44)

Smoking Regulations

SUBJECT: Public Buildings Service, GSA.
ACTION: Final rule.

SUMMARY: This regulation provides for revised smoking regulations in buildings controlled by GSA.

Numerous studies have concluded that smoking adversely affects the health of those persons "passively" exposed to tobacco smoke. In view of these findings and in the interest of protecting Federal employee health and well being, GSA proposed regulations to protect the non-smoking worker's and public building visitor's right not to be exposed involuntarily to secondhand tobacco smoke at the Federal work site. The proposed regulations also recognized the needs of those who smoke and permitted the designation of smoking areas. These areas were proposed to allow those who smoke to continue to do so conveniently and without affecting productivity. Hence, the policy attempted to recognize the rights, needs, and concerns of all employees.

The proposed regulations were designed to improve the overall quality of GSA-controlled space and to assure the health and safety of Federal employees and the visiting public. The General Services Administration received numerous comments on the proposed regulations. The comments were from the general public as well as from special interest groups, Government employees, unions, and Government agencies. All comments are considered. General Service Administration believes the final regulations are responsive to the concerns raised by employee representatives, agencies, and the public.

EFFECTIVE DATE: February 6, 1967.

FOR FURTHER INFORMATION CONTACT: Robert Diluchio, (202) 566-0971.

PRESENTATION INFORMATION: The General Services Administration has determined that this rule is not a major one for the purposes of E.O. 11291 of January 17, 1961, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or large or significant adverse effects. Therefore, a Regulatory Impact Analysis has not been prepared. GSA has based administrative decisions underlying

this rule on adequate information concerning the need for, and the consequences of, this rule. It has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101-20

Smoking, Federal building and facilities.

Title 41, Part 101-20 of the Code of Federal Regulations is amended as follows:

PART 101-20—MANAGEMENT OF BUILDINGS AND GROUNDS

1. The authority citation for Part 101-20 continues to read as follows:

Authority: Sec. 202(c), 42 Stat. 1002, 40 U.S.C. 406(c).

Subpart 101-20.1—Building Operations, Maintenance, Protection, and Alterations

2. Section 101-20.105-10 is revised to read as follows:

[101-20.105-10 Regulation of smoking.

(a) Regulations for controlling smoking in GSA-controlled buildings and facilities, including leased space and delegated facilities, are set forth below. Smoking is defined as a lighted cigar, cigarette, pipe, or any other lit tobacco product. These regulations reflect the following considerations:

(1) In recognition of the increased health hazards of passive smoke on the non-smoker, smoking is to be held to an absolute minimum in areas where there are non-smokers.

(2) In recognition of the needs of smokers, smoking areas should be designated in Federal buildings which are convenient, do not negatively impact worker productivity, and do not impinge on the health of those who do not smoke.

(3) Agency heads are to be given the responsibility to determine which areas are to be smoking areas and which areas are to be non-smoking areas. In exercising this responsibility, agency heads are to give appropriate consideration to the views of the employees affected and/or their representatives and are to take fully into consideration the health issues involved.

Note.—Agencies are encouraged to develop additional guidelines for internal use for areas where violations of these regulations occur. Nothing in these regulations prohibits an agency from establishing more stringent guidelines. For purposes of these regulations, general office space is defined as space

occupied by personnel performing their daily work functions; this includes, but is not limited to, ADP areas, mail rooms, file rooms, duplicating areas, court and jury rooms, office space, etc.

(b) Smoking is prohibited in the following areas:

(1) General office space, except as permitted under (c)(2)(iii) of this section.

(2) Auditoriums, classrooms, and conference rooms.

(3) Elevators ("No Smoking" signs shall be posted in elevators and adequate receptacles shall be placed outside the entrances if designated as a smoking area).

(4) Corridors, lobbies, restrooms, and stairways, except as permitted under (c)(2)(iv) of this section.

(5) Medical care facilities such as medical clinics and units.

(6) Libraries; and

(7) 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 other locations where there is a collection of readily ignitable, combustible materials.

(c) Designated smoking areas shall be established as follows:

(1) Smoking areas in cafeterias.

(i) Each agency head shall establish "smoking areas" in cafeterias.

(ii) The areas designated shall be based upon an estimate of the number of smoking and non-smoking persons served. This may be adjusted on the basis of local experience. The designated "smoking" areas shall be identified by appropriate signs.

(2) "Designated smoking areas" established by agency heads.

(i) Agency heads shall establish "designated smoking areas" except those areas set forth under paragraph (a) of this section. Agency Heads will be responsible for monitoring and controlling these areas, and for ensuring that "designated smoking areas" are identified by proper signs. Suitable uniform signs reading "Designated Smoking Area" shall be furnished and installed by the agency.

(ii) Agencies in multi-tenant buildings are encouraged to work together to identify "designated smoking areas".

(iii) Office space may be designated as a smoking area provided that the office space is configured so as to limit the involuntary exposure of non-smokers to secondhand smoke to a minimum; e.g., the office space involved must be large enough and sufficiently ventilated to provide separate smoking and non-smoking sections which protect

the non-smokers against involuntary exposure to smoke.

(lv) An agency head may designate corridors, lobbies, or restrooms as smoking areas when it is not possible to designate a sufficient number of other smoking areas.

(d) Agencies are responsible for providing adequate ash-trays or receptacles in the designated smoking areas.

(e) Suitable uniform signs reading "No Smoking Except in Designated Areas" shall be placed on or near entrance doors of buildings subject to these regulations. These signs shall be furnished and installed by the GSA

Buildings Manager in buildings managed by GSA. It should not be necessary to display a sign in every room of each building.

(f) An agency is not required by this regulation to make any expenditures for structural or non-structural changes to accommodate the preferences of non-smoking employees.

(g) Prior to implementation of this regulation, where there is an exclusive representative for the employees, the agency shall meet its obligations under 5 U.S.C. Ch. 71. In all other cases, agencies should consult directly with employees.

(h) In accordance with the Federal Acquisition Regulation, Part 8, the mandatory source of supply for the purchase of the aforementioned signs is UNICOR, Federal Prison Industries, Inc. (FPI). Prior approval from FPI is required before using any other source of supply. Purchase Orders should be submitted to: UNICOR, Federal Prison Industries, Inc., 320 First Street NW, Washington, DC 20534, (202) 724-8239.

Dated: December 4, 1986.

T.C. Callahan

Administrator of General Services.

(FR Doc. 86-2708 Filed 12-8-86; 9:22 am)



UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

OFFICE OF THE DIRECTOR

MEMORANDUM FOR ANN MCGUIRE
SPECIAL ASSISTANT TO THE PRESIDENT
FOR CABINET AFFAIRS

FROM: JANICE R. LACHANCE
CHIEF OF STAFF

A handwritten signature in cursive script, reading "Janice R. Lachance", is written over the printed name and title.

SUBJECT: Smoking Policy

DATE: July 18, 1997

In October 1993 OPM and its AFGE union, Local 32, began working in partnership to establish a smoke-free environment at OPM headquarters. This policy was phased-in with an effective date of 2/1/94 and continues in effect today. Smoking is not permitted inside and generally prohibited outside, except in limited designated smoking areas. Our two other main locations, in Boyers, PA and Macon, GA, took on similar efforts and became smoke-free with designated areas outside.

Counting Headquarters, Boyers, and Macon the vast majority of our 3200 employees operate in a smoke free environment. I have attached two letters that were sent to our employees setting out our policy.

I hope this is helpful. If you need any additional information, let me know.

CC: Elizabeth Drye

Office of Personnel Management

OPM EL No. B- 1470

Employee Letter**SUBJECT: Smoke-Free Workplace**

Washington, DC 20415

October 27, 1993

Research over the past several decades has conclusively demonstrated the health risks associated with smoking. More recently, research has also demonstrated the health risks associated with secondary exposure to tobacco smoke, especially in closed spaces. Smoking (and secondary exposure to it) has been linked to a variety of diseases and ailments, and is one factor in the escalating cost of health care - a cost which is shared by both employees and employers. For all these reasons, we and the leadership of AFGE Local 32, representing the employees of OPM, have jointly agreed to adopt a new policy regarding smoking at the workplace.

Effective February 1, 1994, the Theodore Roosevelt Building (TRB), and all space occupied by OPM which falls under the provisions of the Negotiated Agreement between the Office of Personnel Management and AFGE Local 32, will become smoke-free. The only designated smoking areas allowable will be outside the building within the confines of a space specifically intended for smoking. In addition, OPM's management intends that all other space occupied by OPM staff throughout the country will be designated smoke-free as expeditiously as possible.

While we will continue to observe, until December 1, 1993, current rules and regulations pertaining to smoking in the TRB and all other OPM facilities in the Washington, DC, metropolitan area, we encourage all OPM personnel to begin voluntary compliance with the new policy now. Currently, smoking is permitted in private offices, designated restrooms and other areas, parts of the OPM cafeteria, and all sections of the Virginia Avenue and E Street courtyards.

On December 1, 1993, we will begin phasing out the use of the foregoing areas for smoking purposes. The phasing-out process will be staggered, starting with private offices and ending with the courtyards, according to a schedule of effective dates:

December 1, 1993: Private offices designated smoke-free

January 1, 1994: Remainder of OPM occupied space in the Washington, DC, metropolitan area designated smoke-free

February 1, 1994: TRB courtyards designated smoke-free

There will be a meeting for interested employees in the OPM auditorium on Wednesday, November 10, at 1:30. Those attending will be given a survey designed to evaluate implementation options,

DISTRIBUTION: B-Central Office Employees (Washington, DC, metropolitan area only)

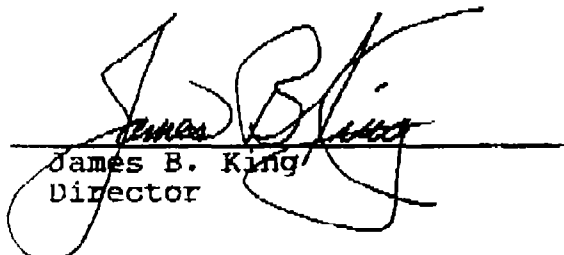
LETTER EXPIRES: October 20, 1994

OPM Form 755-A 1/78

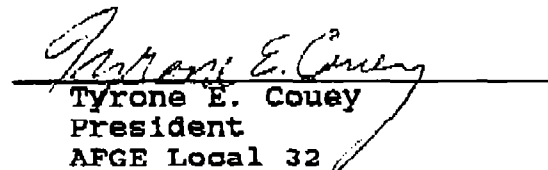
OPM EL No. B -1470

and to seek other suggestions as to how the new policy may best be carried out. Pertinent information will also be provided by subject-matter experts from outside OPM.

We encourage your support as we work together to improve the quality of the OPM work environment.



James B. King
Director



Tyrone E. Couey
President
AFGE Local 32

Office of Personnel Management

OPM EL No. B-1502

Employee Letter

SUBJECT: Theodore Roosevelt Building Smoke
Free Building Policy Reminder

Washington, DC 20415
November 7, 1994

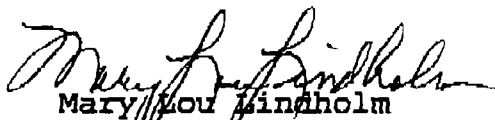
The purpose of this letter is to remind all employees of the "Smoke Free Building" policy which became effective earlier this year. The Office of Personnel Management and AFGE Local 32 worked in partnership to establish a "smoke-free" workplace at the Theodore Roosevelt Building.

Under this policy:

Smoking is not permitted anywhere inside the building. This includes all public areas, offices, conference rooms, restrooms, and the parking garage. Smoking is also generally prohibited on the OPM grounds around the building. This includes all court yards, lawns and gardens, and reception areas near the entrance doors.

Smoking is permitted outside on the OPM grounds, only, where "Smoking Permitted" signs have been posted. These areas are the west side of the Virginia Avenue entrance, and in the north end of the sunken garden located in the Virginia Avenue Plaza.

With your continued support of this policy, we can maintain a healthy work environment for everyone.


Mary Lou Lindholm
Associate Director
for Administration

DISTRIBUTION: B-Central Office Employees

LETTER EXPIRES: October 20, 1995

OPM Form 755-A 1/79

FAX TRANSMITTAL SHEETRECEIVER TELECOPIER NUMBER: 456-6704TO: Ann McGuireFROM: Lee SatterfieldDATE: 7/18/97 TIME: 2:00 pm

PAGE NUMBER ONE OF _____ PAGES

TRANSMITTER TELECOPIER: (202) 219-7971

ADDITIONAL COMMENTS:

QUESTIONS REGARDING THIS FAX CALL:

219-
8271
202-

U.S. Department of Labor

Office of the Assistant Secretary
for Administration and Management
Washington, D.C. 20210

Reply to the Attention of:



MAY 16 1995

MEMORANDUM FOR ALL EMPLOYEES IN THE FRANCES PERKINS BUILDING

FROM:

CYNTHIA A. METZLER
Assistant Secretary for
Administration and Management

SUBJECT:

Smoking Policy

Since December 1, 1994, smoking was no longer permitted in the Frances Perkins Building (FPB). Local 12 and the Department negotiated the policy and that has been observed generally by all employees. We have heard from a number of employees that they appreciate the smoke-free environment at work.

We think the program has been working well, in part, because the Department and the Union agreed that certain accommodations would be made to shelter employees from bad weather when they chose to go outside the building and smoke. This feature was especially important as we banned smoking at the onset of Winter.

Heaters were installed on part of the 2nd floor balcony and a canvass barrier was installed around some of the tables on the rooftop. Most smokers use these areas or simply walk around the many sheltered areas at the ground level.

Unfortunately, some employees have opted not to use these areas, and instead have been smoking in the FPB garages. DOL management and Local 12 officials recently met and agreed that we did not want smoking in the garages. Employees have voiced objections to walking through smoke simply to get to work.

It is possible some smokers found the smoking accommodations made so far were not to their liking. Since Spring is now here, we have raised some of the canvass panels which immediately improved the ventilation. Before lowering them in the Fall, we will install exhaust fans so the problems will not recur. As well, we have increased the frequency both areas are cleaned and the number of ashtrays. We want employees who choose to smoke to have a number of adequate options outside the building.

Accordingly, smoking in the FPB garages is no longer permitted.

U.S. Department of Labor

Office of the Assistant Secretary
for Administration and Management
Washington, D.C. 20210

Reply to the Attention of:



OCT 28 1994

MEMORANDUM FOR ALL NATIONAL OFFICE EMPLOYEES

FROM: CYNTHIA A. METZLER
Departmental Safety and
Health Officer

SUBJECT: Smoking Policy - National Office

A handwritten signature in dark ink, appearing to read "Cynthia A. Metzler", written over the typed name and title.

~~The Department and Local 12 have reached agreement that effective December 1, 1994, smoking will not be allowed in Department of Labor work or office space, corridors, lobbies or stairwells, cafeterias, or bathrooms. Smoking will be permitted at Washington area DOL locations only in currently-designated smoking rooms which conform to the proposed OSHA rule (such as those existing at the Postal Square Building and Ballston Towers) or outside.~~

In the Frances Perkins Building (FPB) we have agreed with Local 12 officials to make some accommodation in two areas outside the building for employees who choose to smoke. We will outfit an area on the FPB rooftop plaza to protect employees from the elements. Also we will install overhead heaters in part of the second floor mezzanine balcony which will still be available for smokers.

Renovations are moving along nicely on the sixth floor FPB Cafeteria. Over the weekend, workcrews are scheduled to renovate the currently-designated smoking area. Therefore, the smoking barriers will be eliminated and no smoking will be permitted in any area of the Cafeteria after Friday, October 28th.

We realize that this may be inconvenient for those employees who choose to continue to smoke. We want to be as supportive as we can to all employees through this transition. To this end, the Department will continue to sponsor, provide appropriate time, and bear the cost of employee participation in DOL smoking cessation classes, clinics, or other such activities. Participation in a smoking cessation program is voluntary.

**JOINT STATEMENT OF PURPOSE
BETWEEN
THE DEPARTMENT OF LABOR
AND
THE NATIONAL COUNCIL OF FIELD LABOR LOCALS**

INDOOR AIR QUALITY

The Department of Labor (DOL) and the National Council of Field Labor Locals (NCFLL) have met and reviewed relevant portions of the current DOL-NCFLL Collective Bargaining Agreement in light of OSHA's proposed rule on Indoor Air Quality (IAQ). In accordance with the Agreement's Statement of Purpose, the Agreement is intended to facilitate and maintain a safe, healthy, and quality workplace. Article 2, Section 1 stipulates that officials and employees are governed by existing or future laws and regulations of appropriate authorities. In addition, Article 35, Section 4 states the parties' commitment to policies and practices which enhance the general environmental quality of the Department's workplaces.

Regarding environmental tobacco smoke, the parties agree that Article 35 of the Agreement anticipates and, therefore, already conforms for the most part to both the spirit and the letter of the proposed OSHA rule on IAQ. Our Agreement prohibits smoking in DOL office space, hallways, and lobbies adjacent to DOL-occupied space, and other places that cannot be avoided by non-smokers in the course of performing work. However, the parties acknowledge that some DOL controlled or occupied worksites may contain officially designated smoking rooms or areas which do not conform to the proposed OSHA rule. Given that the safety and health of DOL employees at the worksite is paramount, the parties hereby agree to proceed as expeditiously as possible to bring DOL smoking policy into conformance with the proposed OSHA rule.

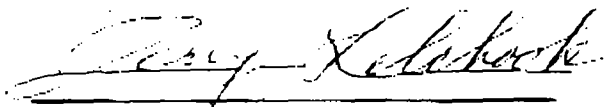
Therefore, all rooms or areas which are currently officially designated for smoking will be inspected to determine if they meet OSHA's proposed rule. Where it is determined that such rooms or areas do not conform to the proposed OSHA rule, it is management's responsibility to bring the space into conformance. Where such management discretion results in the discontinuance of smoking, the parties may negotiate, at the request of the Union and in accordance with Article 5 of the Agreement, the utilization of such space where smoking was previously permitted for other purposes. As necessary and in accordance with existing safety and health policy and procedures, management and labor may jointly make an Agency Technical Assistance Request (ATAR) to OSHA for inspection of DOL worksites with respect to the proposed IAQ standard.

In recognition of the risks associated with smoking, the parties

reaffirm their mutual support and encouragement of all efforts by employees to quit smoking. In this regard, the Department will continue to sponsor and provide appropriate time and bear the cost of employee participation in DOL smoking cessation classes, clinics, or such activities. Participation in a smoking cessation program will be voluntary.

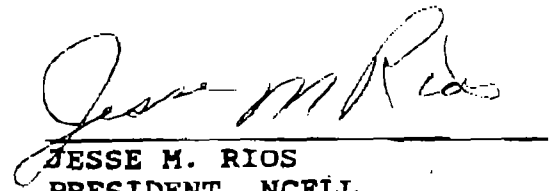
Signed this 5th day of October 1994.

FOR THE DEPARTMENT OF LABOR



JERRY LELCHOOK
DIRECTOR OF LABOR-MANAGEMENT
RELATIONS

FOR THE NATIONAL COUNCIL
OF FIELD LABOR LOCALS



JESSE M. RIOS
PRESIDENT, NCFLL

FAX TRANSMISSION

DEPARTMENT OF EDUCATION
DIRECTOR/OFFICE OF MANAGEMENT
600 INDEPENDENCE AVE., SW (ROOM 2164)
WASHINGTON, D.C. 20202-4500
202/401-0470
FAX: 202/401-0485

To: Anne McGuire Date: 7/18/97

Fax #: 456-6704 Pages: 5 , including this cover sheet.

From: Gary Basmusen

Subject: Response to July 18, 1997 memo:
Agencies Federal Workplace Smoking Policy

COMMENTS:

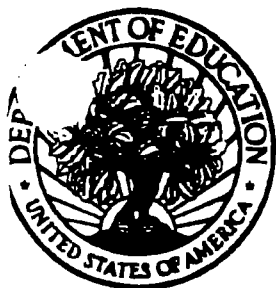
- B. Supervisors will cooperate with employee efforts to stop smoking by granting appropriate leave and/or Flexitime schedule modifications to accommodate attendance at smoking cessation programs. Decisions on granting leave or schedule change requests shall be made in accordance with existing guidelines.
- C. Supervisors shall not force or coerce employees to attend cessation programs.
- D. ~~Supervisors will provide reasonable opportunities to smoke by granting adequate breaks for employees to get to and from smoking areas.~~
- E. An employee who chooses to smoke in designated general use smoking areas or outside GSA controlled space may do so without penalty or reprisal based on the decision to smoke.

VIII. Designation Of Smoking Areas

- A. All smoking areas will be identified by clearly displayed signs. No area will be designated as a smoking area unless there is adequate ventilation and lighting to provide smokers with an environment which conforms to established safety standards.
- B. The Director, ARMS will use Departmental Announcements to notify employees of newly negotiated designated general use smoking areas.

IX. Enforcement

Employees must not attempt to personally enforce this policy by confronting others. Employees who believe that the smoking policy is being violated should report such violations to their immediate supervisor or, if he or she is not available, to the next line supervisor. Supervisors shall take appropriate action to ensure compliance with this directive, GSA regulations, and the collective bargaining agreements. Supervisors should consult with their local Personnel Office representative prior to initiating disciplinary action resulting from enforcement of this policy.



ADMINISTRATIVE COMMUNICATIONS SYSTEM

UNITED STATES DEPARTMENT OF EDUCATION

TRANSMITTAL SHEET 94-02

DATE: October 27, 1993

Distribution: ACS:AA
ALL ACS Manual Holders

Distribution Approved *Anita Sullivan*
Directives Management Officer

REPLACEMENT

Title: Department of Education Smoking Regulations

Number: D:ADM:3-101

Issuing Organization: Administrative Resource Management Service (ARMS)

Document Superseded: ACS Directive D:ADM:3-101, Department of Education Smoking Regulations dated 09/17/87.

Summary: This directive establishes the policy of the Department of Education (ED) regarding smoking in buildings occupied by ED employees.

Applicability: Department-wide

Filing Instructions: In the ACS Part D Binder, in the section following the tab labeled D:ADM:3--Health and Safety, insert the attached directive dated 10/26/93.

Remove the superseded directive listed above.

Post receipt of this Transmittal Sheet on your Check Sheet of ACS Transmittal Sheets.

You need not retain this Transmittal Sheet.



ADMINISTRATIVE COMMUNICATIONS SYSTEM UNITED STATES DEPARTMENT OF EDUCATION

TRANSMITTAL SHEET 96-01

DATE: November 30, 1995

Distribution: ACS:AA
ALL ACS Manual Holders

Distribution Approved
Directives Management Officer

A handwritten signature in cursive script, appearing to read "Keith Berger", is written over the "Distribution Approved" text.

PEN AND INK CHANGES

Title: Department of Education Smoking Regulations

Number: D:ADM:3-101

Issuing Organization: Director, Quality Workplace Group

Applicability: Department-wide

Pen and Ink Changes: Due to the renaming of the Office of Human Resources and Administration (OHRA) to the Office of Management (OM), the Administrative Resource Management Service (ARMS) to the Quality Workplace Group (QWG) and the Health and Environmental Safety Staff (HESS) to the Health and Environmental Safety Group (HESG). Any and all instances of old titles should be crossed out and replaced with the new titles as stated above.

All changes reflect changes in title only, except to Section VII. Accommodations for Smokers, Section A which states "Smokers may obtain information on smoking cessation programs from HESS, ARMS." Please cross out HESS, ARMS and replace it with "their assigned Health Unit".

Filing Instructions:

Use this Transmittal Sheet to make the necessary changes to the Directive and post receipt of this Transmittal Sheet on your check sheet of ACS Transmittal Sheets.

You need not retain this Transmittal Sheet.



Office of the Administrator

Fax To: Elizabeth Drye

Fax Number: 202-456-7028

From: Marian Cody
202-260-4724
Fax 202-260-4852

Per your request, copy of EPA's smoking policy. The policy bans smoking inside all EPA-occupied and controlled buildings and facilities and EPA-occupied and controlled space in multi-tenant facilities. The policy was issued in December 1990 as an official EPA order; supplemental guidance was provided in January and May, 1991.

Please let me know if you have any other questions or I can provide any additional information.

Pages: 9



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY - 9 1991

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

MEMORANDUM

SUBJECT: Termination of Smoking at EPA's Headquarters Facilities
in EPA Occupied or Controlled Space

FROM: Julius C. Jimeno, Director *Julius C. Jimeno*
Safety, Health, and Environmental Management

TO: All EPA Headquarters Employees

Effective **IMMEDIATELY** smoking at EPA Headquarters Facilities WILL NO LONGER BE PERMITTED in any EPA occupied or controlled space. This action will help eliminate employees' involuntary exposure to second-hand tobacco smoke at EPA's Headquarters facilities.

As you are aware, our "Smoking Policy" was revised on December 21, 1990. The implementation of this policy was subject to negotiations with our local unions. We have reached agreement with our local unions regarding this matter, and have agreed to a total smoking ban and the establishment of "Smoking Lounges."

The Facilities Management and Services Division will be working with the General Services Administration and building owners to determine the feasibility and timetable for the construction of "Smoking Lounges." Until that time, smokers must refrain from smoking in EPA occupied or controlled space, including restrooms.

We are also in the process of scheduling a series of **FREE** smoking cessation classes for Headquarters employees. We will be providing you a schedule of these classes shortly.

Enforcement of the smoking policy is a supervisory/management responsibility. Since violations of the ban are subject to disciplinary action as described in EPA Order 3120.1, dated September 20, 1985, you should feel free to contact Sharon Ellis of the Employee Relations Office for assistance. Ms. Ellis can be reached on 382-3273.

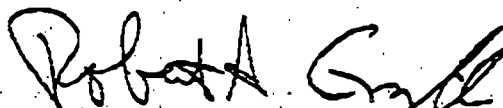
TRANSMITTAL

Classification No.: 1000.9B
Approval Date: 12/21/90

Addressee

EPA ORDER - SMOKING POLICY

1. **PURPOSE.** This Transmittal issues EPA Order 1000.9B - Smoking Policy.
2. **EXPLANATION.** EPA Order 1000.9B - Smoking Policy revises EPA's smoking policy for all EPA-occupied and controlled facilities and EPA-occupied spaces in multi-tenant facilities.
3. **FILING INSTRUCTIONS.** Discard EPA Order 1000.9A dated 6/18/87 and replace it with the new one.



Robert A. English, Chief
Agency Management Analysis Branch

Originator
EPA Form 1315-12 (8-88)

Management and Organization Division, Office of
Administration and Resources Management



Printed on Recycled Paper

Classification No.: 1000.9B

Approval Date: 12/21/90

SMOKING POLICY

1. PURPOSE. This Order establishes the smoking policy for EPA-occupied and controlled facilities, including EPA-occupied and controlled space in multi-tenant facilities. This Order covers everyone who enters an EPA-occupied and controlled facility, including but not limited to EPA employees, contractor employees, enrollees in the Senior Environmental Employment Program, and visitors.

2. BACKGROUND. EPA considers occupational health of primary importance in establishing a smoking policy since the Surgeon General has determined that smoking is hazardous to smokers' health and there is evidence that secondary smoke is harmful to nonsmokers.

This smoking policy is consistent with GSA's final regulation, effective February 8, 1987, for controlling smoking in GSA-controlled or delegated facilities.

3. POLICY. It is EPA's policy that:

- a. Employees' involuntary exposure to cigarette, cigar or pipe smoke in their EPA workplace will be eliminated.
- b. Smoking inside EPA-occupied and controlled facilities and EPA-occupied and controlled space in multi-tenant facilities is prohibited. The only exceptions will be locations which are posted as smoking areas and which are equipped for the safe disposal of smoking materials as defined below.
- c. Management is responsible for establishing and designating smoking areas and assuring compliance with the policy.
- d. Designation of a smoking area is not mandatory.

4. SMOKING AREAS:

- a. Only smoking lounges may be designated as smoking areas.
- b. Smoking lounges will have separate ventilation systems that will:
 - (1) exhaust the smoke directly to the outside;
 - (2) provide as least 60 cubic feet per minute of outdoor air per smoker; and
 - (3) provide negative pressure to prevent back-streaming of smoke into non-smoking areas.
- c. Designated smoking lounges will be provided with signs, non-combustible ashtrays, and receptacles for smoking materials.
- d. Suitable signs indicating that smoking is prohibited except in designated smoking lounges must be provided at or near the entrances to facilities occupied and controlled by EPA.
- e. Smoking areas may not be designated in the following locations:
 - (1) Office space (this is space occupied by personnel performing their daily work functions, and includes, but is not limited to: private offices, open office space, ADP areas, mail rooms, file rooms, duplicating areas, etc.);
 - (2) Auditoriums, classrooms, and conference rooms;
 - (3) Elevators;
 - (4) Corridors, hallways;
 - (5) Stairwells;
 - (6) Medical and health care facilities, such as medical clinics and health units;
 - (7) Shuttle vehicles and other vehicles used for transporting EPA employees on official business;

- (8) Hazardous areas involving flammable liquids, flammable gases, flammable vapors or collections of readily ignitable or combustible materials, such as copy centers and printing and duplicating facilities;
- (9) Libraries;
- (10) Cafeterias; and
- (11) Restrooms.

5. RESPONSIBILITIES.

- a. In Headquarters, the Director, Environmental Health and Safety Division, is responsible for designating smoking lounges. Assistant Administrators, Associate Administrators, the General Counsel, the Inspector General, and Heads of Headquarters Staff Offices are responsible for assuring compliance with this policy on smoking for their organizational units.
- b. The Senior Management Official at each location other than Headquarters is responsible for designating smoking lounges, implementing this policy at that location, and assuring compliance. The Senior Management Officials for this policy at the two research centers with central administrative units (Research Triangle Park and A.W. Breidenbach Environmental Research Center) are the Directors of Administration and Resources Management. The Senior Management Official for other program facilities is the senior program director.
- c. The Director, Environmental Health and Safety Division, is responsible for developing this policy, and providing technical support for, and evaluation of, its implementation.

6. AUTHORITY. The authority to implement this policy is provided in GSA regulations for controlling smoking in GSA-controlled or delegated facilities (41 CFR part 101-20.105.3), and OSHA regulations for providing healthful working conditions (29 CFR Part 1960).

7. ENFORCEMENT. Violations of this policy will be handled under EPA Order 3120.1, "Conduct and Discipline," dated September 20, 1985.

4
8. ADDITIONAL INFORMATION. Senior Management Officials of all locations have the duty to give local unions the opportunity to bargain over any changes caused by this policy before implementing the policy locally.

9. MATERIAL SUPERSEDED. This Order supersedes EPA Order 1000.9A, "Smoking Policy," dated June 18, 1987.


Charles L. Grizzle
Assistant Administrator



WHITE HOUSE LIAISON
PENTAGON, 3D980
WASHINGTON, DC 20301-1000
PHONE (703)693-0664 FAX (703)693-6908

FACSIMILE TRANSMITTAL SHEET

TO: Anne McGuire

FROM: Fred Haggard

DATE: 7/18/97

FAX NUMBER: 456-6704

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

MESSAGE: _____



Department of Defense INSTRUCTION

March 7, 1994

NUMBER 1010.15

SUBJECT: Smoke-Free Workplace**USD(A)**

- References:**
- (a) DoD Directive 1010.10, "Health Promotion," March 11, 1986
 - (b) DoD Instruction 6055.1, "DoD Occupational Safety and Health Program," October 26, 1984
 - (c) National Institute for Occupational Safety and Health (NIOSH) Current Intelligence Bulletin (CIB) 54, "Environmental Smoke in the Workplace," June 1991
 - (d) Environmental Protection Agency (EPA) Report, "Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders", December 1992
 - (e) Chapter 71 of Title 5, United States Code, "The Federal Service Labor Relations Act (FSLRA)"

A. PURPOSE

This Instruction:

1. Establishes policy, assigns responsibilities, and prescribes procedures for a smoke-free workplace for the Department of Defense under reference (a).
2. Reduces workplace hazards, improves working conditions, reduces costs, and furthers the occupational health goals of reference (b).

B. APPLICABILITY AND SCOPE

This Instruction applies to:

1. The Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense, the Uniformed Services University of the Health Sciences, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").
2. All DoD military and appropriated and non-appropriated funded civilian personnel.
3. All visitors, contractors and personnel of other agencies and businesses that operate within or visit DoD workplaces.

C. DEFINITIONS

1. Environmental Tobacco Smoke (ETS). Also referred to as secondhand or passive smoke. Exhaled and/or sidestream smoke emitted from smokers and the burning of cigarettes, cigars, and pipe tobacco. A major source of harmful indoor air pollution and known cause of lung cancer, respiratory illness, and heart disease. (See National Institute for Occupational Safety and Health Current Intelligence Bulletin 54 and the Environmental Protection Agency's Report (references (c) and (d))).

2. Workplace. Any DoD-owned or that portion of any DoD-leased building where work is performed by DoD military or civilian personnel. Such facilities as bachelor and family housing, prison quarters, clubs, and restaurants are not considered workplaces. Policy concerning smoking in bachelor and individual housing, eating facilities, and vehicles is provided in DoD Directive 1010.10 (reference (a)).

D. POLICY

It is DoD policy to:

1. Protect all DoD civilian and military personnel from the health hazards caused by exposure to tobacco smoke. Reference (c) confirms ETS as a potential occupational carcinogen and a risk factor for heart disease.

2. Ban smoking of tobacco products in all DoD workplaces.

3. Designate outdoor smoking areas, when possible, which are reasonably accessible to employees and provide a measure of protection from the elements. Since ETS is classified as a potential occupational carcinogen, exposures to ETS must be reduced to the lowest feasible concentration. Therefore, smoke-break areas shall only be outdoors and away from common points of ingress and/or egress into the workplace. Indoor designated smoking areas; e.g., hallways, stairways, restrooms, telephone booths, private offices are prohibited.

E. RESPONSIBILITIES

1. The Under Secretary of Defense (Acquisition and Technology) shall oversee and review the implementation of this Instruction.

2. The Heads of the DoD Components shall establish smoke-free workplace policies and programs in accordance with this Instruction.

Mar 7, 94
1010.15

F. PROCEDURES

Each DoD Component shall:

1. Control worker exposure to ETS by eliminating smoking in the workplace.
2. Provide effective smoking cessation programs at all levels of command and continue to expand the programs, as needed, as part of implementing these restrictions. Due to the highly addictive nature of tobacco, place program emphasis on primary prevention practices that will motivate DoD personnel not to start smoking, as well as, to motivate users to quit smoking. Anti-smoking education messages will be provided to all personnel. High risk personnel, such as those with chronic respiratory and cardiac conditions, and those who are part of special occupational groups, such as asbestos workers, will receive medical counseling about the risks of smoking. Lectures, films, pamphlets, and other forms of health promotion shall incorporate the latest available medical research information on smoking, health, and treatment.
3. Provide information on the health risks posed by involuntary inhalation of ETS in health promotion education programs.
4. Prior to implementation of a smoke-free workplace in accordance with this Instruction, meet obligations in Chapter 71 of 5th U.S.C. (reference (e)).

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Because implementation will require some effort; e.g., Federal Service Labor Relations Act responsibilities, smoking cessation classes to assist employees, etc., implementation shall commence on April 8, 1994. Forward one copy of implementing documents to the Under Secretary of Defense (Acquisition and Technology) within 120 days.


John M. Deutch

07-18-1997 11:59
J-1994 10:23

703 693 6908
FFD

OSD/WH LIAISON

P.05/05
P.002/003



ACQUISITION AND
TECHNOLOGY

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010



MAY 19 1994

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY
(INSTALLATIONS, LOGISTICS AND ENVIRONMENT)
ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
ASSISTANT SECRETARY OF THE AIR FORCE
(MANPOWER, RESERVE AFFAIRS, INSTALLATIONS
AND ENVIRONMENT)
DIRECTORS, DEFENSE LOGISTIC AGENCY

SUBJECT: DoD Instruction 1010.15, "Smoke-Free Workplace"

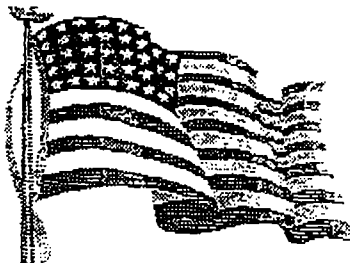
This is to provide additional guidance and clarification of the Department of Defense's (DoD) smoke-free workplace policy.

It is DoD policy to provide all DoD personnel a safe and healthful work environment. Consequently, the smoking of tobacco products is not permitted in DoD workplaces. Indoor smoking areas are prohibited. This smoking policy, does not in itself require that DoD funds be used to provide sheltered, outdoor smoking areas. Rather, this is a matter for determination at the appropriate management level, considering bargaining obligations. Existing structures, e.g., loading docks, overhangs of buildings, awnings, breezeways, bus stops, picnic areas, could be used for outdoor smoking areas to provide a "measure of protection from the elements."

Several Federal Service Impasses Panels (FSIP) have discussed the concept of a "measure of protection from the elements." The FSIPs did not specifically define a "measure of protection from the elements," but left it to the discretion of management and bargaining units. Commanders, consistent with labor management obligations, shall determine where designated outdoor smoking areas will be, and what level of protection from the elements will be provided to smokers.

R. Noel Longmire
Principal Deputy Under Secretary of
Defense (Acquisition & Technology)





Office of the Under Secretary for Management
U.S. Department of State
2201 C Street, N.W., Suite 7207
Washington, D.C. 20520
Phone: (202) 647-0170 Fax: (202) 647-0168

Today's Date: 7 / 18 / 97

Time of Transmission:

To: Ms. Elizabeth Dry

Organization:

Phone: 456- 5575 Fax: 456- 7028

From: Margaret Colaianni

Cover + 9 Pages

Remarks:

Per a request from Gretchen Welch,
attached please find a copy of Department
of State's policy on smoking.

Please feel free to call me if you should
have any questions for Larry Mandel on
(202) 647-0188.

Thanks,

Margaret Colaianni

07/18/97 F I I :20 FAX 202 83 1 13

STATE MEDICAL

2

- 2 -

smoking rules and have frequently approached MED asking for redress. These have been referred to the appropriate offices in PER. Some employees have requested transfer to other offices because of sensitivity to tobacco smoke.

On August 29, 1989, the Office of Medical Services sent an action memorandum to M requesting that the Department of State building be declared smoke free. We are asking for reconsideration of this important issue, especially in light of the recent EPA conclusions regarding secondhand smoke.

The Department's Chief Labor Management negotiator, Bill Struck, has advised me that the matter of smoking is a negotiable subject which would have to be resolved with AFSA. Mr. Struck has informed AFSA that we are expecting an Executive Order (Tab C) which would ban smoking in federal buildings and that we will be reopening our negotiated agreement with AFSA to reflect conformity with the government-wide regulation. In addition, on January 28, 1993, Mr. Struck sent a proposal to AFSA at the request of OSHM to immediately remove the smoking area at the south end of the cafeteria.

ESSENTIAL FACTORS

EPA's recent report, "Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders," concludes that environmental tobacco smoke (ETS) is a known human carcinogen. The report estimates the ETS is responsible for approximately 3,000 lung cancer deaths annually among non-smokers in the United States.

Tobacco smoke has long been recognized as a major cause of death and disease (Tab D). Recently there has been concern that non-smokers may also be at increased risk as a result of their exposure to the smoke exhaled by smokers and given off by lit cigarettes, pipes or cigars. This smoke contains more than 4,000 substances, at least 43 of which are known carcinogens to humans and animals and many of which are strong eye or respiratory irritants.

MED believes there is no remaining argument about the deleterious effects of tobacco smoke upon smokers and those exposed secondarily. Indoor air quality is a high priority concern with employees. There is no way to mix smokers and non-smokers in current Department buildings without significant health damage to non-smokers. The ventilation systems cannot keep pace with indoor

- 3 -

pollution and no arrangement of closed doors or "designated areas" can protect non-smokers. It is MED's belief that there is nothing left to "study," and that only the matter of timing and implementation of a smoke free workplace policy remains to be considered.

Impressive management studies indicate significant financial advantages from a smoke-free workplace in regards to time lost from upper respiratory infections, etc. It is apparent that the attempts at accommodating and blending smoking and non-smoking supervisors and employees in work assignments is a near impossibility. The supervisory discomfort with "partial" rules which require supervisors to arbitrate and decide issues with which they are not comfortable nor competent, and in which feelings are intense leads to non-resolution and bitterness. A total ban on smoking within the workplace is clear as well as "clean." Neither supervisor or employee would be in doubt as to the rules. The current "trench warfare" concerning doors, areas, corridors, rest-rooms, corners and doorways where a cigarette may or may not be smoked would come to a blessed truce.

The concern of protecting employees in the workplace from the unhealthy effects of smoking is emphasized by the efforts of the General Services Administration, Occupational Safety and Health Administration, and the proposed Executive Order circulated by the Office of Management and Budget (OMB) (Note: This proposed Executive Order was circulated by the previous administration, but according to our contacts will be resurrected.) The Office of Medical Services believes it is only a matter of time until the decision to ban smoking from USC controlled buildings is made; MED would like to see the Department of State at the forefront of this health concern. The following U.S. governmental agencies have already declared and successfully implemented a smoke free workplace policy at their headquarters: CIA, NSA, EPA, PC, NIH, and VA Hospitals.

The Office of Medical Services has actively pursued a smoke free environment at all levels. MED continues to hold Smoking Cessation Classes and will increase the number and availability of these classes if a smoke free workplace policy is implemented. This will assist those employees who will take this opportunity to quit. In addition, it is MED's recommendation that consideration be given by the task force to designate areas adjacent but outside the confines of the State Department building as smoking areas, i.e., inner courtyard outside the cafeteria and/or outside the 21st and 22nd Street entrances where there is some protection from the elements. AFSA may also make proposals in this regard.

The Department's motivation should be clearly and positively stated by M. For example, it is the Department's commitment to its employees' health and safety with the acknowledgment that increasing numbers of employees are expressing concern and asking the Department to take a stand regarding a smoke free workplace.

- 4 -

Mr. Struck has advised that in numerous Federal Service Impasse Panel decisions, the Panel has consistently resolved labor-management impasses in favor of non-smoking. In a number of these cases smokers were provided wind shelter areas to smoke outside.

SUMMARY

The health implications of environmental tobacco smoke (ETS), are clear. Smoking does damage to others and is repugnant to many. There is no "right" to smoke. That is apparent from the failure of the partial smoking ban of many organizations which ultimately declared their facilities smoke free, i.e. U.S. airlines as well as many private, state and federal agencies. Partial bans are ineffective, difficult to enforce, and place a needless burden upon supervisors.

RECOMMENDATIONS

That we propose to AFSA in advance of an expected Executive Order to adopt a State Department smoke free workplace.

Approve FEB 18 1993

Disapprove _____

That we also propose to AFSA a task force chaired by the Medical Director and co-chaired by OSHM be convened to implement, advertise, and oversee the change from a partial to a complete smoke free workplace. This task force would take into account the unique circumstances of diplomatic representations in Washington and in our missions overseas. The task force is to include representatives of the following offices: L, DGP/LM, A/OPR, PER/ER, Regional Bureau Executive Directors, AID/FA/AS/OD, and AFSA.

Approve _____

FEB 18 1993

Disapprove _____

Attachments:

- Tab A - Department Notice
- Tab B - 1987 ALDAC Cable #184889
- Tab C - Executive Order
- Tab D - Secondhand Smoke Information

07/19/97 FRI 14:51 FAX 202 6470718

GENERAL SERVICES DIV

A OPR

001

United States Department of State

Department Notice



All Employees: State • EDCA • ESEA • ACDA

June 8, 1993

Smoke-Free Workplace Policy

For the health and well-being of all employees, on August 1, 1993, the Department of State Main State complex and all DOS occupied space in other domestic buildings and all DOS vehicles will become smoke-free.

This smoke-free policy has been endorsed by the Secretary of State and approved by the Under Secretary for Management and the American Foreign Service Association (AFSA).

Introduction

The U.S. Surgeon General has named smoking Public Health Enemy #1 in light of its role as the leading cause of premature death and disability in our country. Research has shown that nonsmokers with chronic heart or lung disease can experience severe distress when exposed to sufficient concentrations of secondhand smoke. Many allergic individuals and even the majority of healthy nonsmokers report discomfort when exposed to secondhand smoke on the job. Furthermore, recent medical studies indicate that long-term exposure to secondhand smoke increases nonsmokers' risk of developing lung cancer.

The Department of State is dedicated to providing a healthy, comfortable work environment for our employees. This goal can be achieved, however, only through concerted efforts to protect nonsmokers and to help employees adjust to restrictions on smoking. Management recognizes that some workplace disruption will be experienced in the implementation of a smoke-free workplace. Employees and supervisors are expected to make every effort to make this a smooth transition and to minimize the disruption to an office's performance and mission accomplishment.

A. Definition

Smoking — is defined as a lighted cigar, cigarette, pipe, or other lighted tobacco product.

Smoking Areas — are those designated exterior spaces where smoking tobacco products is permitted.



07/18/97 FRI 14:51 FAX 202 6470718

GENERAL SERVICES DIV

A OPR

002

2

B. Applicability

The provisions of the Smoke-Free Workplace policy will apply to all occupants of the Main State Complex, as well as to all Department of State occupied space in other domestic buildings, whether owned, rented, or leased, and to all DOS-owned or -leased vehicles.

C. Policy

1. It is the policy of the Department of State to promote a healthy environment. Accordingly, the Department has adopted a policy prohibiting smoking in the interior of all domestic buildings and facilities effective August 1, 1993. The current smoking restrictions as outlined in the December 1990 Department of State Notice will continue until August 1, 1993.
2. Department employees overseas also deserve the same protection from secondhand smoke. The Department urges Chiefs of Mission and Principal Officers to establish a smoking policy at post that conforms to this domestic policy.
3. In the interest of the health and well-being of all personnel occupying Department of State facilities, the Office of Medical Services will sponsor programs to advise personnel of the hazards of smoking and will conduct Smoking Cessation programs to assist those employees who wish to stop smoking.
4. International conferences and meetings attended predominantly by non-U.S. citizens will be exempt from this policy. The exemption will be confined to attendees of the conference and to a specific designated area at the conference site only for the duration of the conference.

D. Procedures

1. Copies of this smoke-free workplace policy will be distributed to all employees.
2. "No Smoking" signs will be prominently displayed at all entrances to Department of State facilities and in restrooms, as designated by the appropriate Department of State building management official(s).
3. MED will provide smoking cessation courses on a continuing basis as the need exists.
4. The policy will be placed in all welcome kits from the date of its first publication.
5. Copies of the policy will be made available in the Foreign Service Lounge.

Please turn the page for more information

7. Enforcement

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers alike. All employees share in the responsibility for adhering to the policy. Supervisors should ensure this smoking policy is adhered to in their area.

1. Employees who believe that this policy is not being complied with should report such non-compliance to their immediate supervisor. Employees filing such a complaint shall not be subject to retribution or reprisal.
2. Supervisors must exercise sound and reasonable judgment when enforcing the smoking policy. Initial violations of the smoking policy will be handled by oral counseling unless other instances of misconduct are involved. Recurring violations will subject employees to disciplinary action. The employee or supervisor may seek assistance from the Office of Employee Relations (PER/ER/CSD).

If you have any questions about enforcement, consult with your supervisor or bureau executive office. Should further assistance be needed, the bureau may contact the Office of Employee Relations (PER/ER/CSD) at 703-516-1674.

We realize that this can be a difficult transition for smokers, who will no longer have any designated smoking areas in the Department of State complex. To assist our employees who smoke, the Office of Medical Services will offer free smoking cessation classes continuously throughout the year. The classes will also be open to employees from other agencies who are affected by the policy. For more information about the classes, contact Nellie Clemons-Green, R.N., Health Unit, Room 2313 MS at 647-2546.

07/18/97 15:5

07 1 516 1677

PER/ER

005

United States Department of State

Department Notice



All Employees • State • TBCA • USA • ACDA

August 1993

Smoking in Department of State Garages

On August 1, 1993, the Department of State instituted a smoke-free workplace policy. The provisions of this policy apply to all occupants of the Main State complex, as well as to all DOS-occupied space in other domestic buildings, whether owned, rented, or leased, and to all DOS-owned or DOS-leased vehicles.

Smoking is prohibited in the interior of all domestic buildings and facilities. This prohibition includes all parking garages which are part of these buildings. Therefore, smoking in the garages and in the vehicles in the garages is prohibited. Furthermore, the Federal Property Management Regulations prohibit smoking in any hazardous area "which involves flammable liquids, flammable gases, or flammable vapors, or in all locations where there is a collection of readily ignitable combustible materials." There is a potential problem in a garage filled with vehicles where there are gasoline tanks, and vapors, and gasoline, and oil spills.

It is the policy of the Department of State to promote a safe and healthy environment. The risks of smoking in the garages are serious and can affect the health and well-being of all employees. Everyone shares in the responsibility for adhering to the smoke-free workplace policy, which is in effect at all times in all interior areas of the buildings.



DEPART

T OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

Executive Secretariat

FACSIMILE

**PLEASE NOTIFY OR HAND-CARRY THIS TRANSMISSION
TO THE FOLLOWING PERSON AS SOON AS POSSIBLE:**

Name:

Elizabeth Drye

Address:

456 - 5581

Message:

Telephone:

Office:

FAX:

Number Of Pages Being Transmitted (Including This One)

2

FROM:

Ken Chase

FAX NUMBER:

OFFICE NUMBER:

690-7699

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Office of the Secretary

Washington, D.C. 20201

July 18, 1997

MEMORANDUM

To: Elizabeth Drye

From: Ken Choe

Subject: Policy on Smoking in the Workplace

In response to your inquiry about the Department's policy on smoking in the workplace, please be advised that on May 5, 1987, the Department first articulated its policy that mandates a smoke-free environment in its building space. At the present time, the Department is virtually 100% in compliance with this policy, which covers its employees in building space that it owns, operates under delegated authority, or occupies and manages under lease.

Please contact me at (202) 690-7699 if you have any questions. Thank you.



PROPERTY MANAGEMENT DIVISION
1400 INDEPENDENCE AVE., S.W.
ROOM 1520 - SOUTH
WASHINGTON, D.C. 20250

FAX (202) 720-3747

TOTAL NUMBER OF PAGES
(EXCLUDING COVER)

TO: Elizabeth Ruge

ROOM: _____

PHONE: _____

FAX: 456-7028

AREA CODE (202)

[] MARY COLEMAN	720-8612	[] LINDA OLIPHANT	720-8668
[] KATHY FAY	720-9779	[] DENISE PATTERSON	720-3141
[] PAULETTA FEEMSTER	720-2371	[] ELAINE PLOTKIN	720-8873
[] JOANNE GARRISON	720-9765	[] MARSHA PRUITT	720-4335
[] ART GOLDMAN	720-9772	[] MARK STRATTON	720-3671
[] ANN HAIR	720-2994	[] CHARLES SWINTON	720-4091
[] GLORIA HENDERSON	720-3142	[] SONIA TORRES	720-3673
[] JAN MERCER	720-7266	[X] JAN WARE	720-5113
[] JAMES MICHAEL	720-8616	[] KELLY WATSON	720-5225
[] VERONICA MOORE	720-8458		

COMMENTS

*Per your request, attached is a copy of USDA's
recently enacted Smoking Policy, prohibiting smoking
nadae all USDA facilities nationwide.*

WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		NUMBER: 4400-6
SUBJECT: USDA Smoking Policy	DATE: December 16, 1996	
	OP: Procurement and Property Management Property Management Division	

1 PURPOSE

This regulation establishes the smoking policy for the Department of Agriculture (USDA). Environmental tobacco smoke, also termed second-hand smoke, is classified as a known human carcinogen by the Environmental Protection Agency. In order to protect USDA employees, contractors, and visitors from the health hazards of environmental tobacco smoke, this regulation prohibits smoking inside all USDA facilities and motor vehicles.

2 SPECIAL INSTRUCTIONS/CANCELLATION

This regulation is effective 30 days from issuance. However, changes in conditions of employment for bargaining unit employees must be implemented pursuant to 5 U.S.C. Chapter 71.

This regulation supersedes the memorandum signed by the Assistant Secretary for Administration dated February 2, 1987, entitled "GSA Smoking Regulation"; AGPMR 104-20.105-3, "Smoking in Federally controlled space"; AGPMR 104-38.5007, "Smoking in Motor Vehicles"; and the memorandum signed by the Director, Office of Operations, on December 2, 1994, entitled "Revision of USDA Headquarters Complex Smoking Policy."

3 SCOPE

a Affected Areas. This policy applies to:

- (1) All buildings and facilities (or portions thereof) owned, leased, or occupied by USDA nationwide and everyone who enters such USDA buildings and facilities including, but not limited to, USDA employees, contractor employees, and visitors; and
- (2) All USDA owned or leased motor vehicles and everyone who occupies such USDA vehicles including, but not limited to, USDA employees, contractor employees, and visitors.

b Areas Not Affected. This policy does not extend to:

- (1) Outdoor areas except as required for fire safety, and as defined in 6h below; and
- (2) Space in buildings used as personal quarters.

4 AUTHORITY

This regulation is issued in accordance with 5 U.S.C. 301; 5 U.S.C. 7901; 29 U.S.C. 668; 41 CFR 101-20.105-3; and 41 CFR 101-39.300(d).

5 POLICY

a Inside USDA Facilities. All interior space in USDA facilities shall be smoke-free.

b Outside Smoking Areas. Outdoor smoking areas will be designated when possible, which are reasonably accessible to workers and provide a measure of protection from the weather elements. These smoking areas must be a minimum of 15 feet away from common points of ingress and egress of facilities. Areas within parking garages may only be designated as smoking areas 15 feet from entrance, and if proper ventilation (see section 6f) exists.

Appropriate ash and filter receptacles will be provided and maintained at all established smoking areas. Additional receptacles may be placed at entrances not designated as smoking areas. However, they should display a sign containing the no smoking symbol.

c Multi-tenant Buildings. In multi-tenant buildings this policy will apply within the confines of the assigned space over which USDA agencies have exclusive custody and control including corridors, rest rooms, cafeterias, stairways, and other public space on floors or within blocks of space assigned to USDA agencies.

d Motor Vehicles. Smoking is prohibited in USDA owned and GSA or commercially leased vehicles which are leased for more than 60 days within the custody and control of USDA.

6 DEFINITIONS

- a Smoking. The carrying or inhaling of a lighted cigar, cigarette, pipe, or other lighted tobacco product.
- b USDA facility. Federally owned, leased, or occupied buildings and space in buildings under the custody and/or control of USDA including GSA-leased space occupied by USDA.
- c GSA-Leased Space. Space in privately owned buildings which is leased through GSA for use by USDA.
- d Labor/management agreements. Union and bargaining unit representation for USDA employees. Where there is an exclusive representative for the employees, USDA shall meet its obligations under 5 U.S.C. Chapter 71 before this order becomes effective.
- e Motor Vehicles. All types of motorized government-owned or leased vehicles assigned to USDA including, but not limited to, automobiles, ships, and aircraft.
- f Proper Ventilation. Consists minimally of an outside area (as defined in h below) with no air intake into the building. An individual familiar with the building's ventilation system shall determine whether an area is suitable for a smoking area. For additional information contact the Washington Area Service Center, Engineering and Space Management Branch, WASC on (202) 720-2902.
- g Personal Quarters. Housing provided by USDA for the exclusive use as the employee's residence.
- h Outside. Areas not within the building, facility, or motor vehicle or within 15 feet of entrances to enclosed areas.
- i Multi-tenant. Buildings or facilities that are not solely occupied by, or under the sole custody or control of, USDA.
- j Agency-approved. Smoking cessation programs specifically authorized by the employee's agency.

7 ABBREVIATIONS

- a USDA United States Department of Agriculture
- b AGPMR Agriculture Property Management Regulation
- c DR Departmental Regulation
- d FPI Federal Prison Industries, Inc.
- e GSA General Services Administration
- f WASC Washington Area Service Center

8 RESPONSIBILITIES

- a Under and Assistant Secretaries will support and ensure compliance with the USDA smoking policy as outlined in this regulation and implement this policy at facilities and in motor vehicles under their control.
- b Agency Administrators and Staff Office Heads will support and ensure compliance with the USDA smoking policy as outlined in this regulation and implement this policy at facilities and in motor vehicles under their control as directed by their Mission Area. Furthermore, the lead agency at each USDA facility has the authority to select outside locations for smoking.

Agencies are responsible for assuring that property owners/managers or appropriate GSA representatives are consulted as required prior to implementation of this directive. They shall assure that all employees receive advance notice of policy changes, including the location of any outside smoking areas. Agencies are also responsible for having an effective plan in place, and for providing employees with smoking cessation materials or smoking-cessation program(s) as stated in 9 below.

- c USDA Employees shall abide by the requirements of the USDA smoking policy. Employees may pursue available training, educational, and counseling services for smoking cessation, if desired.
- d Contractors and Visitors shall abide by this regulation.

- e The Washington Area Service Center will oversee smoking areas within the DC Complex. Questions or comments related to the implementation of this regulation in the DC Complex may be directed to 720-6858.

9 SMOKING CESSATION PROGRAMS

USDA supports agency use of available funds for smoking cessation programs and materials as follows:

- a Agencies may use available funds for education, training, and counseling related to smoking cessation programs;
- b Agencies should develop program guidelines that address specifically what they will fund and the number of times employees can attend smoking cessation programs. Agencies may survey employees on an annual basis to assess the need for smoking cessation materials or programs. Employee participation in educational, counseling, or cessation programs related to smoking is strictly voluntary. However, employees should participate in agency surveys to help assess agency need for smoking cessation materials or programs; and
- c When agency-approved smoking cessation programs are scheduled during duty hours, agencies may provide employees with short periods of excused absence to participate in such programs. (Such programs should not be recurring and should not continue over an extended or indefinite period.) Agencies may contact organizations such as the American Cancer Society and their Employee Assistance Program or utilize existing programs from local area sources for the employees.

10 ENFORCEMENT

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers alike.

- a Employees should report situations of non-compliance with this policy to their immediate supervisor. Employees shall not be subject to retribution or reprisal for reporting these situations.

- b Supervisors must exercise sound and reasonable judgement when enforcing the smoking policy. Initial violations of the smoking policy will be handled by counseling unless other instances of misconduct are involved. Recurring violations will subject employees to disciplinary action. The employee or supervisor may seek assistance from the agency's Employee Relations unit.

11 SIGNS

Suitable signs announcing a "Smoke Free Environment" shall be placed on or near entrance doors of all USDA facilities and motor vehicles subject to this regulation. Signs should be procured and installed in cooperation with the GSA Buildings Manager in buildings managed by GSA. It should not be necessary to display a sign in every room of each building.

In accordance with the Federal Acquisition Regulation, Part 8, the mandatory source of supply for the purchase of the aforementioned signs is UNICOR, FPI. Prior approval from FPI is required before using any other source of supply. Purchase Orders should be submitted to:

UNICOR, Federal Prison Industries, Inc.
320 First Street, NW.
Washington, DC 20534
(202) 724-8239

- END -

U.S. Department of
TransportationAssistant Secretary
for Administration400 Seventh St., S.W.
Washington, D.C. 20590Date: 7/18/97TO: Huma VattiFAX NO: 456-7431

TELEPHONE NO: _____

FROM: Melissa Spiller-KothenFAX NO: 366-9634TELEPHONE NO: 366-2333

NUMBER OF PAGES (including cover): _____

MESSAGE:

Per your request, attached is our
DPM on Smoking.

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY☒ Action Date: Continuing☐ For Information OnlyDEPARTMENTAL PERSONNEL MANUAL SYSTEM

DPM BULLETIN NO. 792-19

DATE: JUL -3 1990

SUBJECT: Implementation of Smoking Restrictions in Department of Transportation Controlled Facilities

Since the Department's implementation of Federal Regulation 41 CFR 101-20.105-3, prohibiting smoking in General Services Administration controlled buildings except for designated smoking areas, it has become increasingly evident that passive smoke inhalation presents a serious health risk to non-smokers.

It is, therefore, the policy of the Department to attempt to reduce the exposure of employees to the dangers of environmental tobacco smoke by further limiting designated smoking areas in space occupied by Department of Transportation employees. This Bulletin is published to implement the widest possible restrictions on smoking in DOT buildings.

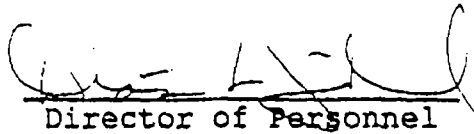
The Assistant Secretary for Administration, in conjunction with the Secretarial Officers and Heads of Operating Administrations, shall be responsible for taking steps to implement further restrictions on designated smoking areas in Washington, D.C. Headquarters buildings. Whenever possible, total smoking prohibitions shall be established in DOT buildings. Where such prohibitions are not feasible, smoking should be allowed only in limited designated areas that reflect concerns with environmental smoke, such as where ventilation to the outdoors would be available. The expenditure of funds for structural or nonstructural changes to create space which will provide ventilation to the outdoors is not encouraged.

Secretarial Officers and Heads of Operating Administrations or their designees shall be responsible for taking steps to implement this same policy in all special purpose space assigned to them and in all space in field buildings which they control.

Filing Instructions: File after FPM Chapter 792**Bulletin Expires:** Until further notification.**Distribution:** Personnel Council Members, Labor and Employee Relations Committee**OPI:** M17/MHerlihy/366-9440

-2-

Prior to implementation of this policy, where there is an exclusive representative for employees, obligations under Title 5 U.S. Code, Chapter 71, Federal Service Labor-Management Relations, must be met. Where there is no exclusive representative for employees, employees must be consulted with directly.



Director of Personnel

FAX**Date** 07/18/97**Number of pages including cover sheet** 5**TO:** *Ann McGuire***Phone**
Fax Phone**FROM:** *Eric M. Dodds*
GSA**Phone** (202) 501-0945
Fax Phone (202) 208-5430**CC:****REMARKS:** ☐ *Urgent* ☐ *For your review* ☐ *Reply ASAP* ☐ *Please Comment*

Ann,

1. GSA smoking policy in GSA occupied space
2. Smoking policy in GSA controlled buildings.

I am at 501-1104 if you need anything. My pager is (888) 938-3187.

Eric



GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

ADM 5800.1A
July 8, 1993

GSA ORDER

SUBJECT: Smoking in GSA-occupied space and Government-owned or -leased vehicles assigned to GSA

1. Purpose. This order prohibits smoking in GSA-occupied space and Government-owned or -leased vehicles assigned to GSA.
2. Cancellation. GSA Order ADM 5800.1, is cancelled.
3. Background. On January 7, 1993, the Environmental Protection Agency classified environmental tobacco smoke as a Class A human carcinogen. This order recognizes the increased health hazards of passive smoke to individuals. In response, it prescribes the action to take to protect those who work in GSA-occupied space or occupy Government-owned or -leased vehicles assigned to GSA.
4. Actions. Smoking is prohibited in GSA-occupied space and Government-owned or -leased vehicles assigned to GSA at all times.
5. Definitions.
 - a. Smoking is the use of a lighted cigar, cigarette, pipe, or other lit tobacco product.
 - b. GSA-occupied space is any indoor space used by GSA organizational elements for internal agency purposes. It does not include space assigned to other agencies, or joint use space. It does not include parking lots, sidewalks in front of building entrances, or courtyards.
 - c. Government-owned or -leased vehicles assigned to GSA are all vehicles, regardless of type, assigned to GSA organizational elements. These vehicles are owned or leased by the Government for 60 or more consecutive days.
6. Labor relations. Where there is an exclusive representative for the employees, GSA shall meet its obligations under 5 U.S.C. Ch. 71, before this order becomes effective.

Distribution: A; B; C; F; G; H; I (Circulate to all employees)

ADM 5800.1A

July 8, 1993

7. Responsibilities. The Associate Administrator for Administration and Regional Administrators are responsible for developing implementation plans within 30 days of the signature date of this order. Such plans should include, as applicable, provisions addressing:

a. Training for GSA employees who smoke and who desire assistance in quitting. Such training courses may require payment of a nominal fee by the employee.

b. Educational and informational items and activities aimed at informing all GSA employees of the health risks associated with smoking and exposure to secondhand smoke. Educational and informational items and activities may also inform GSA employees of their responsibility to maintain a healthy work environment.

8. Use of funds. Use of any agency funds for the construction or modification of any GSA facility or structure to accommodate smoking is prohibited.



ROGER W. JOHNSON
Administrator

1 CFR Ch. 101 (7-1-95 Edition)

Federal Property Management Regulations

§ 101-20.105-3

101-20.105-1 Responsibilities of occupant agencies.

Each occupant agency shall maintain and orderly facility to minimize risk of accidental injuries. All exits, accesses to exits, and emergency equipment shall be kept clear at all times.

Hazardous explosive or combustible materials shall not be brought into buildings unless authorized by appropriate agency officials and by GSA. Protective arrangements deemed necessary by GSA have been made. All draperies, curtains, or hanging materials shall be of noncombustible or flame-resistant material. Freestanding partitions and dividers shall be limited combustible fabric coverings shall also be of noncombustible material.

Occupant agencies shall cooperate with GSA to develop and maintain fire prevention programs. Such programs shall ensure the maximum safety of occupants by:

Training employees to use protective equipment and educating employees to take appropriate fire safety precautions in their work, including participating in at least one fire drill each year.

Ensuring that facilities are kept in the safest condition practicable, and conducting periodic inspections in accordance with Executive Order 12186, 41 CFR part 101-20.105-1.

Accidents resulting from building or maintenance deficiencies that involve personal injury or property damage in GSA-assigned space shall be reported immediately to the buildings manager.

Each occupant agency shall appoint a safety, health and fire protection representative to represent the occupant agency with GSA.

101-20.105-2 Correction of hazardous conditions.

GSA is responsible for correcting hazards associated with the conditions in space it assigns, including hazards related to building features, fire protection, and systems. GSA is also responsible for correcting hazards in common areas and public use spaces. Occupant agencies are responsible for correcting hazards associated with their use of space.

assigned space, including those related to the operation of their program equipment.

(b) Hazardous conditions within the occupant agency's responsibility to correct shall be corrected within 30 workdays when possible. Imminently dangerous conditions shall be corrected immediately upon their discovery. If more than 30 workdays are required for correction, an abatement plan shall be prepared in accordance with 29 CFR part 1960. Corrective alteration measures may be undertaken in accordance with § 101-20.106, Reimbursable services.

(c) Conditions within GSA's responsibility to correct shall be identified, documented and presented to the GSA buildings manager. Imminently dangerous conditions shall be corrected immediately upon their discovery. When an imminently dangerous condition as defined by 29 CFR 1960.28 exists, a report shall be made by telephone. Upon receipt of a properly documented report of hazardous conditions, GSA shall promptly investigate, determine a plan to resolve the problems, and inform the occupant agency. Such reports shall state the hazardous condition and cite references to specific GSA standards violated. In cases involving health problems, agencies shall provide to GSA an industrial hygienist's report of an investigation of the alleged problem, which must include a description of the problem, results of testing, and recommendations for correction. When resolution will take more than 30 workdays, GSA shall prepare an abatement plan in accordance with 29 CFR part 1960, shall furnish the plan to the occupant agency for review and subsequent follow-up, and shall give priority to prompt abatement of the conditions.

101-20.105-3 Smoking.

(a) Regulations for controlling smoking in GSA-controlled buildings and facilities, including leased space and dedicated facilities, are set forth below.

Smoking is defined as a lighted cigar, cigarette, pipe, or any other lit tobacco product. These regulations reflect the following considerations:

In recognition of the increased health hazards of passive smoke on the smoker, smoking is to be held to

an absolute minimum in areas where there are non-smokers.

(2) In recognition of the needs of smokers, smoking areas should be designated in Federal buildings which are convenient, do not negatively impact worker productivity, and do not impinge on the health of those who do not smoke.

(3) Agency heads are to be given the responsibility to determine which areas are to be smoking areas and which areas are to be non-smoking areas. In exercising this responsibility, agency heads are to give appropriate consideration to the views of the employees affected and/or their representatives and are to take fully into consideration the health issues involved. Note—Agencies are encouraged to develop additional guidelines for internal use for action when violations of these regulations occur. Nothing in these regulations precludes an agency from establishing more stringent guidelines. For purposes of these regulations, general office space is defined as space occupied by personnel performing their daily work functions; this includes, but is not limited to: ADP areas, mail rooms, file rooms, duplication areas, court and jury rooms, office space, etc.

(b) Smoking is prohibited in the following areas:

(1) General office space, except as permitted under paragraph (c)(2)(iii) of this section;

(2) Auditoriums, classrooms, and conference rooms;

(3) Elevators ("No Smoking" signs shall be posted in elevators and adequate receptacles shall be placed outside the entrances if designated as a smoking area);

(4) Corridors, lobbies, restrooms, and stairways, except as permitted under paragraph (c)(2)(iv) of this section;

(5) Medical care facilities such as medical clinics and units;

(6) Libraries; and

(7) 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 other locations where there is a collection of readily ignitable, combustible materials.

§101-20.106

(c) Designated smoking area shall be established as follows:

(1) Smoking areas in cafeterias.

(i) Each agency head shall establish "smoking areas" in cafeterias.

(ii) The areas designated shall be based upon an estimate of the number of smoking and non-smoking patrons served. This may be adjusted on the basis of local experience. The designated "smoking" areas shall be identified by appropriate signs.

(2) "Designated smoking areas" established by agency heads.

(i) Agency heads shall establish "designated smoking areas" except those areas set forth under paragraph (b) of this section. Agency heads will be responsible for monitoring and controlling these areas, and for ensuring that "designated smoking areas" are identified by proper signs. Suitable, uniform signs reading "Designated Smoking Area" shall be furnished and installed by the agency.

(ii) Agencies in multi-tenant buildings are encouraged to work together to identify "designated smoking areas".

(iii) Office space may be designated as a smoking area providing that the office space is configured so as to limit the involuntary exposure of non-smokers to secondhand smoke to a minimum; e.g., the office space involved must be large enough and sufficiently ventilated to provide separate smoking and non-smoking sections which protect the non-smokers against involuntary exposure to smoke.

(iv) An agency head may designate corridors, lobbies, or restrooms as smoking areas when it is not possible to designate a sufficient number of other smoking areas.

(d) Agencies are responsible for providing adequate ash-trays or receptacles in the designated smoking areas.

(e) Suitable, uniform signs reading "No Smoking Except in Designated Areas" shall be placed on or near entrance doors of buildings subject to these regulations. These signs shall be furnished and installed by the GSA Buildings Manager in buildings managed by GSA. It should not be necessary to display a sign in every room of each building.

41 CFR Ch. 101 (7-1-95 Edition)

(f) An agency is not required by this regulation to make any expenditures for structural or non-structural changes to accommodate the preferences of non-smoking employees.

(g) Prior to implementation of this regulation, where there is an exclusive representative for the employees, the agency shall meet its obligation under 5 U.S.C. chapter 71. In all other cases, agencies should consult directly with employees.

(h) In accordance with the Federal Acquisition Regulation, part 8, the mandatory source of supply for the purchase of the aforementioned signs is UNICOR, Federal Prison Industries, Inc. (FPI). Prior approval from FPI is required before using any other source of supply. Purchase Orders should be submitted to: UNICOR, Federal Prison Industries, Inc., 330 First Street, NW, Washington, DC 20534, (202) 724-8239.

§101-20.106 Reimbursable services.

Services in addition to those standard level services prescribed in §§101-20.101 through 20.105 may be provided or arranged for by GSA on a reimbursable basis. Such services include:

(a) Specialized security services beyond standard levels, such as guarding, ingress-egress control, inspection of packages, directed security patrols, and other similar activities;

(b) Design, installation, maintenance, and operation of electronic systems such as intrusion-detection devices, duress-holdup alarms, and remote monitoring systems;

(c) Utilities for specialized equipment, or for times when space conditioning beyond standard levels is required;

(d) Construction and/or alterations necessary for installation of agency program equipment;

(e) Space adjustments requested by an occupant agency for its convenience in moving activities within its already assigned space;

(f) Janitorial and other services over and above standard levels;

(g) Space alterations beyond the standard level provided by GSA;

(h) Construction, installation, operation, maintenance, and repair of agency program equipment, and space ad-

Federal Property Management

justments required as a result of installations;

(i) Services of motion picture and other technicians required for the use of auditoriums, conference rooms, and special agency equipment and

(j) Office design, space planning, office automation installation and services.

§101-20.106-1 Placing of order for reimbursable alterations by agencies.

(a) Where GSA has indefinite quantity contracts and/or unit price contracts available for accomplishing space alterations in Government and leased buildings, agencies shall order against these contracts, except when it is the Government's best interest to wish to use this authority. Agencies wishing to use this authority shall submit names of their proposing officials to the GSA buildings manager, who will submit them to the contracting officer. The contracting officer shall designate in writing ordering officials and will authorize the contractor to accept orders from designated ordering officials. The contracting officer shall advise agencies' ordering officials in writing of their responsibilities, authorities, and limitations under these contracts and agreements.

(b) No individual order, or collection of orders for a single alteration project, shall exceed \$25,000; agencies shall not split orders so as to circumvent this limitation.

(c) For all orders placed against contracts or agreements, agencies shall obtain prior approval of the GSA buildings manager and provide a copy of the order to the GSA buildings manager. Agencies are responsible for insuring satisfactory completion of work, and for ensuring contract compliance with contract provisions. Final payment document shall be submitted by GSA Form 1142, Reimbursement Claims; GSA Form 2419, Certification of Payments to Subcontractors; and certification that work has been inspected and a

Treasury Department Smoking Policies

1. Departmental Offices
2. Bureau of Alcohol, Tobacco & Firearms (ATF)
3. U.S. Customs Services (USCS)
- 4. Federal Law Enforcement Training Center (FLETC)
5. U.S. Mint
- * 6. Bureau of Engraving & Printing (BEP)
- 7. Financial Management Service (FMS)
8. Bureau of the Public Debt (BPD)
9. Office of Thrift Supervision (OTS)
10. Internal Revenue Service (IRS)
11. Comptroller of the Currency (OCC).....***No written policy***
12. U.S. Secret Services (USSS).....***No written policy***



DEPARTMENT OF THE TREASURY
WASHINGTON

ASSISTANT SECRETARY

June 7, 1994

MEMORANDUM FOR BUREAU HEADS

FROM: George Muñoz *Gm*
Assistant Secretary (Management)

SUBJECT: Smoke-Free Worksites

Recent medical findings indicate that secondary or passive tobacco smoke is a major threat to the health of non-smokers. Exposure to environmental tobacco smoke occurs at the worksite, in public, and in other places where smoking is permitted.

In recognition of the dangers inherent in second-hand tobacco smoke, the Main Treasury Building and the Treasury Annex Building will be designated smoke-free workplaces, effective September 1, 1994. The Departmental Offices will also sponsor a series of informative presentations on the benefits of a smoke-free workplace. In addition, smoking cessation classes will be offered to interested employees.

You are urged to consider similar smoking policies to minimize secondary tobacco smoke exposure. In doing so, please be mindful of any obligations to labor unions. You should note that this is an area where labor-management partnerships could be of significant benefit to both management and employees.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

1

Divider Title: _____



DEPARTMENT OF THE TREASURY
WASHINGTON

ASSISTANT SECRETARY

June 13, 1994

MEMORANDUM FOR ALL DEPARTMENTAL OFFICES EMPLOYEES

FROM: George Muñoz 
Assistant Secretary (Management)

SUBJECT: Smoke-Free Workplace Policy

In light of the recent information on the adverse health effects of second-hand smoke, many government agencies have reviewed their policies on smoking and have adopted smoke-free workplace policies.

The DO smoking policy which allowed smoking in designated areas has also been reviewed and we have decided to change the policy in order to promote a healthier work environment.

The Secretary has approved the new policy that Main Treasury and the Treasury Annex will be smoke-free, which means that smoking is prohibited in these buildings, effective September 1, 1994. I plan to share this policy with Treasury bureaus and encourage them to adopt this approach in their workplaces.

While I know that this change will not be easy for people who smoke, we have arranged for a health fair and smoking cessation classes to help smooth the transition to the smoke-free workplace. The health unit is also available for people experiencing difficulties. I encourage you to provide any ideas you have to help make this transition easier to Ida Hernandez or Norman Foote of Administrative Operations Division on x21500 or x21510.

Attachment



DEPARTMENT OF THE TREASURY

WASHINGTON, D.C. 20220

October 5, 1994

MEMORANDUM FOR BUREAU SAFETY OFFICERS
BUREAU PERSONNEL OFFICERS

FROM:

Robert J. Breivis *Robert J. Breivis*
Assistant Director of Personnel Policy
(Human Relations)

SUBJECT:

Cancellation of Treasury Directive 71-06, Smoking
Policy in Treasury Occupied Space and Facilities

Executive Order 12861 requires that agencies reduce their internal regulations by at least 50 percent by September 11, 1996. In furtherance of that goal, Treasury Directive 71-06, Smoking Policy in Treasury Occupied Space and Facilities, was cancelled on September 30, 1994.

Bureaus should review their current smoking policies and consider necessary changes to minimize exposure to secondary tobacco smoke. In this regard, the Main Treasury Building and the Treasury Annex were recently designated smoke-free worksites.

Smoking policies for worksites in GSA-controlled space should conform to GSA smoking regulations published at 41 CFR §101-20.105-3, which do not preclude bureaus from establishing smoking policies more stringent than the GSA requirements, including the designation of smoke-free workplaces. When establishing or revising smoking policies for Treasury-owned or leased space, bureaus may use the GSA regulations as a guide.

When reviewing bureau smoking policies, please be mindful of obligations to labor unions. As we have indicated in the past, this is an area where labor-management partnerships could be of significant benefit to both management and employees.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

2

Divider Title: _____

Department
of the Treasury



Bureau of
Alcohol, Tobacco
and Firearms

ORDER

ATF O 1621.1

6/18/96

Subject: ATF SMOKING POLICY FOR FACILITIES AND VEHICLES

To: All Bureau Employees

1. PURPOSE. This order sets forth Bureau policy for the implementation of 41 C.F.R. Part 101-20.105-3, which requires agencies to regulate smoking in General Services Administration (GSA) controlled buildings and facilities, including leased space and delegated facilities.
2. CANCELLATIONS. ATF O 2902.7, ATF Smoking Policy, dated April 29, 1987, ATF O 1100.143, Delegation Order, Redlegation of Authority to Designate Smoking Areas in ATF Compliance Operations Space, dated July 27, 1987, and ATF B 2902.5, Headquarters Smoking Policy, dated September 22, 1994, are cancelled.
3. SCOPE.
 - a. The provisions of this order apply to Bureau employees, visitors to ATF space, and operators and passengers of ATF-owned, commercially-leased, and GSA Interagency Fleet Management System (IFMS) vehicles.
 - b. Bargaining Unit employees will be covered by this order and by the appropriate contract provisions of the ATF National Treasury Employees Union Agreement. If there is a conflict between the language in this order and the Agreement, the provisions of the Agreement shall take precedence.
4. BACKGROUND.
 - a. On December 8, 1986, GSA published a final rule to provide for revised smoking regulations in buildings controlled by GSA. After numerous studies concluded that smoking adversely affects the health of persons passively exposed to tobacco smoke, GSA revised regulations to protect the rights of non-smoking workers and public building visitors not to be exposed involuntarily to secondhand tobacco smoke at the Federal worksite. At the same time, in recognizing the needs of smokers, GSA allowed for the designation of smoking areas which are convenient, do not negatively impact on worker productivity and do not impinge on the health of those who do not smoke.

Distribution: ATF ML-1

OPI: M:A:F

ATF O 1621.1

6/18/96

- b. GSA regulations define smoking as "a lighted cigar, cigarette, pipe, or any other lit tobacco product."
 - c. GSA also reviewed the issues of tobacco use in Government-owned and leased motor vehicles and, as a result, prohibited the use of tobacco products in IFMS assigned vehicles. This action was taken because of potential health hazards associated with the use of tobacco products and negative residual effects of tobacco use on the passenger compartment of the vehicles.
5. AUTHORITY. Smoking policies for worksites in GSA-controlled buildings and facilities, including leased space and delegated facilities should conform to GSA smoking regulations, 41 CFR 101-20.105-3. This does not preclude bureaus from establishing smoking policies more stringent than GSA requirements, including the designation of smoke-free workplaces.
6. ATF SMOKING POLICY. The Bureau will not allocate funds for structural or non-structural changes in buildings currently occupied or when offices are renovated or relocated to accommodate smokers. The Director designates smoking policy in ATF space as follows:
- a. Headquarters. The C-2 smoking lounge is the only area designated as a smoking area in the Headquarters building. Smoking is permitted ONLY in that area.
 - b. ATF Laboratories. The National Laboratory Center and all ATF Field Laboratories are designated "smoke free."
 - c. National Tracing Center. The Center is designated "smoke free."
 - d. Bureau-owned, Commercially Leased, and GSA IFMS Motor Vehicles.
 - (1) The use of tobacco products is prohibited in all ATF owned/leased vehicles with two exceptions:
 - (a) When an employee is traveling unaccompanied in his or her assigned official vehicle.
 - (b) When a visiting dignitary who smokes is traveling in such vehicles.

ATF O 1621.1

6/18/96

- (2) The use of tobacco products is prohibited in GSA IFMS motor vehicles. The Bureau is responsible for ensuring that employees do not use tobacco products while occupying IFMS vehicles. Failure to comply with this prohibition could result in a charge against the Bureau for the cost of cleaning the affected vehicles(s) to remove tobacco odor or residue or repairing damage caused as a result of tobacco use. (Title 41 C.F.R Part 101-39.300(d).)
- e. Field Offices. Heads of field offices (e.g., district directors, special agents in charge (SACs), resident agents in charge (RACs), and area supervisors), are authorized to designate smoking areas in the situations listed below. All designated smoking areas must meet the requirements contained in paragraph 7, "Environmental Considerations."
- (1) ATF offices located in multi-tenant buildings.
 - (2) Coffee rooms, lounges, cafeterias, and other similar areas.
 - (3) The Chief, Protective Programs Section, shall be notified in writing, of the building address and room number of any ATF space designated as a smoking area. The notification must include certification that the area meets the criteria in paragraph 7.
- f. Prohibitions. Smoking shall be prohibited in the following areas:
- (1) Elevators.
 - (2) Auditoriums.
 - (3) Conference rooms and classrooms.
 - (4) Restrooms.
 - (5) Medical facilities.
 - (6) Libraries.
 - (7) Stairwells.
 - (8) Copy centers.
 - (9) Record storage areas.
 - (10) Automated data processing areas.
 - (11) General office space, except as permitted in this Order.

ATF O 1621.1

6/18/96

----- (12) Hazardous areas containing flammable liquids, gases, or vapors, and in any other locations where there is a collection of readily ignitable, combustible materials.

7. ENVIRONMENTAL CONSIDERATIONS. All designated smoking areas must:

- a. Comply with all city, county, and State ordinances pertaining to smoking in public buildings, and with restrictions imposed by individual building owners/managers.
- b. Be equipped with an exhaust system ventilated outside the building and away from the heating, ventilation and air conditioning unit's fresh air intake vents or windows so as to eliminate the exposure of secondhand smoke to non-smokers. These requirements are dictated by local, county and State laws.
- c. Be equipped with adequate ashtray receptacles and "designated smoking area" signs. Request for signs shall be made in writing to the Chief, Protective Programs Section.

8. RESPONSIBILITIES. Supervisors shall be responsible for the following:

- a. Ensuring that non-smokers who do not want to be exposed to secondhand smoke shall not be required to conduct work in designated smoking areas.
- b. Ensuring that ATF employees assigned to a non-ATF location or who perform work in non-ATF space abide by the current smoking policy of that location/space.
- c. Contacting a Labor Relations Specialist in the Employee and Labor Relations Branch before making any changes in the current smoking policy which constitute a change in conditions of employment for bargaining unit employees.

9. QUESTIONS. Questions pertaining to this order may be directed to Protective Programs Section, at (202) 927-8870.


Director

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

3

Divider Title: _____

ORIGINATING OFFICE: OM-L:H

DISTRIBUTION: See Below

INFORMATION NOTICE

NUMBER: 90-064

ISSUE DATE: September 28, 1990

EXPIRES: February 1, 1991

SUBJECT: Smoking Policy in the Customs Headquarters Building

Effective January 1, 1991, smoking will not be allowed in the Headquarters Building except in the following four designated smoking areas: Room B-125, 7300 corridor Women's and Men's restrooms, and in the smoking section of the Customs/ICC cafeteria. This change, negotiated with the National Treasury Employees Union, is being implemented to provide a healthier environment for all building occupants and visitors. It addresses the concerns of non-smokers by providing maximum protection from secondary smoke and provides reasonable accommodations for smokers.

During the 90-day period before the new policy goes into effect, all smokers are encouraged to "kick the habit." To help in these efforts, free group smoking cessation/stress management classes will be provided on site to all interested employees. Enrollment and scheduling information is available from the Fitness Center in Room B-217, telephone 566-7875. Employees who need individual counselling may take advantage of the Customs Employee Assistance Program in Room 3385 of the ICC Building, telephone 786-7505.

Employees who still smoke after the change goes into effect must do so only in the Designated Smoking Areas listed above.

If there are any questions about the information provided in this Notice, please contact DeAnna Edge or Carol Barr in the Headquarters Services Division on 566-5741.

Edward J. Kwass

Assistant Commissioner (Management)

Distribution

H-11 All Headquarters Employees

e Form 232-E (01-32-90)



CUSTOMS ISSUANCE SYSTEM

DEPARTMENT OF THE TREASURY • UNITED STATES CUSTOMS SERVICE

© U.S. GPO: 1987-743-011/41127

ORIGINATING OFFICE: OM:L:H:S

DISTRIBUTION: See Below

INFORMATION NOTICE

NUMBER: 91-044

ISSUE DATE: JUNE 20, 1991

EXPIRES: August 1, 1991

SUBJECT: Revised Smoking Policy

Effective the date of this Notice, the 7300 corridor restrooms will no longer be designated smoking areas. This change, negotiated with the National Treasury Employees Union, was due to complaints about the smoke from the restrooms drifting into the 7300 corridors and offices, subjecting employees to second hand smoke.

Other smoking areas designated on January 1, 1991 (B125 and part of the cafeteria) remain available to all smokers.

If there are any questions about the information provided in this Notice, please contact DeAnna Edge or Gina Vinciguerra in the Headquarters Services Division on 566-5741.



Assistant Commissioner (Management)

Distribution:

H-11 All Headquarters Employees

Customs Form 232-B (01-27-90)



CUSTOMS ISSUANCE SYSTEM

DEPARTMENT OF THE TREASURY • UNITED STATES CUSTOMS SERVICE

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

4

Divider Title: _____



DEPARTMENT OF THE TREASURY
FEDERAL LAW ENFORCEMENT TRAINING CENTER
GLYNCO, GEORGIA 31524

FLETC DIRECTIVE (FD)

NUMBER: 67-92.C

Subject:

DATE: 07/27/95

Sunset Review: 07/27/98

SMOKING POLICY

1. **PURPOSE.** This directive establishes the Federal Law Enforcement Training Center (FLETC) as a smoke-free worksite, promulgates policies prohibiting smoking in contractor-owned/leased trailers and FLETC-owned/leased buildings or vehicles, and provides guidance in administering these policies.
2. **SCOPE.** The provisions of this directive apply to all persons (FLETC and participating organization personnel, students, contractors, guests, and visitors) entering any type of contractor-owned/leased trailer or FLETC-owned/leased property, building, or vehicle.
3. **CANCELLATION.** FLETC Directive 67-92.C, Designated Smoking Areas, dated July 21, 1995, is superseded by this directive.
4. **REFERENCES.**
 - a. 41 CFR Part 101, Section 20.109-10, FPMR, Amendment D.
 - b. 40 U.S.C. 490 (d) (4) and (5), Operation of Buildings and Related Activities by the Administrator.
5. **BACKGROUND.** The National Institute of Health, The Center for Disease Control, and the Occupational Safety and Health Administration (OSHA) are increasingly concerned over the adverse effects smoking has on air quality, and on the health, and productivity of workers. Growing evidence establishes that the breathing of ambient smoke by nonsmokers increases their health risks. In 1987, to acknowledge the rights of both the smoker and the nonsmoker, the FLETC designated "smoking areas" within offices, classrooms, dining areas, lodgings, and other buildings. This measure has not been effective due to the commonality of the heating, ventilation, and air conditioning (HVAC) systems. While installing separate HVAC systems for smoking and nonsmoking areas would probably be effective in limiting the detrimental effects of "secondhand smoke," this effort would be very expensive and is cost prohibitive. Therefore, these guidelines have been established to promote the health and well being of all persons on all FLETC facilities.
6. **DEFINITION.** Smoking, for the purpose of this directive, includes any use or carrying of lighted tobacco products.

FD 67-92.C
07/27/95

-2-

7. POLICIES.

- a. The FLETC will be a smoke-free worksite.
- b. Smoking is prohibited inside all contractor-owned/leased trailers and FLETC-owned/leased buildings, facilities, and vehicles.
- c. The FLETC will provide assistance in cessation of smoking through the scheduling of smoking cessation clinics as the need is demonstrated.

8. RESPONSIBILITIES.

- a. Supervisors and managers are responsible for allowing reasonable accommodation for employees, students, or guests to smoke outside.
- b. All employees are responsible for ensuring there is no smoking in their assigned spaces or Government vehicles.
- c. The Chief, Facilities Management Division, is responsible for:
 - (1) Ensuring that "No Smoking" signs are posted as necessary.
 - (2) Notifying all customers checking vehicles out of the motor pool of the "no smoking in Government vehicles" policy.
 - (3) Ensuring that adequate tobacco receptacles are placed outside building entrances.
- d. The Chief, Physical Techniques Division, will determine the need and, as a need is demonstrated, schedule smoking cessation clinics for FLETC employees and, on a reimbursable basis, for participating agency personnel.

9. OFFICE OF PRIMARY INTEREST. Management Analysis Division, Office of Administration.

Charles F. Rinkevich
Charles F. Rinkevich
Director

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

5

Divider Title: _____



DIRECTOR
OF THE
MINT

DEPARTMENT OF THE TREASURY
UNITED STATES MINT
WASHINGTON, D.C. 20220

October 11, 1994

Headquarters Policy Memo HR-14

MEMORANDUM FOR ALL HEADQUARTERS EMPLOYEES

FROM: Philip N. Diehl
Director
United States Mint

SUBJECT: Smoking Policy

This past spring, I approved revisions to Mint Directive 7C-9, "Smoking Policy in Mint Occupied Space." The revised directive takes into consideration the health concerns of non-smokers with regard to involuntary exposure to smoke. In discussions held with our local union, it has been determined that all ~~Headquarters occupied space~~ will be non-smoking.

Therefore, effective October 17, 1994, smoking will no longer be permitted in Mint occupied space at Judiciary Square (JSB), K Street, Matland, and the Ullico Building and any future facilities that the U.S. Mint may occupy. This includes areas that were once designated for this purpose. At Judiciary Square, a patio area at the rear of the building has been completed and equipped with tables and chairs for use as a smoking area. It may also be used by non-smokers. Employees at Judiciary Square are requested to refrain from smoking in front of the building now that the patio is open. Employees at all other locations will be allowed to smoke outside their buildings.

Employees interested in smoking cessation programs may contact the Mint Employee Assistance Program at (301) 570-3900.

Thank you for your cooperation. I am sure each of you will do your part to maintain a healthy and productive work environment.

Mint Directives

MD 7C-9
March 1994Chapter 7 - Administrative Programs
Part C - Facilities Management Programs

SMOKING POLICY IN MINT-OCCUPIED SPACE

-
1. PURPOSE. This directive establishes a Mint-wide smoking policy and establishes procedures and assigns responsibilities for executing this policy.
 2. SCOPE. This directive applies to all United States Mint activities.
 3. CANCELLATIONS.
 - a. Mint Directive MD 7C-9, "Smoking Policy in Mint-Occupied Space," dated July 1987.
 - b. Mint Directives Memorandum MDM-03, "Designated Smoking Areas at Headquarters Facilities," dated April 19, 1990.
 4. REFERENCES.
 - a. Treasury Directive, No. 71-06, "Smoking Policy in Treasury Occupied Space and Facilities," dated April 29, 1987.
 - b. 41 CFR Part 101, Section 20.109-10, "FPMR."
 - c. 40 U.S.C. 490(d)(4) and (5), "Operation of Buildings and Related Activities by the Administrator."
 5. DEFINITIONS.
 - a. Smoking. For the purpose of this directive, smoking includes the carrying of lighted tobacco products.
 - b. Conference Room or Classroom. Any room designated for meetings, instruction, or training and not intended for use as an office or a multi-purpose room.
 - c. Hazardous Area. Any location that houses, or is adjacent to locations that house, flammable liquids, flammable gases, flammable vapors, or readily ignitable or combustible materials (e.g., paper storage areas).
 - d. General Office Space. Space occupied by personnel performing their daily work functions. This space includes, but is not limited to: ADP areas, mailrooms, file rooms, duplicating areas, office space, etc.

6. **POLICY.** The Mint is concerned with the health and well-being of all employees; therefore, it will make every reasonable effort to minimize involuntary exposure of employees to environmental tobacco smoke. In designating smoking and non-smoking areas, the Mint will try to address the concerns for the periodic nicotine intake of the smoker with the concerns for health of the non-smoker.
7. **RESPONSIBILITIES.** The Director (for Mint Headquarters) and the Superintendents and Officer in Charge (for Mint field facilities) are responsible for ensuring compliance with this directive and for designating smoking and non-smoking areas within their assigned facilities.
8. **POLICY EXECUTION.**
 - a. **Communication of policy.** The Director and Superintendents/Officer in Charge shall communicate in writing the locations of smoking and non-smoking areas to the employees in their respective facilities. Whenever designated smoking and non-smoking areas change, these changes shall also be communicated.
 - b. **Designation of areas.** In designating smoking/non-smoking areas, consideration should be given to the views of affected employees. The following guidelines should be referred to when designating areas; however, nothing precludes the establishment of more stringent guidelines.
 - (1) **Non-smoking Areas.** Smoking shall be specifically prohibited in:
 - (a) General office space;
 - (b) Production areas in which the environment is essentially the same as that in offices;
 - (c) Corridors, lobbies and restrooms, except as permitted under 8.b.(2)(b);
 - (d) Locker rooms;
 - (e) Copy centers;
 - (f) Elevators;
 - (g) Stairwells;
 - (h) Public exhibit areas;
 - (i) Auditoriums;
 - (j) Conference rooms and classrooms;

- (k) Records storage areas;
 - (l) Libraries;
 - (m) Medical care facilities such as medical clinics and units;
 - (n) Hazardous areas; and
 - (o) Mint-owned or Mint-leased vehicles.
- (2) Smoking Areas. Smoking may be allowed in the following areas:
- (a) Specifically designated sections in cafeterias, lunch rooms and lounges. Such areas shall be established by the posting of signs, based on an estimate of smoking and non-smoking patrons. Periodic evaluations should be conducted to determine possible adjustments to the size of the areas.
 - (b) Corridors, lobbies, restrooms, or other selected space, when it is not possible to designate a sufficient number of other smoking areas. Selection of any of these spaces as a designated smoking area must take into consideration minimizing the involuntary exposure of non-smokers to smoke.
- (3) The designation of Mint-occupied space as "smoking" or "non-smoking," other than as specifically identified in 8.b.(1) and (2), is at the discretion of the Director for Mint Headquarters and the Superintendents/Officer in Charge for field facilities.
9. SIGNS. Suitable, specialized "No Smoking Except in Designated Smoking Areas" and "Designated Smoking Area" signs may be acquired by submitting purchase orders to: UNICOR, Federal Prison Industries, Inc., 320 First Street, N.W., Washington, DC 20534, (202) 724-8239.
10. OFFICE OF PRIMARY INTEREST. Office of Policy and Management, Office of Management Services.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

6

Divider Title: _____

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE TREASURY
BUREAU OF ENGRAVING & PRINTING

TO : Ms. Rochelle Bell
U. S. Department of the Treasury

DATE : July 18, 1997

FROM : Gerald E. Jones, Manager
Industrial Safety Staff



SUBJECT: Bureau of Engraving and Printing's Smoking Policy

Please observe that the second Policy by Mr. Larry E. Rolufs was generated after several unions filed a Grievance (Unfair Labor Practices) against the Bureau.



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ENGRAVING AND PRINTING
WASHINGTON, D.C. 20228

March 6, 1996

MEMORANDUM FOR ALL EMPLOYEES

FROM:

Larry E. Rolufs
Director

SUBJECT:

BEP Smoking Policy

It has come to my attention that there have been several violations of our smoking policy. Although the Bureau respects the rights of employees who choose to smoke, we must also recognize the needs of all our employees to work in an environment that is safe and free of tobacco smoke.

Recently, a revised circular was issued, detailing the specifics of our smoking policy. Basically, smoking is permitted only in areas specifically designated for that purpose. Those smoking areas are listed below.

Anyone who is found smoking in a non-designated area will be subject to strict disciplinary action, particularly since a violation of our smoking policy impacts the safety and health of all employees in this Bureau.

I urge all employees to become familiar with the specifics of our smoking policy, BEP Circular #70-09.35. Violators will be held accountable. Thank you.

DESIGNATED SMOKING AREAS

(Smoking areas are available 24 hours a day)

Washington, DC

1. Through May 31, 1996, Roof Garden - Main Building.

May 31- August 1, 1996, Main Building - The area adjacent to the 3rd floor north-side elevator will be temporarily designated as a smoking area while the Roof Garden undergoes renovations. After August 1, 1996, the Roof Garden will re-open and again be designated as a smoking area.

2. Room 737-PD - Annex Building

Lorton Warehouse

1. Parking lot area nearest I-95

Western Currency Facility

1. Area immediately to the west of Post 5 before you enter the employee entrance.



DEPARTMENT OF THE TREASURY
BUREAU OF ENGRAVING AND PRINTING
WASHINGTON, D.C. 20228

DIRECTOR

May 30, 1995

MEMORANDUM TO: All Employees

FROM: Peter H. Daly
Director

SUBJECT: Smoking Policy

As each of you are aware the Bureau became a smoke-free work place on April 3, 1995. During a transition period of thirty days employee's were not disciplined for failure to adhere to this policy. It has come to my attention that not all employees have stopped smoking within the Bureau. Violations of this policy will not be tolerated. All employees, contractors and visitors must strictly follow this policy.

This memorandum is to clarify and to insure all employees understand that strict compliance with this policy is required. Secondary tobacco smoke is a known class "A" carcinogen, proven to cause cancer in humans and must be eliminated from the work place.

The policy will be enforced and anyone found violating this health and safety practice will be disciplined in accordance with the provisions of BEP Personnel Manual Chapter 752 and our various Labor-Management Agreements.

Failure of managers and supervisors to enforce safety practices and regulations is also in violation of the policy and will result in appropriate disciplinary actions. If you need assistance in taking the appropriate corrective action, contact the Employee and Labor Relations Division on 874-3572.

As noted in the policy, the Bureau provides free smoking cessation classes, as well as assistance in purchasing the prescription nicotine patches to aid in cessation efforts.

Smokers cannot continue to expose the work force to this cancer causing agent. Numerous studies have concluded that smoking adversely affects the health, not only of smokers, but also of those persons "passively" exposed to tobacco smoke. In addition, a recently released Environmental Protection Agency (EPA) report labeled environmental tobacco smoke a Class A known human carcinogen, linked to nearly 3,000 annual lung cancer deaths. In view of these findings and in the interest of protecting the health and well-being of Bureau employees, this smoking policy was established to remove this health threat from the Bureau.



News from the Director

Smoking Policy

Over the past year, the Joint Labor-Management Partnership Council has been wrestling with the issue of whether or not smoking should be permitted within the BEP buildings. We have explored many options in an effort to accommodate the various interests involved, but it is not going to be possible to please everyone.

The most important point to make is that smoking in the workplace is not a matter of rights...it is a matter of public safety. Secondary tobacco smoke is proven to cause cancer, and it is just as wrong to expose people to it than it would be to expose people to asbestos or PCBs. Despite the controversies involved, we must ultimately act in the best health interests of all who work or even visit here.

Accordingly, effective April 3, 1995 the BEP facilities in Washington, D.C. and Fort Worth, Texas will be designated non-smoking facilities. The smoking ban extends to rest rooms, locker rooms, cafeterias, and private offices. There will be no designated smoking areas within the BEP facilities.

For security reasons, no outside smoking areas will be provided at the D.C. facility because its downtown location precludes appropriate personnel control beyond the building

entrances. At the Fort Worth facility, employees may smoke during lunch and regular break times where appropriate in designated outside areas within the security perimeter. At the Lorton Warehouse, outside smoking will be permitted during lunch and breaks. No special smoke breaks will be provided at any of these facilities.

No exceptions will be made, and people who do not comply will be disciplined according to the existing table of penalties for any safety violation. However, so as to allow reasonable time for adjustment to this policy, there will be a one-month grace period, ending May 2, 1995, for disciplinary actions against those found smoking within BEP facilities.

BEP has sponsored smoking cessation classes over the past year, and will continue to do so indefinitely to assist those employees who wish to give up the tobacco habit. Also, we have a program which provides the "nicotine patch" as an assist in gradually withdrawing from smoking. I encourage all smokers to take advantage of these programs.

I know that, for some, this is difficult. However, safety and health concerns must override any other. That is the reason for this policy.

Thank you. ■

Contributors

Editor
Jane Soderquist

•
Pre-press
Graphic Design
Photo-Engraving

•
Printing
Offset

•
Processing
Bindery

•
Distribution
Mailroom

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

7

Divider Title: _____



Financial Management Service
Washington, D.C.

EMPLOYEE LETTER

September 5, 1996 NUMBER 96-30

Subject: Smoke-Free Work Place (Liberty Center Building)

This letter establishes a **Smoke-Free Work Place** policy at the Liberty Center Building (LCB). This policy is effective **November 1, 1996**.

Tobacco Smoke, also known as second-hand or passive smoke, has been identified by the Environmental Protection Agency as a major source of harmful indoor air pollution and a known cause of lung cancer, respiratory illness and heart disease. It is our policy to protect all occupants of LCB from the health hazards caused by exposure to tobacco smoke. **Smoking** is defined as a lighted cigar, cigarette, pipe, or any other tobacco product.

Smokeless Tobacco (spitting tobacco, chewing tobacco, snuff, etc.) has been proven to be carcinogenic to humans and directly linked to oral cancer. In addition to being a serious risk to users, it is also a risk to non-users due the unsanitary conditions created by spitting and/or careless disposal of the used tobacco.

The use of **any tobacco product** will be prohibited in LCB at all times. This includes the use of such products while in the previously Designated Smoking Area (Room 402) and all individual **private offices** (where some occupants were previously allowed to smoke).

Smoking/chewing will be allowed outside the three main entrances into LCB, provided the smoker/chewer is at least 10 feet away from the entrance doors. Also, the FMS Health and Safety Officer (HSO) is coordinating/scheduling free **Smoking Cessation Classes** to afford (interested) smokers an opportunity to stop smoking. Class dates will be announced by the HSO in the near future.

Your support of this policy is an important step in providing each of us a safe and healthy work environment.


Henry R. Bellinger
Buildings Manager
Washington District

DISTRIBUTION: All Liberty Center Employees
INFORMATION CONTACT: David H. Rippeto, 874-6950

JUL -18' 97(FRI) 13:42 TREASURY/FMS

TEL:202 874 7533

P.002



May 22, 1995

Ms. Sharon King
Building Manager
FMS-Dept. of Treasury
3700 East West Highway
Hyattsville, Maryland 20782

Dear Sharon:

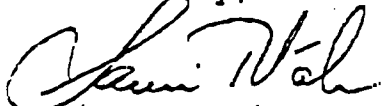
Pursuant to the recently passed law prohibiting smoking in office buildings in the State of Maryland, and, in order to improve the air quality within office buildings, Prince George's Metro Center has decided to have a "No Smoking" policy inside all of its buildings.

Metro I and Metro III have already been designated as "Smoke Free." Smoking is allowed outside the buildings, and we have provided special seating areas for that purpose.

The same accommodations is being provided at Metro II at the southeast corner of the building.

Please let me know if you have any problem instituting a "No Smoking" policy in the building effective June 1, 1995.

Yours truly,



Sami E. Totah
Executive Vice President

SET:lw

JUL -18' 97(FRI) 13:42 TREASURY/FMS

TEL:202 874 7533

P.001

EMPLOYEE LETTER

Subject: "Smoke Free" Building**June 2, 1995**

Pursuant to the recently passed State of Maryland law the building owner has informed us that the Prince George's Metro, Metro Center II Building will be a "Smoke Free" building effective Monday, June 5, 1995. Smoking will be prohibited in the building at all times. This includes the basement smoking lounge, designated offices, and the 3rd floor employee lounge for the 2nd and 3rd shift employees.

Smoking will be allowed outside the three main entrances into the building and individuals are also encouraged to use the picnic tables on the southeast corner of the building.

If, you have any questions, please contact the Maryland District Building Management Staff on (202) 874-8340.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

8

Divider Title: _____



DEPARTMENT OF THE TREASURY
BUREAU OF THE PUBLIC DEBT
PARKERSBURG, WV 26106-1328

PERSONNEL DIRECTIVES SYSTEM
CHAPTER 793-1

BUREAU OF THE PUBLIC DEBT SMOKING POLICY

APPROVED:

Thomas W. Harrison
Thomas W. Harrison
Assistant Commissioner (Administration)

6/27/93
Date

PDS 793-1
June 29, 1993

BUREAU OF THE PUBLIC DEBT SMOKING POLICY

TABLE OF CONTENTS

Section I - General Information	Page
Introduction.....	1
Purpose.....	1
Scope.....	1
Policy.....	1
Cancellation.....	1
References.....	1
Definitions.....	1
Responsibilities.....	1-2
 Section II - Designated Smoking and Non-smoking Areas	
Designation of Buildings as Non-Smoking.....	3
Designated Smoking Areas.....	3
Official Government Motor Vehicles.....	3
 Section III - Application of the Policy	
Conditions Under Which Smoking is Allowed.....	4
Variations in Application.....	4
 Section IV - General Provisions	
Training.....	5
Complaints/Grievances.....	5

PDS 793-1

June 29, 1993

BUREAU OF THE PUBLIC DEBT SMOKING POLICY

SECTION I - GENERAL INFORMATION

1. INTRODUCTION. The Surgeon General has concluded that smoking adversely affects the health of persons passively exposed to tobacco smoke. In view of these findings, the Bureau of the Public Debt will strive to provide a reasonably smoke-free environment for those working in or visiting all Public Debt buildings.

2. PURPOSE. To establish Public Debt's policy governing smoking which is designed to foster employee health and safety when conducting business.

3. SCOPE. Applies to all space occupied by Public Debt (including government vehicles) and governs the actions of all non-bargaining unit employees. Bargaining unit employees are governed by the terms and conditions of the current Memorandum of Agreement between the Public Debt and the National Treasury Employees Union.

4. POLICY. Public Debt recognizes the rights of individuals to smoke and will provide, to the extent practical, designated smoking areas, providing it does not impinge upon the rights of nonsmokers, adversely affect productivity, or interfere with the accomplishment of Public Debt's goals and objectives.

5. CANCELLATION. PDI Number 793-1, dated January 7, 1988, entitled "Policy on Smoking in Bureau Occupied Space."

6. REFERENCES. Federal Property Management Regulations promulgated by GSA and found in Chapter 41 CFR and the Department of Treasury policy governing smoking.

7. DEFINITIONS

a. Smoking. A lit cigarette, cigar, pipe, or any other ignited tobacco product.

b. Designated smoking area. An area that is specifically posted as a smoking area.

8. RESPONSIBILITIES

a. The Assistant Commissioner of Administration is responsible for implementing the Public Debt smoking policy.

b. The Director, Division of Administrative Services is responsible for ensuring that the terms and conditions of this issuance are considered and complied with when managing Public Debt space.

PDS 793-1
June 29, 1993

c. The Public Debt Safety Officer is responsible for receiving, investigating and resolving, to the extent possible, confidential complaints received from employees.

d. Managers and supervisors are responsible for implementing and enforcing the smoking policy within the framework provided herein.

e. Employees are responsible for complying with the Public Debt's smoking policy as presented in this issuance.

PDS 793-1
June 29, 1993

SECTION II - DESIGNATED SMOKING AND NON-SMOKING AREAS

1. DESIGNATION OF BUILDINGS AS NON-SMOKING. Consistent with GSA regulations, signs will be placed at all entrances to Public Debt-occupied buildings. These signs will read "No Smoking Except in Designated Areas." All Public Debt space not specifically designated as a smoking area shall be considered non-smoking space (with the exception of the single occupant offices in the E Street building).

2. DESIGNATED SMOKING AREAS. In accordance with GSA regulations, the following areas shall be designated as smoking areas:

a. Cafeterias. Non-smoking and smoking areas in Public Debt space shall be established based upon an estimate of the number of smoking and non-smoking patrons. If deemed necessary, periodic surveys will be conducted to determine adjustments to the size of each area.

b. Smoking lounges. When feasible, smoking lounges will be constructed in Public Debt buildings. The lounges will have an independent ventilation system which will prevent the smoke from being recycled back into the building.

c. Other designated smoking areas. If smoking lounges are not provided, designated smoking areas will be identified if feasible and consistent with the laws, rules, and regulations governing smoking.

3. OFFICIAL GOVERNMENT MOTOR VEHICLES. Smoking while in a government vehicle is prohibited.

PDS 793-1
June 29, 1993

SECTION III - APPLICATION OF THE POLICY

1. CONDITIONS UNDER WHICH SMOKING IS ALLOWED. Smoking will be permitted only in designated smoking areas, on normal work breaks, during lunch periods, and before and after work.

If desired, employees may divide the work break provided by PDS 630-1 into no more than three equal portions for the purpose of smoking. To the extent work requirements allow, managers and supervisors should be flexible when scheduling these smoke breaks.

2. VARIATIONS IN APPLICATION. The application of Public Debt's smoking policy will vary based on the individual work location. These differences are:

a. The Office located at 200 3rd Street, Parkersburg, WV. A smoking lounge is located on each floor, with the exception of the ground floor. Employees on the ground floor will have access to that area of the cafeteria designated for smoking. Smoking is not permitted anywhere else.

b. The Office located at 999 E Street NW, Washington, DC. Smoking lounges are located on the third and fifth floors. Smoking is also permitted in single occupant offices (when no non-smokers are present). Smoking is not permitted anywhere else.

c. Other Public Debt space. In any building or leased office space that Public Debt currently occupies in which a smoking lounge is not provided, there will be designated smoking areas. These areas will be provided when feasible and consistent with the laws, rules, and regulations governing smoking, including any restrictions imposed by the property owner.

d. Acquisition of additional space. When feasible, management will make reasonable effort to provide smoking lounges in newly acquired space.

PDS 793-1
June 29, 1993

SECTION IV - GENERAL PROVISIONS

1. TRAINING. Public Debt will sponsor periodic, in-house, smoking cessation programs for employees in accordance with the following criteria:

a. Such programs will be provided as often as necessary based on the employees' showing of interest.

b. Such programs shall be conducted during normal hours of operation. Employees who attend such programs shall be on official time subject to subparagraph 1d below.

c. Such programs shall be offered at no cost to employees subject to subparagraph 1d below.

d. Employees shall be permitted to attend one such program on official time at the Bureau's expense. All subsequent programs will be at the employee's expense and on the employee's own time. Annual leave or sick leave may also be used as appropriate.

2. COMPLAINTS/GRIEVANCES. If an employee believes that the provisions of this issuance are not being properly applied, the employee may either complain, in strict confidence, to Public Debt's Safety Officer or grieve the matter through the administrative grievance procedure. Complaints will be investigated and responded to promptly.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

9

Divider Title: _____



Office of Thrift Supervision
Department of the Treasury

1700 O Street, N.W., Washington, D.C. 20552 • (202) 906-6000

April 14, 1993

MEMORANDUM

TO: All OTS Washington Employees

FROM: Richard L. Petrocci *Richard L. Petrocci*
Acting Assistant Director
for Administration

SUBJECT: New Smoking Policy

In order to eliminate the harmful effects of smoking within the work place, smoking will no longer be permitted anywhere within OTS' Washington office buildings except for the second-floor restrooms near the Amphitheater where smoking is now permitted. The outside patio on the sixth floor will also be available to those employees who wish to smoke.

OTS is adopting this policy after completing negotiations with AFGE Local 3295. The bargaining agreement on this matter is attached for your information. In accordance with Section 3 of the agreement, the non-smoking policy becomes effective on Tuesday, April 20, 1993.

OTS will also sponsor a free smoking cessation course for those employees who may wish to enroll. If you are interested in enrolling in such a class, please inform Glenda Upson, Director of Employee and Labor Relations, of your intentions in writing or by E-Mail. Such notice must be submitted no later than May 11, 1993. Employees who enroll will be notified of the dates and time of the course at that time.

Attachment

OPTIONAL FORM 99 (7-90)

From OTS

FAX TRANSMITTAL

of pages

3

To <i>Rochelle</i>	From <i>Jolita</i>
Dept./Agency	Phone # <i>2-0500</i>
Fax #	Fax #

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION

MEMORANDUM OF UNDERSTANDING

The Office of Thrift Supervision (OTS) and the American Federation of Government Employees (AFGE) Local 3295 agree as follows:

1. Except as provided in subsection (a) below, smoking shall not be permitted within any of OTS's headquarters office buildings. However, smoking shall be permitted on the sixth floor outside patio of the main headquarters building located at 1700 G Street N.W. in Washington, D.C.

(a). OTS will designate one male and one female rest room in its building at 1700 G Street as a designated smoking area. Smoking in those rest rooms is subject to the following conditions/understandings:

(1) The designation of the two rest rooms as smoking areas shall be subject to re-evaluation anytime after one year from the effective date of this MOU. If at that time OTS determines to ban smoking in the designated rest rooms, OTS will notify and bargain with the Union as provided by and in accordance with the provisions of Article 8 of the Parties' collective bargaining agreement (the CBA).

(2) Smoking shall be permitted in the two designated rest rooms only to the extent that such practice is not inconsistent with the requirements of any future, applicable law or Government-wide regulation.

2. OTS agrees that it will sponsor a smoking cessation clinic, without charge to employees, for those employees who provide OTS written notice of their intent to enroll in such a clinic. Such written notice must be submitted to Glenda Upson, Director of Employee and Labor Relations, within four weeks of the date this Memorandum of Understanding (MOU) is approved by the Department of the Treasury.

3. The smoking ban described in section 1 above shall take effect seven days after the date this MOU is approved by the Department of the Treasury.

4. OTS agrees that it will distribute a copy of this MOU to all Washington area employees.

William M. Petty
For the Office of Thrift Supervision

3/19/93
Date

[Signature] - Pres.
For AFGE Local 3295

3/19/93
Date

Approved by the Department of the Treasury

April 13, 1993

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

10

Divider Title: _____

page 1(14)50-162
(1 27--88)

Space Management Handbook

install. The system has to be adjusted to the individual environment.

b Pink sound—This is a titrated white sound. It has a more soothing effect since the harsher sounds of white sound are removed. The masking sound should be tuned to the acoustical ceiling tile to achieve successful open office acoustics. (Exhibit 900-14 provides guidelines for Speech Privacy in Open Plan Areas.)

2 White and pink sound are terms used to describe certain kinds of tuning of the various sound frequencies reproduced electronically into office space. However, white and pink sound represent "raw" sound and are generally unacceptable to most office environments. Instead, a plotted graphic curve, called the American National Standards Institute (ANSI) curve, is the criteria followed in shaping the sound spectrum for a good unobtrusive sound masking system.

3 The critical and technical nature of the acoustical control for open office planning is such that the services of acoustical consultants may be desirable to ensure success, particularly with regard to sound masking systems. Such services, when required, must be obtained through GSA if a private contractor is used. (Exhibit 900-15 provides a Selected Glossary of Noise Terms.)

(i) All acoustical materials need to be flame-retardant and asbestos free.

9(19)0 (8-1-88) No Smoking Areas

1(14)50

(1) The establishment of "no smoking" work areas in open space should be thoroughly investigated. Taking the following criteria into consideration, work space should be planned in a manner so that employees who desire a "no smoking" area can be accommodated:

(a) Efficiency of work units will not be impaired.

(b) Additional space will not be required.

(c) Costly alterations to the space or procurement of additional office equipment will not be necessary.

(2) 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 non-smokers and those of smokers.

9(18)0

MT 1(14)50-23

IR Manual

(3) In some instances the installation of inexpensive exhaust/filter units mounted to the ceiling should be considered when smokers and non-smokers are mixed in an open office layout. Also, GSA can be requested to install special filters in the air conditioning system and requested to provide a minimum of 25% outside air to protect health and dilute the effects of smoke and other fumes.

(4) Guidelines for controlling smoking in public area and large working areas are outlined in GSA Bulletin FPMH-U, dated September 17, 1976.

9(20)0 (8-1-86)

1(14)50

Acoustical Screens

(1) Acoustical screens are an integral component in office landscaping. An acoustical screen is a portable free-standing partition used to define areas in a layout and to assist in providing visual and auditory privacy.

(2) Acoustical screens shall be no taller than 5½ feet (66 inches). This will allow occupants to be able to quickly identify problems that may arise from fire or other emergencies and to locate available exit routes. This restriction is based on GSA's fire safety criteria, PBS P5920.9, Chapter 9—Interior Construction and Arrangement, Paragraph 4-M-(1).

(3) Screens can be used alone or with other screens, files, furniture, plants or existing walls, columns, etc. Consider the following when selecting screens for your design layout:

(a) Flexibility/Mobility

1 Screens should be the proper height and configuration and suited for the task for which they are being used.

2 The final configuration should not make you feel "looked in".

(b) Sound Absorption

1 Acoustical partitions absorb and reduce the transmission of sounds. Text 9(18)0, Acoustical Control Guidelines, explains more specifics regarding the acoustical properties of screens.

2 Do not attach bookshelves, file cabinets, coat racks, etc. to the screens since they can reduce the acoustical qualities.

3 Because sound radiates spherically in all directions from a speaker, and because the average height of speaker's mouth when seated is between three and four feet above the ground, the optimum height for screens is 5'6" (66 inches).

code of federal regulations

Public Contracts and Property Management

41

CHAPTER 101

Revised as of July 1, 1996

CONTAINING
A CODIFICATION OF DOCUMENTS
OF GENERAL APPLICABILITY
AND FUTURE EFFECT

AS OF JULY 1, 1996

With Ancillaries

Published by
the Office of the Federal Register
National Archives and Records
Administration

as a Special Edition of
the Federal Register



§101-20.105-3

of the space it assigns, including hazards related to building features, fixtures, and systems. GSA is also responsible for correcting hazards in common, joint, and public use spaces. Occupant agencies are responsible for correcting hazards associated with their use of assigned space, including those related to the operation of their program equipment.

(b) Hazardous conditions within the occupant agency's responsibility to correct shall be corrected within 30 workdays when possible. Imminently dangerous conditions shall be corrected immediately upon their discovery. If more than 30 workdays are required for correction, an abatement plan shall be prepared in accordance with 29 CFR part 1960. Corrective alteration measures may be undertaken in accordance with §101-20.106, Reimbursable services.

(c) Conditions within GSA's responsibility to correct shall be identified, documented and presented to the GSA buildings manager. Imminently dangerous conditions shall be corrected immediately upon their discovery. When an imminently dangerous condition as defined by 29 CFR 1960.28 exists, this report shall be made by telephone. Upon receipt of a properly documented report of hazardous conditions, GSA will promptly investigate, determine a plan to resolve the problems, and inform the occupant agency. Such reports shall state the hazardous condition and cite references to specific OSHA standards violated. In cases involving health problems, agencies shall provide to GSA an industrial hygienist's report of an investigation of the alleged problem, which must include a description of the problem, results of testing, and recommendations for correction. When resolution will take more than 30 workdays, GSA shall prepare an abatement plan in accordance with 29 CFR part 1960, shall furnish this plan to the occupant agency for review and subsequent follow-up, and shall give priority to prompt abatement of the conditions.

§101-20.106-3 Smoking.

(a) Regulations for controlling smoking in GSA-controlled buildings and facilities, including leased space and delegated facilities, are set forth below.

41 CFR Ch. 101 (7-1-96 Edition)

Smoking is defined as a lighted cigar, cigarette, pipe, or any other lit tobacco product. These regulations reflect the following considerations:

(1) In recognition of the increased health hazards of passive smoke on the non-smoker, smoking is to be held to an absolute minimum in areas where there are non-smokers.

(2) In recognition of the needs of smokers, smoking areas should be designated in Federal buildings which are convenient, do not negatively impact worker productivity, and do not impinge on the health of those who do not smoke.

(3) Agency heads are to be given the responsibility to determine which areas are to be smoking areas and which areas are to be non-smoking areas. In exercising this responsibility, agency heads are to give appropriate consideration to the views of the employees affected and/or their representatives and are to take fully into consideration the health issues involved. Note—Agencies are encouraged to develop additional guidelines for internal use for action when violations of these regulations occur. Nothing in these regulations precludes an agency from establishing more stringent guidelines. For purposes of these regulations, general office space is defined as space occupied by personnel performing their daily work functions; this includes, but is not limited to: ADP areas, mail rooms, file rooms, duplication areas, court and jury rooms, office space, etc.

(b) Smoking is prohibited in the following areas:

(1) General office space, except as permitted under paragraph (c)(2)(iii) of this section;

(2) Auditoriums, classrooms, and conference rooms;

(3) Elevators, ("No Smoking" signs shall be posted in elevators and adequate receptacles shall be placed outside the entrances if designated as a smoking area);

(4) Corridors, lobbies, restrooms, and stairways, except as permitted under paragraph (c)(2)(iv) of this section;

(5) Medical care facilities such as medical clinics and units;

(6) Libraries; and

(7) Hazardous areas. Each agency shall post and enforce "No Smoking"

Federal Property Management Regulations

§101-20.106

rules in any location under its jurisdiction which involves flammable liquids, flammable gases, or flammable vapors, or in all other locations where there is a collection of readily ignitable, combustible materials.

(c) Designated smoking area shall be established as follows:

(1) Smoking areas in cafeterias.

(i) Each agency head shall establish "smoking areas" in cafeterias.

(ii) The areas designated shall be based upon an estimate of the number of smoking and non-smoking patrons served. This may be adjusted on the basis of local experience. The designated "smoking" areas shall be identified by appropriate signs.

(2) "Designated smoking areas" established by agency heads.

(i) Agency heads shall establish "designated smoking areas" except those areas set forth under paragraph (b) of this section. Agency heads will be responsible for monitoring and controlling these areas, and for ensuring that "designated smoking areas" are identified by proper signs. Suitable, uniform signs reading "Designated Smoking Area" shall be furnished and installed by the agency.

(ii) Agencies in multi-tenant buildings are encouraged to work together to identify "designated smoking areas".

(iii) Office space may be designated as a smoking area providing that the office space is configured so as to limit the involuntary exposure of non-smokers to secondhand smoke to a minimum; e.g., the office space involved must be large enough and sufficiently ventilated to provide separate smoking and non-smoking sections which protect the non-smokers against involuntary exposure to smoke.

(iv) An agency head may designate corridors, lobbies, or restrooms as smoking areas when it is not possible to designate a sufficient number of other smoking areas.

(d) Agencies are responsible for providing adequate ash-trays or receptacles in the designated smoking areas.

(e) Suitable, uniform signs reading "No Smoking Except in Designated Areas" shall be placed on or near entrance doors of buildings subject to these regulations. These signs shall be

furnished and installed by the GSA Buildings Manager in buildings managed by GSA. It should not be necessary to display a sign in every room of each building.

(f) An agency is not required by this regulation to make any expenditures for structural or non-structural changes to accommodate the preferences of non-smoking employees.

(g) Prior to implementation of this regulation, where there is an exclusive representative for the employees, the agency shall meet its obligation under 5 U.S.C. chapter 71. In all other cases, agencies should consult directly with employees.

(h) In accordance with the Federal Acquisition Regulation, part 8, the mandatory source of supply for the purchase of the aforementioned signs is UNICOR, Federal Prison Industries, Inc. (FPI). Prior approval from FPI is required before using any other source of supply. Purchase Orders should be submitted to: UNICOR, Federal Prison Industries, Inc., 320 First Street, NW., Washington, DC 20534, (202) 724-8239.

§101-20.106 Reimbursable services.

Services in addition to those standard level services prescribed in §§101-20.101 through 20.105 may be provided or arranged for by GSA on a reimbursable basis. Such services include:

(a) Specialized security services beyond standard levels, such as guarding, ingress-egress control, inspection of packages, directed security patrols, and other similar activities;

(b) Design, installation, maintenance, and operation of electronic systems such as intrusion-detection devices, duress-holdup alarms, and remote monitoring systems;

(c) Utilities for specialized equipment, or for times when space conditioning beyond standard levels is required;

(d) Construction and/or alterations necessary for installation of agency program equipment;

(e) Space adjustments requested by an occupant agency for its convenience in moving activities within its already assigned space;

(f) Janitorial and other services over and above standard levels;