

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: REE Smoking Policy

Number: 243.3

Date: 12/17/97

Originating Office: Real Property Management Branch, Facilities Division,
AFM/ARS

This Replaces: ARS 243.3 dated 11/1/93, EMS 1630 dated 9/2/94

Distribution: All REE Employees

This P&P establishes the smoking policy for the REE agencies, based on the USDA Smoking Policy. This P&P covers affected areas, responsibilities of those affected, available training, educational and counseling services for smoking cessation, enforcement, and signs.

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1. Introduction

This regulation establishes the smoking policy for the REE agencies. As specified in Departmental Regulation 4400-6, environmental tobacco smoke, also termed second-hand smoke, is classified as a known human carcinogen by the Environmental Protection Agency. In order to protect REE employees, contractors, and visitors from the health hazards of environmental tobacco smoke, this P&P prohibits smoking inside all REE facilities and motor vehicles.

2. Authorities

This regulation is issued in accordance with USDA Departmental Regulation 4400-6 dated 12/16/96; 5 U.S.C. 301; 5 U.S.C. 7901; 29 U.S.C. 668; CFR 101-20.105; and 41 CFR 101-39.300(d). Changes in conditions of employment for bargaining unit employees will be implemented under 5 U.S.C. Chapter 71, "Labor-Management Relations."

3. Scope

Affected Areas. This policy applies to:

- All REE facilities (or portions of such) owned, leased, or occupied by REE nationwide and everyone who enters such REE facilities including, but not limited to, REE employees, contractors, and visitors; and
- All REE-owned or leased motor vehicles and everyone who occupies such REE vehicles including, but not limited to, REE employees, contractor employees, and visitors.

Areas Not Affected. This P&P does not extend to:

- Outdoor areas except as required for fire safety, and as defined in the Glossary;
- Space in buildings used as personal quarters; and
- Space in the Washington, D.C., complex, within which smoking areas are controlled by the Washington Area Service Center, USDA.

4. Policy

Inside REE Facilities. All interior space in REE facilities shall be smoke free.

Outside Smoking Areas. When possible, outdoor smoking areas that are reasonably accessible to workers and provide a measure of protection from the weather elements will be designated.

- Designated smoking areas must be a minimum of 15 feet away from common points of ingress and egress and building intake vents.
- Appropriate ash and filter receptacles will be provided and maintained at all established smoking areas. Additional receptacles for discarding lighted tobacco products may be placed at entrances not designated as smoking areas and should display a no smoking symbol.
- At REE-owned facilities where there is more than one REE agency, the lead agency has the authority to select the outside smoking location.

Multi-tenant Buildings. This P&P will apply to assigned space over which REE agencies have exclusive custody and control (including corridors, restrooms, cafeterias, stairways, and other public space on floors or within blocks of space assigned to REE agencies). Agencies shall consult with the property owner(s)/manager(s) or appropriate General Services Administration (GSA) representative(s) prior to implementation of this P&P.

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

Smoking Cessation Programs. REE agencies may provide their employees with smoking cessation materials and smoking cessation programs including training, educational, and counseling services for smoking cessation. Employees may attend agency sponsored smoking cessation programs during regular work hours without charge to leave.

5. Procedures

Smoking Cessation Materials and Programs. REE agencies are authorized to use available funds for training, education, counseling, and related material for smoking cessation programs for their employees with the exception of items considered “personal medical expenses” for treatment and rehabilitation such as nicotine gum or patches.

- **Federal Employee Health Benefits (FEHB) Program and smoking cessation programs.** Depending on the FEHB carrier, employees may be able to participate in a smoking cessation program and charge it to their carrier under the FEHB Program. Employees should check their individual coverage to determine what, if any, benefits are paid for smoking cessation programs since carriers differ in coverage of such programs.
- **Options for the development of smoking cessation programs:**
 - Agencies may conduct surveys to assess the need for smoking cessation materials and programs. Human Resources Division (HRD), Employee Development Section, may be contacted for assistance.
 - Agency funds (e.g., training funds), if available, may be used for these smoking cessation materials and programs.
 - Employee participation in educational, counseling, or cessation programs related to smoking is strictly voluntary.
 - Suggested contacts: Call your local Employee Assistance Program (EAP), American Lung Association, National Cancer Society, and any other related group in your area.

Enforcement. The success of this P&P will depend on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers alike.

- REE employees, contractors, and visitors shall abide by the requirements of this P&P.
- Employees are encouraged to report situations of noncompliance with this P&P, through the chain of command. Employees shall not be subject to retribution or reprisal for reporting such situations.
- Initial violations of this P&P will be handled by counseling unless other instances of misconduct are involved. Recurring violations will subject employees to disciplinary action. Supervisors and employees should contact their HRD servicing branch for assistance in resolving these issues.

Signs. Suitable signs announcing a “Smoke Free Environment” shall be placed on or near entrance doors of all REE buildings/facilities and motor vehicles subject to this P&P.

6. Summary of Responsibilities

Agency Administrators or Designees

- Designate outside smoking areas.
- Determine available funds for smoking cessation programs.
- Place signs.
- Assure that this P&P is implemented.

Area/Center Directors, Location Leaders, and Research Leaders (ARS only)

- Designate outside smoking areas.
- Determine available funds for smoking cessation programs.
- Place signs.
- Assure that this P&P is implemented in areas under their control.

Director, Human Resources Division, AFM

- Assist REE agencies in developing and conducting surveys and in developing smoking cessation programs and other related material as needed.

7. Glossary

Washington, D.C., complex. The Jamie L. Whitten Federal Building, South Building, Cotton Annex, and Auditors Building.

HRD. AFM's Human Resources Division.

Motor vehicles. All types of motorized government-owned or leased vehicles assigned to REE agencies including, but not limited to, automobiles, ships, and aircraft.

Multi-tenant. Buildings/facilities that are not solely occupied by, or under the sole custody or control of REE.

Outdoor areas. Areas not within the building/facility or motor vehicle or within 15 feet of air intake vents and entrances to enclosed areas.

Personal quarters. Housing provided by REE agencies for the exclusive use as the employee's residence.

REE facility. Federally owned, leased, or occupied buildings and space in buildings under the custody and/or control of REE, including GSA-leased space occupied by REE agencies.

Smoking. The carrying or inhaling of a lighted cigar, cigarette, pipe, or other lighted tobacco product.

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