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Material Superseded: Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace, dated 01/11/02

## **CDC TOBACCO-FREE CAMPUS POLICY**

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### **I. PURPOSE AND COVERAGE**

The purpose of this issuance is to provide guidelines for the implementation of a policy on the prohibition of tobacco use at the Centers for Disease Control and Prevention (CDC<sup>1</sup>). To the extent that it does not conflict with existing labor-management collective bargaining agreements, the policy is applicable to all CDC facilities, grounds, vehicles, and employee work spaces, and applies to all persons.

### **II. ACRONYMS AND DEFINITIONS**

- A. Bidis – Cigarettes made with coarse tobacco**
- B. HHS – Department of Health and Human Services**

### **III. BACKGROUND AND AUTHORITY**

On November 10, 2004, HHS Secretary Tommy Thompson announced the Tobacco-Free HHS initiative. This policy requires all properties owned or leased by HHS agencies to be tobacco free, beginning with limited implementation on January 1, 2005, and achieving full implementation by February 1, 2005, as labor and lease agreements permit.

The goal of Tobacco-Free HHS is to improve the health of its employees by promoting tobacco use cessation. Each year, approximately 440,000 people die prematurely of diseases caused by smoking—that is about one in five of all deaths in the United States. An estimated 44.5 million adults in the United States smoke cigarettes, and more than 8.6 million Americans currently suffer from at least one serious illness caused by smoking. Use of smokeless tobacco, cigars, pipes, bidis, and other tobacco products also lead to disease and death. Therefore, this policy is designed to include all tobacco products. Because there is no safe tobacco product, the only logical action is to promote a campus that is tobacco free.

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<sup>1</sup> References to CDC also apply to the Agency for Toxic Substances and Disease Registry (ATSDR).





This policy will also serve as a model program for other HHS Operating Divisions when they initiate their own programs to promote healthy behaviors and to discourage participation in unhealthy behaviors. Reducing tobacco use also increases productivity in the workplace, decreases absenteeism, and possibly lowers excess medical expenditures and other costs associated with tobacco use in the workplace.

[Executive Order 13058](#) authorizes HHS to expand the current no-smoking policy to prohibit smoking on all HHS properties, unless prohibited by the lease terms. Section 1701(a)(7)(A) of the Public Health Service Act authorizes HHS to prohibit the use of all tobacco products on HHS properties, as a part of a model program to promote healthy behaviors and discourage participation in unhealthy behaviors. Lastly, the Comprehensive Smoking Education Act (CSEA) and the Comprehensive Smokeless Tobacco Health Education Act of 1986 (Smokeless Act), found at [15 U.S.C. section 1341](#) and [15 U.S.C. section 4401](#), respectively, provide further legal authority for Tobacco-Free HHS.

#### IV. POLICY

##### A. Prohibition of Tobacco Use

Effective August 26, 2005, the use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, or other tobacco products) is prohibited at all times:

- in all interior space owned, rented, or leased by CDC;
- on all outside property or grounds owned or wholly leased by CDC, including parking areas – this applies to private vehicles while they are on CDC property; and
- in government vehicles.

CDC facilities where labor agreements with relevant unions have not yet been renegotiated to incorporate the provisions of the new policy and construction sites on CDC property are temporarily deferred from implementing the tobacco-free campus policy.

Outdoor environments in leased facilities not under full control of CDC and temporarily deferred locations will remain subject to the pre-existing policy, which states that the smoking of tobacco products is prohibited:

- in all interior spaces owned, rented, or leased by CDC;
- in government vehicles;
- within 20 feet of building entrances and exits;
- within 20 feet of building air intake ducts;
- within 20 feet of the storage of flammable and combustible liquids or gases;
- within 20 feet of dumpsters provided for collecting combustible materials;
- inside any covered parking that is physically part of or connected to a facility where CDC employees regularly pass on their way to or from work; and
- within designated "Smoke-Free Zones."



## **B. Communication of Policy**

Signs bearing the message “Tobacco-Free Campus” will be posted at each vehicular and pedestrian CDC campus entrance (as applicable), and each building owned or leased in full will display a decal that states “Tobacco Free Facility.” However, tobacco-free zones apply on the grounds around CDC-owned facilities and around facilities fully leased or rented by CDC, whether or not signs are posted. No ashtrays or smoking shelters will be provided on tobacco-free campus grounds.

## **C. Tobacco Use Cessation Programs**

CDC is committed to providing support to all CDC employees and other CDC personnel who wish to stop using tobacco products. CDC is committed to ensuring that CDC employees and, to the extent possible, other CDC personnel have access to several types of assistance, including over-the-counter tobacco cessation medications and telephone or group counseling.

Supervisors are encouraged to refer employees, contractors, and other personnel to cessation services for which they are eligible.

## **V. RESPONSIBILITIES**

### **A. Responsibilities of all employees, contractors, fellows, visiting scientists, students, visitors, and others with regard to compliance with the tobacco-free policy at CDC**

Adherence to the policy cited above is the responsibility of all CDC employees. Contractors, fellows, visiting scientists, students, and visitors must also comply with this policy while on CDC property, either leased or owned.

Employees who do not conform to this policy may be subject to disciplinary action under the provisions of [5 C.F.R., Part 700 ff.](#) Contractors in violation of this policy will be reported to their supervisor at the contracting organization.

### **B. Responsibilities of supervisors with regard to compliance with the tobacco-free policy at CDC**

This policy will be enforced through administrative action by supervisors and managers. In general, supervisors are responsible for ensuring that employees under their direction are aware of the policy and comply with it and for taking appropriate action to correct noncompliance.

Supervisors are responsible for ensuring that all employees are notified of the new policy and receive a copy of the policy.

Any person who observes violations of the policy may report these violations to the supervisor of the employee in question. Once the employee’s supervisor has been

notified of a violation, or if the supervisor directly observes a violation by an employee under their direction, the supervisor is responsible for discussing the violation with the employee and taking appropriate disciplinary action. The same disciplinary approach should be applied that is used in addressing violations of other CDC policies. This approach involves a series of disciplinary actions that become progressively more severe if an employee commits repeated violations (e.g., oral warnings, written warnings, reprimands, etc.) Supervisors should consult with a CDC employee relations specialist for advice on the appropriate discipline.

## VI. REFERENCES

- A. [Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace, Executive Order 13058, August 9, 1997.](#)
- B. [Code of Federal Regulations, Title 41, Volume 2, Chapter 101, Part 30.3 Use and Care of GSA Interagency Fleet Management System Vehicles, July 1, 2001.](#)
- C. [Employee Responsibilities and Conduct, 5 C.F.R., Part 700ff, January 1, 2002.](#)
- D. Atlanta Human Resources Center – Employee Relations Web Page, October 2005.
- E. [15 USC CHAPTER 70 - Comprehensive Smokeless Tobacco Health Education, January 19, 2004.](#)