



FEDERAL EMERGENCY MANAGEMENT AGENCY

| | Date | Number | |
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| INSTRUCTION | January 11, 2002 | 6900.1 | AR-FM-PS |

Smoking in Facilities Occupied or Controlled by the Federal Emergency Management Agency

1. **Purpose.** This instruction revises the Federal Emergency Management Agency's (FEMA's) policy and procedures for smoking or open flames (i.e., incenses, candles) in facilities occupied or controlled by FEMA in accordance with the General Services Administration (GSA) smoking regulations.

2. **Applicability and Scope.** The provisions of this instruction are applicable to all FEMA employees, and organizational elements in headquarters, regions, field establishments, and other facilities occupied or controlled by FEMA.

3. **Supersession.** This instruction supersedes FEMA Instruction 6900.1, "Smoking in Facilities Occupied or Controlled by the Federal Emergency Management Agency, dated March 17, 1993.

4. **References.**

a. Executive Order 13058, dated August 9, 1997, entitled "Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace."

b. FEMA Instruction 6900.3, "Occupational Safety and Health Program

c. Titled 41 Code of Federal Regulations, Federal Property Management Regulations, Part 101-20.105-3, Smoking.

d. FEMA Manual 3310.2 Disciplinary/Adverse Actions Procedures.

e. General Services Administration (GSA) Bulletin FPMR D-245, Public Buildings and Space.

5. **Objective.** The primary objective of this instruction is to establish a smoke-free environment for all FEMA personnel working in or visiting FEMA-occupied space or controlled facilities and vehicles.

6. **Background.**

a. Executive Order 13058, dated August 9, 1997, entitled "Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace," (62 FR 43451, August 13, 1997), to establish a smoke-free environment for Federal employees and members of the public visiting or using Federal facilities. The General Services Administration (GSA) is providing government-wide guidance concerning the requirements of this Executive Order so that federal agencies may benefit from GSA's real property management expertise.

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b. Studies have concluded that smoking adversely affects the health of those persons passively exposed to tobacco smoke. People with certain allergies and heart and lung diseases may suffer exacerbations of their symptoms as a result of exposure to tobacco smoke-filled environments. FEMA recognizes the rights of individuals working or visiting in FEMA-controlled buildings to an environment reasonably free of contaminants.

7. Policy.

a. It is the policy of FEMA to prohibit smoking or open flame (i.e., incenses, candles) in all FEMA-occupied or controlled facilities, including hallways, tunnels, dorm rooms, and owned or leased vehicles. The burning of products is also prohibited in all interior space owned, rented, or leased by the executive branch of the Federal Government, and in any outdoor areas under executive branch control in front of air intake ducts.

b. Individuals who desire to smoke shall do so outside of FEMA-occupied or controlled facilities, and owned or General Services Administration (GSA) leased vehicles.

c. Appropriate, uniform NO SMOKING signs shall be posted at the entrance to all buildings, lobby areas, restrooms, elevators, hallways, tunnels, dorm rooms and any other location as deemed necessary in order to ensure compliance with this instruction. Additionally, NO SMOKING signs shall be posted in all FEMA-owned or leased vehicles.

8. Exceptions. The general policy established by this order is subject to the following exceptions:

a. The order does not apply to designated smoking areas that are enclosed and exhausted directly to the outside and away from air intake ducts, and are maintained under negative pressure (with respect to surrounding spaces) sufficient to contain tobacco smoke within the designated area. Agency officials shall not require workers to enter such areas during business hours while smoking is ongoing.

b. The order does not extend to any residential accommodation for persons voluntarily or involuntarily residing, on a temporary or long-term basis, in a building owned, leased, or rented by the Federal Government.

c. The order does not extend to those portions of federally owned buildings/facilities leased, rented, or otherwise provided in their entirety to nonfederal parties.

d. The order does not extend to places of employment in the private sector or in other nonfederal government units that serve as the permanent or intermittent duty station of one or more Federal employees.

e. Exceptions may be established by the head of the agency that are necessary to accomplish agency missions. Such exception shall be in writing, approved by the agency head, and to the fullest extent possible provide protection of nonsmokers from exposure to environmental tobacco smoke. Authority to establish such exceptions may not be delegated.

9. Locations. The head of each facility shall evaluate the need to restrict smoking at doorways and in courtyards under executive branch control in order to protect workers and visitors from environmental tobacco smoke, and may restrict smoking in these areas in light of this evaluation.

10. Smoking Cessation Programs. Through the Employee Assistance Program (EAP) the Agency is able to offer professional assistance to those employees seeking help to stop smoking. For additional information regarding the EAP and its services, employees may contact the Human Resources Division, Employee and Labor Relations Branch at (202) 646-4083.

11. Responsibilities.

a. The Director, FEMA, is responsible for establishing Agency-wide policy to ensure a healthy, uncontaminated work environment for all employees.

b. Administrators, Assistant Directors, Office Directors, and Regional Directors, are responsible for:

(1) Ensuring compliance with the provisions of this instruction

(2) Taking appropriate disciplinary action as defined in FEMA Manual 3310.1, Disciplinary/Adverse Actions Procedures, in the event of a violation of this instruction; and

(3) Consulting with the Employee and Labor Relations Branch, Human Resources Division, prior to imposing any action.

c. Director, Facilities Management and Services Division, is responsible for designating a FEMA Occupational Safety and Health (OSH) Officer, or representative who shall be responsible for:

(1) Establishing and publishing the Agency's policy and procedures for implementing the GSA Smoking Regulations;

(2) Ensuring compliance with the polices and procedures set forth in this instruction; and

(3) Providing personnel with information on the health hazards of smoking, as appropriate.

d. Chief, Safety and Security Branch, is responsible for providing oversight and technical advice, direction, and guidance on OSH related matters and smoking in facilities occupied or controlled by FEMA.

e. Director, Human Resources Division, is responsible for providing information on smoking cessation programs through the Employee Assistance Program.

f. FEMA employees, are responsible for complying with the policies and procedures set forth in this instruction.

