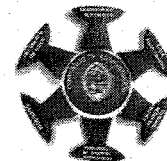




**Felix P. Camacho**  
Governor  
**Michael W. Cruz, M.D.**  
Lieutenant Governor

DEPARTMENT OF ADMINISTRATION  
(DIPATTAMENTON ATMENESTRASION)  
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**Lourdes M. Perez**  
Director  
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Deputy Director

SEP 10 2008

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO.: 08-033

**To:** All Heads of Autonomous and Non-Autonomous Departments and Agencies  
**From:** Director, Department of Administration  
**Subject:** TOBACCO FREE WORKPLACE ENVIRONMENT POLICY

Buenas! Effective December 31, 2007, all Government of Guam departments and agencies shall be in compliance with Executive Order (EO) 2007-18, the Tobacco Free Workplace Environment Policy, and Title 10 GCA Chapter 90 relative to the regulation of smoking.

The Executive Branch is committed to provide a healthy, comfortable, and productive work environment for all employees, patrons/clients and visitors.

The Governor's Prevention and Early Intervention Community Empowerment Council 2006 Guam Epidemiological Drug Survey reported that Guam has the highest rate of smoking among all US States and Territories and the top three causes of death on Guam---heart disease, cancer and stroke---are all directly related to smoking.

Title 10 GCA Chapter 90, Section 90106 (e) states that notwithstanding any other provisions of this same section, every employer shall have the right to designate any place of employment, or portions thereof, as a nonsmoking area.

In light of these findings, and recognizing that tobacco-free workplace environment promotes the reduction of tobacco use among smokers and the protection of non-smokers from second hand smoke, all government of Guam Executive Branch departments and agencies will be tobacco-free by December 31, 2007.

The Chief Justice of the Judiciary of Guam and the Speaker of the Guam Legislature have been encouraged through the executive order to implement and enforce a 100% Tobacco Free Workplace Environment Policy in their respective worksites by December 31, 2007, in order to make all three branches of the Government of Guam a healthier environment for its employees, patrons/clients and visitors.

**DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO.: 08-033**  
**TOBACCO FREE WORKPLACE ENVIRONMENT POLICY**

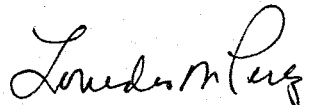
**Page Two**

All Appointing Authorities of the Executive Branch are encouraged to adopt the attached Tobacco Free Workplace Environment Policy and shall make available and post in visible areas within and around their respective government premises, this policy to employees, customers/clients, and visitors. If desired, departments/agencies may adopt their own policy. Government of Guam vehicles and those vehicles leased/contracted for government purposes (e.g. School buses, Guam Mass Transit, Department of Public Health's Transportation Services Program) are included and shall be smoke-free.

Please ensure that all employees receive a copy of this memorandum and the Tobacco Free Workplace Environment Policy.

Furthermore, addressees are requested to provide a copy of their department's/agency's policy for a Tobacco-Free Workplace to the Department of Administration Human Resources Division by October 31, 2008.

If you have any questions regarding this policy, please contact Ms. Kathryn Diaz at the Human Resources Division at 475-1249. Si Yu'os Ma'ase!

  
LOURDES M. PEREZ

Attachment

## **DEPARTMENT OF ADMINISTRATION TOBACCO FREE WORKPLACE ENVIRONMENT POLICY**

### **Mission Statement:**

To provide a tobacco-free workplace environment for the Executive Branch of the Government of Guam in order to protect the health of employees and patrons while at government establishments pursuant to Executive Order 2007-18, and Title 10 GCA Chapter 90 relative to the regulation of smoking.

### **Background and Rationale:**

Numerous studies have confirmed that tobacco use is dangerous, and that cigarette smoke is a major contributor to indoor air pollution. Tobacco use and exposure to secondhand smoke are two of the largest preventable causes of premature death today.

Guam has the highest rate of smoking among all US States and Territories. The top three causes of death on Guam---heart disease, cancer and stroke---are all directly related to smoking.

In addition, breathing secondhand smoke causes disease, including heart disease, stroke, respiratory disease, and lung cancer, in healthy nonsmokers. The National Cancer Institute determined in 1999 (Monograph #10) that secondhand smoke is responsible for the early deaths of up to 65,000 Americans annually.

The World Health Organization recognizes tobacco dependence as a form of drug addiction. In fact, nicotine addiction is one of the most powerful and prevalent addictions on Guam.

The Americans With Disabilities Act requires that disabled persons have access to public places and workplaces, and deems impaired respiratory function to be a disability. Persons with impaired respiratory function are at higher risk of adverse health effects from secondhand smoke.

The U.S. Surgeon General has determined that the simple separation of smokers and nonsmokers within the same air space may reduce, but not eliminate, the exposure of nonsmokers to secondhand smoke. The Environmental Protection Agency has determined that secondhand smoke cannot be reduced to safe levels in businesses by high rates of ventilation. Air cleaners, which are only capable of filtering the particulate matter and odors in smoke, do not eliminate the known toxins in secondhand smoke.

A significant amount of secondhand smoke exposure occurs in workplaces that permit smoking. Employees who work in smoke-filled offices suffer a 25-50% higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function. The Centers for Disease Control and Prevention has determined that the risk of acute myocardial infarction and coronary heart disease associated with exposure to tobacco smoke can occur even at low doses, and has warned that all individuals at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking.

Moreover, workplaces that permit smoking result in higher worker absenteeism due to respiratory disease, lower productivity, higher cleaning and maintenance costs, increased health insurance rates, and increased liability claims for diseases related to exposure to secondhand smoke.

## **TOBACCO FREE WORKPLACE ENVIRONMENT POLICY**

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Title 10 GCA Chapter 90, Section 90106 (e) states that notwithstanding any other provisions of this same section, every employer shall have the right to designate any place of employment, or portions thereof, as a nonsmoking area.

Finally, policies that create tobacco-free environment have been shown by research to be effective in promoting tobacco-free lifestyles and protecting non-smokers from exposure to secondhand smoke. Creating tobacco-free environment at the workplace is an evidence-based intervention that is supported by the World Health Organization, the Center for Substance Abuse and Prevention, the US Centers for Disease Control and Prevention, the US National Cancer Institute, the American Cancer Society, and other health organizations.

### **Policy:**

The Government of Guam Executive Branch is committed to promoting healthy drug-free lifestyles.

It is the policy of the Executive Branch that a tobacco-free workplace environment promotes the reduction of tobacco use among smokers and the protection of nonsmokers from secondhand smoke. Therefore, the Executive Branch shall provide a tobacco-free workplace environment for all employees, patrons, clients, customers, and visitors and that 100% of the government of Guam Executive Branch will be in compliance effective December 31, 2007. It is further the policy of the Executive Branch that all Directors/General Managers/Department & Agency Heads shall adopt a Tobacco Free Workplace Environment Policy.

### **Scope & Definition:**

1. Tobacco use, including smoking shall not be permitted within the facilities, and on government premises at any time. This includes a minimum distance of 20 feet from common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, parking lots, outdoor storage sheds, gardens, walkways and all other facilities owned and operated or leased by the government of Guam. All government of Guam facilities and properties are included in this policy, without exception.
2. In recognition of the fact that Departments and Agencies are situated differently, Department/Agency Heads may reasonably increase the minimum distance as indicated above.
3. There will be no tobacco use in or around any government owned or leased vehicle, doing business transactions at any time (e.g. public transit, school buses enroute to and while transporting passengers). This includes public transit and bus waiting areas.
4. All government-sponsored activities shall be tobacco-free. This includes government-sponsored seminars, conferences and training workshops not on government of Guam premises.
5. This policy shall apply to all employees, patrons, clients, customers, contractors, and visitors.

## **TOBACCO FREE WORKPLACE ENVIRONMENT POLICY**

**Page Three**

### **Procedures:**

1. Employees will be informed of this policy upon employment, by supervisors, and signs and notices will be posted on government of Guam premises.
2. Patrons/consumers/clients and visitors will be informed of this policy through signs, and security personnel will explain it upon entry into government of Guam facilities. Consumers will also receive additional information from their service providers.
3. The Department of Administration shall coordinate with the Department of Mental Health to ensure the coordination of tobacco cessation education workshops and identify those employees through evaluations and surveys who desire to quit smoking or chewing tobacco.
4. Any violations of this policy by employees will be handled through the standard disciplinary procedures pursuant to applicable Personnel Rules and Regulations, and may be handled, especially for non-government of Guam employees, through the Sections 90109 and 90110 which can involve fines up to Five Hundred Dollars (\$500) depending upon the number of violations.

### **Compliance:**

Report all violations in writing following the mailing address indicated on the letterhead of this policy and indicate: Attention: Employee-Management Relations Branch, Human Resources Division of the Department of Administration. You may also contact the Branch at 475-1249.

