

08 September 2014

**PHLPOST CIRCULAR NO.** 14-59



**SUBJECT: SMOKING PROHIBITION BASED ON 100% SMOKE-FREE ENVIRONMENT POLICY AND IMPOSITION OF SANCTIONS FOR VIOLATION OF THIS POLICY**

Pursuant to MANCOM Resolution No. 2014-16 dated 08 August 2014, PHLPost hereby adopts and promulgates a 100% SMOKE FREE POLICY and a SMOKING PROHIBITION in all corporate premises, offices, buildings, warehouses, grounds, including vehicles, except for open spaces designated as smoking areas to ensure a healthy and productive workforce.

## **I. BACKGROUND**

Recent medical studies revealed that indoor air pollution has become one of the top four (4) environmental health risks, together with atmospheric air pollution, toxic chemicals in the workplace, and contaminated drinking water. Foremost among the causes of indoor pollution is unrestricted smoking, which has been proven to be directly related to leading causes of death as cardiovascular diseases and lung cancer, as well as to chronic pulmonary illness such as emphysema, bronchitis and asthma.

Recent medical studies likewise recommend to protect people from exposure to secondhand smoke which show, among others, that:

- (i) Even small amount of secondhand smoke exposure can be harmful to people's health and that opening a window or using ventilation, air conditioning, or a fan cannot eliminate secondhand smoke exposure;
- (ii) Secondhand smoke causes lung cancer, increases the risks of heart attack, triggers asthma attack, and causes acute respiratory effects; and
- (iii) Secondhand smoke which has higher concentration of toxic chemicals than smoke inhaled by smokers, is a known human carcinogen and an occupational carcinogen containing formaldehyde, benzene, vinyl chloride, arsenic, ammonia, and hydrogen cyanide

Despite numerous legal and administrative issuances banning smoking in public and enclosed places, numerous complaints are still received regarding employees who are smoking in PHLPost's restrooms, hallways, stairways, lobby, vehicles and even inside offices and workplaces.

## **II. LEGAL BASIS**

Recognizing the harmful and potentially fatal impact of indoor smoking on employees, the Government promulgated a number of landmark statutes and regulations to protect present and future generations from the devastating consequences of tobacco consumption and exposure to tobacco smoke. The following are significant issuances and laws that mandated a "No Smoking Policy" within public offices:

- a) Civil Service Commission (CSC) Memorandum Circular No. 17 (S.2009). - "The Civil Service Commission hereby adopts and promulgates a 100% SMOKE-FREE POLICY and a SMOKING PROHIBITION in all areas of government premises, buildings and grounds, except for open spaces designated as smoking areas, in order to ensure a healthy and productive workforce."
- b) Tobacco Regulation Act of 2003 (Republic Act No. 9211). - The law regulates the packaging, use, sale, distribution and advertisements of tobacco products protecting people from hazardous tobacco smoke, promoting the right of the people to health and instilling health consciousness.
- c) Clean Air Act of 1999 (Republic Act No 8749), Sec. 24, Pollution from Smoking. - "Smoking inside a public building or an enclosed public place including public vehicles and other means of transport or in any enclosed area outside of one's private residence, private place of work or any duly designated smoking area is hereby prohibited under this Act."
- d) World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) Article 8: Protection from Exposure to Tobacco Smoke, Ratified by the Philippine Senate on 25 April 2005 thus, became binding and part of the law of the land. - "Parties shall adopt and implement effective legislative, executive, administrative, and/or other measures providing for protection from exposure to tobacco in indoor workplaces, public transport, indoor public places and, as appropriate, other public places."



### **III. OBJECTIVES**

In compliance of the provisions of CSC MC No. 17, s2009, the Tobacco Regulation Act of 2003, the Clean Air Act of 1999 and other related issuances and laws on smoke-free environment and, in support of the Government's health consciousness program, this Circular is issued:

1. To promote a healthy lifestyle among postal officials and employees and a smoke-free environment at all PHLPost offices;
2. To prohibit smoking in all corporate premises, offices, buildings, warehouses, grounds, including vehicles, except for open spaces designated as smoking areas;
3. To ensure a healthy and productive workforce;
4. To ensure safe working areas;
5. To encourage people to quit smoking for health reasons;
6. To protect people from exposure to secondhand smoke; and
7. To support national government and international efforts to protect present and future generations from the devastating consequences of tobacco consumption and exposure to tobacco smoke.

### **IV. BASIC DEFINITION**

1. **SMOKING** – refers to the act of carrying a lighted cigarette or other tobacco products, whether or not it is being puffed, inhaled or smoked.
2. **CIGARETTE** – refers to any roll or tubular construction, which contains tobacco or its derivatives and is intended to be burned or heated under ordinary conditions of use.
3. **TOBACCO** – refers to agricultural components derived from tobacco plant, which are processed for use in the manufacturing of cigarettes and other tobacco products.
4. **TOBACCO PRODUCT** – refers to any product that consists of loose tobacco that contains nicotine and is intended for use in a cigarette, including any product containing tobacco and intended for smoking or oral or nasal use.
5. **PREMISES** – refers to a tract of land and the building or buildings thereon, including the open spaces between the buildings located on the same tract of land and within the perimeter of said tract of land.

## **V. POLICIES AND GUIDELINES**

The following policies and guidelines shall be observed in the implementation of this Circular:

1. "Smoking" is the "carrying of a lighted cigarette, or other lighted tobacco products whether or not the same is being puffed, inhaled or smoked.
2. Smoking is ABSOLUTELY PROHIBITED in or on the offices, premises, grounds and buildings of PHLPost, including canteens, corridors, restrooms, vehicles and parking areas, except in the officially designated Smoking Area.
3. It shall be the duty of the designated building administrators, or in their absence or non-designation, the Area Director, the Postmasters, or Head of postal centers and offices, to ensure strict compliance with the requirements of the designated smoking areas and the posting of the prescribed "No Smoking" signage in their respective premises/offices.
4. Officially-designated "Smoking Areas" must be an outdoor space that meets the following requirements:
  - a) It shall be located in an open-space with no permanent or temporary roof or walls in an outdoor area and shall not have an area of more than 10 square meters.
  - b) It shall not be located within 10 meters of entrances, exits or any place where people pass or congregate.
  - c) There shall be only one designated smoking area in the office compound.
  - d) No food or drinks shall be served in the designated smoking area.
  - e) The designated smoking area shall have highly-visible and prominently displayed "Smoking Area" signage which shall be no more than 8 x 16 inches in size and shall contain the information regarding the hazardous effects of smoking on the smoker's health, and/or secondhand smoke to others as prescribed in CSC MC 17 s2009.
5. In the Central Office Compound (MCPO, SMED & CMEC), the designated Smoking Area shall be determined by the Manager of the General Services Department, in the Postal Area Offices the Area Director concerned shall identify the designated Smoking Areas, taking into consideration the above criteria for smoking areas.

6. All smokers are allowed to smoke only in the designated smoking area and for a limited time only to avoid disruption of work.

7. "NO SMOKING" signs shall be posted and displayed prominently in conspicuous locations within the PHLPost offices, premises and grounds, including vehicles. The "No Smoking" signage (see Attachment "A") shall be at least 8 x 16 inches in size and the International "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall occupy no less than 70% of said signage. The remaining lower 30% of the signage shall show the following warning prominently as prescribed in CSC MC 17 s2009:

**"STRICTLY NO SMOKING"**

**As per CSC Memorandum Circular No. 17, series of 2009**

**Violation of this Circular is a ground for disciplinary action**

**Report Violations to: (list of names of responsible persons and telephone numbers)"**

8. The sale and/or distribution of cigarettes, cigars or any other tobacco product shall be restricted within PHLPost's premises, offices and grounds nationwide.

9. All ashtrays or any receptacles made for dispensing cigarette refuse shall be removed except in designated smoking areas.

10. List of violators shall be prepared by the Postmasters or Head of offices/centers and shall be directly reported to the concerned Area Director or to the Manager of the Inspectorate Department in the case of the Central offices. The Area Director and the Manager of the Inspectorate Department shall make recommendation for the imposition of sanctions to employees violating this Circular.

11. For purposes of compliance to this Circular, the following shall be constituted as Health Marshals:

- a) Security Guards (internal/designated or out-sourced);
- b) Postmasters;
- b) Designated Officers from the Inspectorate Department;
- c) Building Administrators;
- d) Designated Officers from the Human Resource Management Department;
- and
- e) Designated Officers by the Area Directors.



## **VI. ROLES AND RESPONSIBILITIES:**

PHLPost officers and employees shall be responsible for the following:

1. All Heads of Office in the Central and Area Offices shall ensure strict implementation of this Circular. All postal officials and employees shall strictly abide to the NO SMOKING POLICY and to the provisions of this Circular.
2. The Office of the Assistant Postmaster General for Administration and Finance is tasked with the procurement and posting of No Smoking signs, removal of ashtrays and other similar receptacles and the construction of a Smoking Area in the offices at the Central Office. The Area Director is tasked with the procurement and posting of No Smoking signs, removal of ashtrays and other similar receptacles and the construction of a Smoking Area in the offices within their respective Area.
3. Appointed Health Marshals shall conduct random checks to ensure proper implementation of the No Smoking Policy. Violation of the No Smoking Policy shall be reported to the concerned Area Director or to the Manager of the Inspectorate Department.

## **VII. PENALTIES AND SANCTIONS**

Any violation of this Circular shall constitute as a "Violation of Reasonable Postal Office Rules and Regulations" and shall be considered a ground for disciplinary action pursuant to the Revised Disciplinary Rules and Procedures of the Philippine Postal Corporation in reference to the Revised Rules in Administrative Cases in the Civil Service (RRACCS) and shall be administratively sanctioned as follows:

**First Offense:** Reprimand.

**Second Offense:** Suspension of One (1) to Thirty (30) days.

**Third Offense:** Dismissal from the service.

Visitors/Guests are strictly required to abide with the Smoking Prohibition and if found to be smoking within PHLPost office premises, they shall be escorted by the Security Guards on Duty and/or Responsible PHLPost Officer to the designated Smoking Area.

## **VIII. REPEALING CLAUSE**

All circulars and issuances contrary to or inconsistent with the provisions herewith are deemed repealed and/or modified accordingly.

**IX. EFFECTIVITY**

This Circular shall take effect immediately.



**MA. JOSEFINA M. DELA CRUZ**  
Postmaster General & CEO

**Attachment "A"**

