

July 24, 2024

**Regional Memo Order No. 066**  
Series of 2024

**SUBJECT: SMOKE AND VAPE FREE WORKPLACE POLICY AND PROGRAM**

**A. SCOPE AND COVERAGE**

In the interest of the service and to promote the health and well-being of all its employees, the Department of Trade and Industry Region 12 is committed to providing a safe and healthy workplace free from smoking and vaping. Thus, this policy.

The Smoke and Vape Free Policy and Program adopted by DTI Region 12 is in compliance with Republic Act Nos. 9211 and 11900 or otherwise known as the "Tobacco Regulation Act of 2003" and "Vaporized Nicotine and Non-Nicotine Products Regulation Act" and Executive Order No. 26 providing for the Establishment of Smoke-Free Environments in Public and Enclosed Spaces, respectively.

This policy applies to all DTI 12 employees, service providers, contractors, student interns, and visitors (clients and vendors) entering the office premises.

**B. POLICY STATEMENT**

Pursuant to the policy of protecting and promoting the right to health of the people and instilling health consciousness among them, smoking shall be prohibited within the premises of all DTI Region 12 Offices, compliant with CSC MC No. 17, s.2009 (Smoking Prohibition based on 100% Smoke-Free Environment Policy), RA 9211, RA 11900, and Executive Order 26.

**C. DEFINITION OF TERMS**

- **Smoking:** The act of lighting, smoking, or carrying a lighted or smoldering cigar, tobacco, cigarette, or pipe of any kind as defined in RA 9211.
- **Vaping:** The use of electronic nicotine delivery systems (ENDS) or electronic smoking devices for inhaling and exhaling vapors. This includes devices such as e-cigarettes, e-pipes, e-hookahs, e-cigars, and other vapor product devices as defined in RA 11900.
- **Premises:** Includes, but are not limited to, DTI office buildings, rooms, yards, grounds, compounds, parking areas, gardens, rooftops, vehicles, and the like, notwithstanding that some of the said structures or areas are owned by other government agencies or privately-owned but leased by the DTI 12.

## **D. GENERAL GUIDELINES**

1. **Smoking and Vaping Prohibition:** Smoking and vaping are strictly prohibited in all areas of DTI 12 offices, including grounds, parking areas, and vehicles. There shall be no designated smoking or vaping areas allowed at the DTI premises.

### **2. Duties and Responsibilities of the Person-in-Charge**

The Anti-Smoking and Cessation Focal Person shall ensure the following:

- All DTI employees, service providers, clients, visitors, and interns are aware of the Smoke and Vape free policy.
- Appropriate signages are posted on DTI 12 premises.
- Monitor compliance of DTI 12 employees and implement appropriate administrative proceedings whenever necessary.
- Take the lead in communicating appropriate warnings to employees, clients, and visitors who violate the smoke-free policy. Warnings may include asking the individual not to smoke or in case of uncooperative behavior, to request the said person to leave the DTI 12 premises with the assistance of the security guard.
- Inform employees and its in-house service providers (e.g., utility workers, security guards, clerical staff, and the like) of the policy so that they will assist in communicating the policy to clients and visitors and issue appropriate warnings whenever necessary.

### **3. Posting and Display of Signages**

In compliance with RA 9211 (Tobacco Regulation Act of 2003), RA 11900 (Vaporized Nicotine and Non-Nicotine Products Regulation Act), and Executive Order 26 (Providing for the Establishment of Smoke-Free Environments in Public and Enclosed Spaces), the following guidelines shall be observed:

- a. **General Signage Requirements:**
  - All signs shall be clear, visible, and compliant with the specifications set forth by the laws and issuances.
- b. **Non-Smoking and Vaping Establishment Sign:**
  - Post and display an 8x6 inches "This is a Non-Smoking establishment" sign at all entrances.
  - This sign shall be placed at eye level and in well-lit areas to ensure maximum visibility.
- c. **No Smoking and Vaping Signs:**
  - At the very least, a "No Smoking" sign shall be posted prominently in government vehicles, stairwells, entrances, exits, and other conspicuous places in the buildings, grounds, and premises of DTI 12.
  - This sign shall be at least 8x18 inches in size. 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 50% of said signage.
  - The text and symbols shall be in contrasting colors to ensure readability.

- d. **Additional Requirements as per RA 9211 and Executive Order 26:**
- Signs should be durable, weather-resistant, and made of materials that can withstand various environmental conditions.
  - Signage should include both English and Filipino text for broader comprehension.
  - Include contact information for reporting violations, such as the phone number or email address of the responsible office or agency.
- e. **Vape-Free Signages** (aligned with RA 11900):
- Post clear and visible signs indicating "Vaping is Prohibited" at all entrances, exits, and other prominent areas where vaping is prohibited.
  - These signs should be consistent in size and visibility with the "No Smoking" signs to ensure uniformity.
- f. **Compliance and Monitoring:**
- Regular checks shall be conducted by the designated Anti-Smoking and Cessation Focal Person to ensure that all required signs are properly displayed and maintained.
  - Any missing, damaged, or obscured signs shall be replaced immediately.
- g. **Suggestions for Enhanced Compliance**
1. **Digital Signages:**
    - Utilize digital screens or LED boards where feasible to display anti-smoking and anti-vaping messages. These can be updated regularly with health warnings and reminders about the smoke-free policy.
  2. **Employee Awareness Campaign:**
    - Conduct regular orientation and training sessions for employees about the importance of the smoke-free policy and the significance of the signage.
  3. **Visitor Information:**
    - Include information about the smoke-free policy and the location of signs in visitor brochures and on the official DTI 12 website.
  4. **Engagement with Local Health Offices:**
    - Collaborate with local health offices to ensure that the signage content is up to date with the latest health advisories and legal requirements.
4. **Procedures for Handling Violations of the Smoke and Vape Free Work Environment Policy**
- a. **Initial Request to Cease Smoking:**
- If an individual is found smoking on the premises, they will be politely requested to stop smoking immediately by a responsible staff member or security personnel.
- b. **Escalation if Non-compliance Occurs:**
- Should the individual refuse to comply, the Public Assistance Complaints Desk (PACD) Officer of the day, with the security guard on duty, will ask them to vacate the premises immediately.
  - The security guard on duty will record the incident, noting the details and time, in their daily logbook.

**c. Incident Endorsement to Human Resource Management Unit:**

- The PACD Officer will formally endorse the incident to the Human Resource Management Unit by preparing an Incident Report detailing the events and the actions taken.

**d. Investigation by the Human Resource Management Unit:**

- Within three (3) days upon receiving the Incident Report, the Human Resource Management Unit will investigate. This involves:
  - Gathering all relevant information and statements from involved parties and witnesses.
  - Reviewing security footage, if available, to corroborate the details of the incident.
  - Consulting the daily logbook entries and any other relevant documentation.

**e. Deliberation by the Safety and Health Committee:**

- The Human Resource Management Unit will present the investigation's findings to the Safety and Health Committee for deliberation during its quarterly meeting.
- The committee will review the details of the incident, considering all evidence and the alleged violator's past behavior, if applicable.
- They will determine the appropriate course of action based on the severity of the violation and the individual's compliance with previous warnings or penalties.

**f. Issuance of Appropriate Disciplinary Actions:**

- Within five (5) days after the committee's decision, the Human Resource Management Unit will proceed with issuing the corresponding disciplinary measures, in accordance with the established penalties.

**g. Documentation and Record Keeping:**

- All actions taken, including the investigation process, deliberations, and final disciplinary actions, will be thoroughly documented and kept in the employee's personal file.
- The Human Resource Management Unit will ensure that all records are maintained accurately for future reference and compliance audits.

**h. Follow-up and Compliance Monitoring:**

- The Human Resource Management Unit will monitor compliance with the smoke-free policy to prevent future violations.
- Regular training and awareness programs may be conducted to reinforce the importance of maintaining a smoke-free environment.

**E. PENALTIES – ADMINISTRATIVE ACTIONS FOR VIOLATING THE SMOKE AND VAPE FREE WORKPLACE POLICY AND PROGRAM**

This policy applies to all individuals within the premises, whether they are employees of DTI 12 or not.

**• For Employees of DTI 12:**

- **First Offense:** The employee will receive an oral reprimand from the Human Resource Officer or Division Chief to whom they report.
- **Second Offense:** The employee will be given a written reprimand and issued a formal memorandum from the Head of Office of DTI 12.
- **Third Offense:** The employee will face penalties as outlined in CSC Resolution No. 1101502 dated November 8, 2011. This involves a violation



of Rule 10, Schedule of Penalties under Section 46, specifically Section F-3, which pertains to the violation of reasonable office rules and regulations.

- **For Clients/Visitors/Guests/Service Providers:**
  - **First Offense:** The individual will receive an oral reprimand from the Human Resource Officer, Guard-on-Duty, or PACD Officer of the day.
  - **Second Offense:** The individual will be given a written reprimand and issued a formal letter from DTI 12.
  - **Third Offense:** Endorse the individual to the Koronadal City Police Station in violation of the Comprehensive Anti-Smoking Ordinance of the City of Koronadal.

#### **F. COMPOSITION OF THE SAFETY AND HEALTH COMMITTEE**

The Safety and Health (OSH) Committee shall be composed of the following members:

- Chairperson: Head of Office or his/her authorized representative
- Members:
  - Highest ranking officer/ executive in charge of human resource
  - Two (2) representatives from the accredited employees' association or union (one 1<sup>st</sup> level and one 2<sup>nd</sup> level employee)
  - Agency physician, or in the absence thereof, any employee who is a graduate of a medical-related course
  - Representative from the local Risk Reduction and Management Council/ Risk Reduction Management Officer or its equivalent
  - Designated Anti-Smoking and Cessation Focal Person
- Secretary: Designated Safety Officer(s)

#### **G. SMOKING CESSATION PROGRAM**

The Safety and Health Committee and the designated Anti-Smoking and Cessation Focal Person shall implement a "Smoking Cessation Program" or a similar initiative for employees who wish to quit smoking. This program will be done in partnership with the Department of Health, the City Health Office, or their allied agencies. It shall include referring willing individuals to a smoking cessation clinic.

- Willing employees will be referred to the Smoking Cessation Clinic under the City Health Office of Koronadal City.
- Conduct an education campaign, either in written or oral form, for all employees of the DTI 12 relative to the negative effects of smoking and the positive effects of smoking restrictions in public places.

#### **H. MONITORING AND EVALUATION**

The Safety and Health Committee, with the Human Resource Management Unit, shall conduct monitoring and evaluation of the Smoke and Vape Free Workplace Policy and Program:

1. **Conducting Periodic Audits:**
  - Perform regular audits of office premises to ensure compliance with smoking and vaping restrictions.
  - Document and track any violations or incidents related to smoking and vaping.

2. **Tracking Smoking Violations:**
  - Record the frequency and nature of smoking violations to identify patterns and areas for improvement.
3. **Monitoring Smoking Cessation Success:**
  - Track the number of employees who quit smoking due to the policy and cessation programs.
4. **Collecting Anonymous Employee Feedback:**
  - Establish channels for employees to provide anonymous feedback regarding the policy and its effectiveness.
5. **Collaborating with Health Agencies:**
  - Work with health agencies and experts to enhance the policy and provide effective cessation programs.
6. **Implementing Continuous Education:**
  - Provide ongoing education to employees about the risks of smoking and the benefits of quitting.
7. **Ensuring Policy Awareness:**
  - Ensure that all employees are aware of the policy, understand the rules, and know the available support resources.

## I. **ENFORCEMENT**

All Heads of Offices and Division Chiefs are enjoined to strictly implement and enforce this policy and immediately prohibit smoking and vaping among their direct reports and the public in their respective office premises.

This Order shall take effect immediately and shall remain in full force unless revoked or further amended by a competent authority.

  
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