

NCI Tobacco-Free Policy

A. Purpose:

The purpose of this policy is to outline the requirements for maintaining a tobacco-free environment within the National Cancer Institute (NCI). By implementing this policy, the Institute:

- (a) Maintains consistency between NCI's ongoing tobacco-related work across all areas and NCI's policies for its own workplaces and employees.
- (b) Helps maintain clean air in a safe and healthy environment for everyone who works for and with NCI in its workspaces.
- (c) Offers tobacco cessation information and opportunities to those who work for and with NCI in its workspaces.
- (d) Provides an example for other Federal, private, and non-profit workplaces about how to implement and maintain a comprehensive tobacco-free policy.

B. Background:

On August 9, 1997, Executive Order 13058 prohibited the smoking of tobacco products 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.

On November 10, 2004, the Department of Health and Human Services (HHS) Secretary announced the first Department-wide, Tobacco-Free initiative. The goal of the Tobacco-Free HHS policy is to improve the health of its employees by promoting and supporting tobacco use cessation while protecting employees and the public from exposure to environmental tobacco smoke in the workplace.

On July 1, 2011, the HHS Secretary issued the current Tobacco-Free HHS Policy, which specifically requires all properties owned or leased by HHS agencies to be tobacco free insofar as labor and lease agreements permit.

Tobacco use is the leading cause of preventable disability, death, and economic loss in the U.S. The National Cancer Institute (NCI) has a significant role in tobacco-related research and communications. NCI's web site Cancer.gov links to these and other sources of information:

- (a) Tobacco-related research studies sponsored or conducted by NCI.
- (b) Tobacco-related disease and other statistics.
- (c) Smokefree.gov and its related sites for Women, Teens, Military Veterans, and Spanish speakers.

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- (d) [LiveHelp from the NCI Cancer Information Service](#).
- (e) [NCI Tobacco Control Monograph Series](#).
- (f) Surgeon General's 50th Anniversary Report on Smoking and Health.
- (g) Information from other agencies and organizations such as the Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA).

NCI "takes its own best advice" on tobacco use, and therefore maintains a comprehensive tobacco-free policy.

Note: The National Institutes of Health (NIH) tobacco-free policy applies only to the NIH campus in Bethesda. See the [Tobacco-Free NIH](#) web page and [NIH Policy Manual Chapter 1321](#) for more details.

C. Policy:

The NCI Tobacco-Free Policy includes provisions consistent with the NIH policy and also includes additional provisions. The NCI policy applies to all individuals in all NCI workplaces including Bethesda, NCI Shady Grove, NCI Frederick and all other workplaces, permanent or temporary.

1) Provisions

- (a) The use of all tobacco products is prohibited, including: cigarettes, cigars, pipes, smokeless tobacco (chew, snuff, twist, and any others), and any other tobacco product.
- (b) The use of vaporizers, e-cigarettes, and other Electronic Nicotine Delivery System (ENDS) devices is also prohibited.

2) Coverage

- (a) The NCI Tobacco-Free Policy applies to everyone in any of NCI's workspaces, including but not limited to:
 - Employees
 - Contractors
 - Fellows and Interns
 - Visitors

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- (b) The policy applies to individuals indicated above while at any NCI Federal grounds, leased facilities, and workplaces, including but not limited to:
- NIH campus in Bethesda
 - NCI Shady Grove in Rockville
 - NCI campus at Frederick
 - Space leased in support of the Frederick National Laboratory for Cancer Research
 - Any other workspace owned, controlled, leased, or reserved for NCI – whether that workspace takes up all or any portion of a building, and whether the rest of that building is tobacco-free or not
 - On the grounds of any NCI workplace
 - NCI owned or leased parking garages and parking lots
 - Government and private vehicles at all NCI workplaces

3) Enforcement

- (a) Enforcement is the responsibility of all NCI staff. When violations of the NCI Tobacco-Free Policy occur, initial responsibility for handling the violation rests with the immediate supervisor. Responsibility for violations by workers or visitors who are not based on-site rests with the NCI supervisor most closely connected with that person's role with NCI when the violation occurred.
- (b) Through consultation with an employee relations specialist, appropriate action can be taken for one or more violations.
- (c) Enforcement of the NCI Tobacco-Free Policy is consistent with the established enforcement procedures for other [NCI Human Resource Policies](#), such as those prohibiting gambling or unauthorized possession of intoxicants at NCI workplaces; and is consistent with policies regulating comprehensive adherence to ethics and computer security.

4) Exceptions

- (a) U.S. Food and Drug Administration (FDA)-approved tobacco cessation products can be used at NCI workplaces for quitting tobacco use. This includes but is not limited to nicotine gum or patches. Note, however, that e-cigarettes and other Electronic Nicotine Delivery System (ENDS) devices are not FDA-approved cessation products.

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- (b) When NCI employees (Federal, contractor, or others) are teleworking from home, they are on private property which is not an official NCI workplace, and, therefore, cannot be legally required to follow this policy. They are, however, encouraged to take advantage of tobacco cessation services as needed – and are also advised to be aware of and follow increasingly comprehensive tobacco, e-cigarette and other smoking policies at their location and in their jurisdiction.
- (c) NCI does not recognize exceptions to this policy for union contracts when union members are in NCI workplaces. All employees and other individuals in our workplaces are entitled to a healthy, tobacco-free environment.

D. Tobacco Cessation:

- 1) Tobacco, nicotine, and smoking cessation information and services are available, as needed, to help individuals meet the workplace requirement. Cessation information and services are also available to help individuals quit use completely.
- 2) Insurance coverage for cessation is available through the Federal Employee Health Benefit (FEHB) Plan for Federal employees and their covered dependents, at no cost or co-pay. Similar services are included in many other insurance plans for contractors and members of the public. Individuals should check with their insurance providers.
- 3) For a listing of cessation and related resources, see [myNCI Workplace Wellness](#), as well as the online tools provided by [Smokefree.gov](#) and the other sites in Section H.2.b of this policy.

E. Records Retention and Disposal:

All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of the [NIH Policy Manual Chapter 1743](#), "Keeping and Destroying Records," Appendix 1, General Records Schedule 2.3 - Employee Relations Records, Item 061- Administrative Grievance, Disciplinary, and Adverse Action Files. Adverse Action Files.

NIH e-mail messages, including attachments that are created on the NIH computer systems or transmitted over the NIH networks that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. Contact the [NCI Records Management Officer](#) for additional information.

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All e-mail messages are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester, employee's supervisor, NIH staff conducting official reviews or investigations, and the Office of Inspector General who may request access to or copies of the e-mail messages. E-mail messages must also be provided to the Congressional Oversight Committees, if requested, and are subject to Freedom of Information Act requests. Back-up files are subject to the same information requests as original messages and documents.

F. Internal Controls:

The purpose of this policy is to outline the requirements for maintaining a tobacco-free environment within the National Cancer Institute (NCI).

1) The Office of Workforce Planning & Development (OWPD) will:

- (a) Send out annual e-mail reminders concerning the NCI Tobacco-Free policy,
- (b) Include tobacco policy information on myNCI, in NCI orientation sessions, and in supervisor trainings, and
- (c) Respond to and track any questions or issues sent to:
nciowd-r@mail.nih.gov.

2) Frequency of Review: Annually.

3) Methods of Review:

- (a) Consultation with scientific staff in the NCI Tobacco Control Research Branch for any updates needed
- (b) Enforcement consultations with the NCI Office of Space and Facilities Management
- (c) Outreach to supervisors, as part of overall NCI Workplace Wellness
- (d) Responses to inquiries

4) Reports: Tracking reports of inquiries and violations will be developed annually, reviewed by the Director of the NCI Office of Workforce Development, and shared with NCI leadership as needed.

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G. References:

- (1) [Tobacco Cessation Support Programs – OPM](#)
- (2) [Tobacco Cessation Support Programs – NIH](#)
- (3) [National Institutes of Health Tobacco-Free Campus Policy](#)
- (4) [NIH Policy Manual Chapter 1321- Tobacco-Free NIH](#)
- (5) [HHS Policy Issuance: Prohibition of Tobacco Use in HHS-Occupied Facilities](#)
- (6) [NIH Policy Manual Chapter 1743, Keeping and Destroying Records](#)
- (7) [IntraHR – NIH Table of Penalties](#)
- (8) [Executive Order 13058 – Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace.](#)

H. Additional Resources:

1) Posting

- (a) This NCI Tobacco-Free Policy is posted on the Workplace Wellness page of the myNCI Intranet and is referenced on the Visitor Information page on NCI's Cancer.gov web site.
- (b) Hardcopy print-outs of those policy postings may also be used for training, NCI orientation, enforcement, or other reference purposes.

2) Questions and Additional Information

- (a) Questions about the NCI Tobacco-Free Policy can be directed to the NCI Office of Workforce Planning and Development at nciowdr@mail.nih.gov.
- (b) Information about the effects of tobacco and other smoking behaviors on health, tobacco-related research, tobacco cessation tools, health insurance coverage for cessation, and other related information can be found on these sites:
 - Smokefree.gov
 - Women.Smokefree.gov
 - Espanol.Smokefree.gov
 - Teen.Smokefree.gov
 - SmokefreeVET
 - Smokefree Apps
 - Wellness@NIH
 - [HHS "Be Tobacco Free"](#)
 - [Tobacco-Free NIH](#)
 - [National Cancer Institute - Tobacco](#)

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- [Speak to an Expert](#)
- [Special Initiatives – QUIT SMOKING](#)
- [CDC-Office on Smoking and Health \(OSH\) -“At a Glance Tobacco Use”](#)
- [FDA-Tobacco Products](#)