

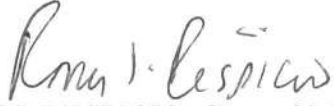


PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96925
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

POLICY MEMORANDUM NO. 2019-GM05

To: Port Employees Port Tenants	Subject: Smoke Free Policy
Effective Date: September 9, 2019	Revision Date:
Approved by:  RORY J. RESPICIO, General Manager	

I. INTRODUCTION

Since the enactment of the Clean Indoor Air Act of 1992 and the enactment of 10 GCA Chapter 90, Regulations of Smoking, also known as the “Natasha Protection Act of 2005”, smoking is prohibited in enclosed places of employment and “...within twenty (20) feet of the entrance or exit of a public place only if such smoking area is an open outdoor patio contiguous to the public place and is controlled by the proprietor or management of the public place.”

II. PURPOSE

The purpose of this policy is to provide all Port employees, tenants and visitors with an opportunity to breath clean air and work in a clean and healthy environment. Also, the purpose of this policy are:

1. to protect the public health and welfare by prohibiting smoking in public places except in designated smoking areas;
2. by regulating smoking in places of employment;
3. have a reasonable balance between the needs of persons who smoke and the right of nonsmokers to breathe smoke-free air; and
4. to recognize that the right to breathe smoke-free air shall take priority.

It also provides detailed policies and practices regarding smoking in all facilities owned, leased, occupied by or operated for and on behalf of the government within each department and agency of Guam.

III. APPLICABILITY

This policy applies to all Port employees, tenants and visitors while in Port-occupied buildings and facilities.

IV. POLICY

The Port's policy on tobacco prevention is to create a social environment that supports abstinence and discourages use of tobacco products, creates a healthy working environment, and provides smokers with encouragement and professional assistance to stop smoking. The objective is to establish appropriate environmental protective measures to ensure a safe, healthy, unpolluted work and living environment.

It is the policy of the Port Authority to respect the rights of both the nonsmoker and smoker in Port buildings and facilities. When these rights conflict, management and Port employees should endeavor to find a reasonable accommodation. When such an accommodation is not possible, the rights of the nonsmoker should prevail.

V. PROHIBITED AREAS

1. The entire Administration building, both first, second and third floors.
2. All offices and areas in the Terminal yard.
3. Waterfront areas from F-3 to F-6, including gantry crane cabs.
4. All government vehicles and cargo handling equipment.
5. All restrooms.
6. Private business vehicles and equipment entering into the compound.

VI. DESIGNATED SMOKING AREAS

1. **Northwest** corner ground level outside Administration building.
2. **Southwest** corner ground level outside Administration building.
3. **South Side** of public restroom by Admin Annex building.
4. **Northwest** corner outside Low Tower building.
5. **East end** outside CFS building.
6. **Northeast** corner outside EQMR building.

VII. POSTING OF SIGNS

1. All designated smoking areas shall be posted with signs stating the following:

“Designated Smoking Area”

“Smoking Area”

2. All Port’s buildings, facilities, container yard, waterfront areas, and compound area are “No Smoking Areas”. Therefore, posting of signs are not required.

VIII. ENFORCEMENT

The success of this policy will depend to a great extent upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. Smokers must consider the health concerns of nonsmoking. Smokers must comply with fire safety, prevention, and protection of port facilities.

All Port employees, tenants and visitors are responsible for the administration of this policy and shall make every effort to ensure that **smoking does not take place in prohibited areas**.

Division Heads shall discourage smoking to the maximum extent possible by:

1. Encouraging smokers to stop smoking, and nonsmokers to refrain from starting.
2. Discussing and incorporating consequences of smoking.
3. Ensuring subordinates observe this smoke free policy.
4. Ensuring smokers are to smoke ONLY in designated smoking areas.

IX. ENTIRE POLICY

All prior policies or memoranda in conflict with this policy are hereby rescinded.

X. VIOLATIONS AND PENALTIES

Any Port employee, tenant employee, or visitor(s) found smoking in a no smoking area or unauthorized areas; he/she may be subject to disciplinary action and/or monetary fine.