



Interamerican University of Puerto Rico  
President's Office

## **Rules to Regulate Smoking at the Universidad Interamericana de Puerto Rico**

**POLICY DOCUMENT G-0618-045**

### **Introduction**

The regulation to limit smoking at the University dates back to 1991 and in order to keep it updated and in line with the changes in the state law, Law number 40 of August 3, 1993, as amended, "Law to Regulate the Practice of Smoking in Certain Public and Private Places," we proceed to review it regularly and rigorously.

It is scientifically proven that both smokers and those who inhale the smoke they exhale (passive smokers) are exposed to the harmful effects of smoking. According to studies, tobacco smoke is made up of more than 4,000 chemical substances, of which more than 43 are cancer-producing (carcinogens) in humans; they have been classified by the United States Environmental Protection Agency as "type A carcinogens", which are those for which there is no safe level of exposure.

Passive smoking is a major risk factor for disease and death, being the third most preventable cause of death, after active smoking and alcoholism. Currently, tobacco use is one of the leading preventable causes of disease, disability and premature death in Puerto Rico. Every year more than 3,600 people in Puerto Rico die due to this practice and half of them lose an average of 20 years of life.

### **I. Legal basis**

This document is promulgated by virtue of the authority conferred upon the President by the Board of Trustees in the Bylaws of the Inter-American University of Puerto Rico. It is also based on the following law:

*Act No. 40 of 1993, as amended: An Act to regulate the practice of smoking in certain public and private places.*

### **II. Purpose**

This policy document establishes the rules to regulate smoking at the Universidad Interamericana de Puerto Rico.

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### III. Scope

This document will be effective in all administrative and teaching units of the University System.

### IV. Definitions

For purposes hereof, the following terms shall have the meanings set forth below:

- 4.1 Outdoor areas - Those areas of the different institutional units that are not contained within an enclosed structure, such as parking lots, balconies, outdoor walkways and courtyards surrounding and/or providing access to the buildings.
- 4.2 Common areas - facilities attended by the public, including, but not limited to, classrooms, laboratories, amphitheaters, theaters, theaters, courts, chapels, libraries, offices, meeting rooms, warehouses, archives, cafeterias, lunchrooms, elevators, official vehicles, bookstores, dressing rooms, infirmaries, waiting rooms, childcare centers, and other similar places attended by the public.
- 4.3 Work site - Any indoor, outdoor or subway location and appurtenances thereof, including any common areas or other structures where any trade, service or business is temporarily or permanently carried on, or where any process or operation directly or indirectly related to any trade, service or business is carried on, or where any process or operation directly or indirectly related to any trade, service or business is carried on.
- 4.4 Smoking - The activity of inhaling and exhaling the smoke of tobacco or other substances that are made to burn in cigars, cigarettes, pipes, and possessing or transporting cigars, cigarettes and pipes or smoking devices while lit, and also includes the use of the so-called electronic cigarette. For purposes of this document, electronic cigarette is defined as any product designed to deliver doses of nicotine in combination with other substances to the user in vapor form, as established by the United States *Food and Drug Administration*.
- 4.5 Environmental tobacco smoke - Smoke emanating from cigarettes, pipes, cigars, or e-cigarettes, plus smoke coming from the smoker's mouth. Exposure to it is known as involuntary smoking or passive smoking.
- 4.6 Residence - Any physical structure or property, designated for the housing of persons and owned by the University.

### V. Sale, distribution and promotion of tobacco within the University premises.

The sale and distribution of tobacco and the promotion of its use are prohibited in the structures and premises of the University.

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## **VI. Non-smoking areas**

Smoking is prohibited in all meeting areas, work settings and residences, as defined in Article IV- 4.2, 4.3 and 4.6 of this document.

## **VII. Smoking areas**

Smoking is permitted:

7.1 In outdoor areas, as defined in Article IV - 4.1 of this document.

7.2 In areas specifically designated for this purpose.

## **VIII. Identification of areas**

The various areas where smoking or non-smoking is permitted shall be properly identified as such with some type of sign or serial that communicates such message. Lack of identification is not an authorization to smoke in an area, if the location falls within the definition of Article IV as a meeting area, 4.2, work setting, 4.3 and residences 4.6.

## **IX. Responsibilities**

The chief executives and senior managers will take the appropriate measures to ensure the faithful compliance with this document.

## **X. Disciplinary Measures**

Sanctions

Any person who violates the provisions of this document shall be subject to the following penalties:

10.1 Teaching and Non-Teaching Staff

10.1.1 Orientation for the immediate supervisor.

10.1.2 Written reprimand by the immediate supervisor.

10.1.3 Suspension from employment and salary for a period of not less than one day and not more than five working days for the chief executive of the unit, for the vice presidents in their area of responsibility in the case of the Central Office and for the President in the case of the chief executives and vice presidents.

10.1.4 Dismissal or suspension from employment and salary for repeated violation of the rules that allow the good and normal functioning of the institution, in accordance with the due process established in the Faculty Manuals and the Non-Teaching Personnel Manual.

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## 10.2 Students

In cases of violation of these rules by students:

- 10.2.1 Orientation by the Dean of Students in the respective unit.
- 10.2.2 Written reprimand by the Dean of Students.
- 10.2.3 The procedures and sanctions set forth in Chapter V of the General Student Regulations will be applied: punishable behavior and fair procedure.

### **XI. Separability**

If any part or section of these standards is declared invalid by a competent authority, such decision shall not affect the remainder.

### **XII. Repeal and amendments**

These policies supersede policy document *G-0403-001R*, and any other guidelines that conflict with the provisions herein. This document may be amended or repealed by the President of the University.

### **XIII. Validity**

These regulations shall be effective immediately upon approval and signature by the President.

### **XIV. Approval**

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Chairman

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