



Inter American University of Puerto Rico
Office of the President

**RULES TO REGULATE SMOKING AT
INTER AMERICAN UNIVERSITY OF PUERTO RICO**

NORMATIVE DOCUMENT G-0403-007R

NOTE: *This Normative Document is available in Spanish and English. In the event of a conflict as to its interpretation, the Spanish version shall prevail.*

Introduction

The rules to limit smoking at the University date from 1991 and, in order to keep them updated and consistent with the changes in state law, Act No. 40 of August 3, 1993, as amended, *Act to Regulate Smoking in Certain Public and Private Places*, we proceed to review it regularly and rigorously.

It has been scientifically verified that smokers as well as those that inhale the smoke that smokers exhale (passive smokers) are exposed to the same harmful effects. According to existing studies, tobacco smoke is made up of more than 4,000 chemical substances, of which more than 43 are cancer producing (carcinogenic) in human beings. These have been classified by the United States Environmental Protection Agency as "type A carcinogens", which means that there is no safe level of exposure to them.

Passive smoking is a major risk factor of disease and death. It is the third most preventable cause of death after active smoking and alcoholism. At present, tobacco consumption is one of the primary preventable causes of diseases, disability, and premature death in Puerto Rico. Each year more than 3,600 people die in Puerto Rico as a result of smoking, and half of them lose an average of 20 years of life.

I. Legal Base

This document is promulgated by virtue of the authority conferred to the President by the Board of Trustees in the Bylaws of Inter American University of Puerto Rico. In addition, they are based, on the following law: Act No. 40 of August 3, 1993, as amended, *Act to Regulate Smoking in Certain Public and Private Places*.

II. Purpose

This normative document establishes the rules that regulate smoking at Inter American University of Puerto Rico.

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III. Scope

This document applies to all administrative and teaching units of the University.

IV. Definitions

For the purpose of this document, the following terms will have the meanings expressed herein:

- 4.1 Outdoor areas – areas of the different institutional units not contained within a closed structure, such as parking areas, balconies, outdoor hallways, and patios that surround and/or provide access to buildings.
- 4.2 Common areas – facilities used by the general public, which include, but are not limited to, classrooms, laboratories, amphitheatres, theaters, athletic facilities, chapels, libraries, offices, meeting rooms, warehouses, archives, cafeterias, eating areas, elevators, official vehicles, bookstores, lobbies, infirmaries, waiting rooms, children centers, and other analogous places where people go.
- 4.3 Work scenario – any place inside, outside, or underground belonging to the work scenario, including any common areas, or other structures where work, service or business, either temporarily or permanently, is carried out, or where any process or operation, either directly or indirectly related to an office, service, or business is conducted.
- 4.4 Smoking – activity of inhaling and exhaling tobacco smoke or other substances that are burned in cigars, cigarettes or pipes; the possession or transportation of cigars, cigarettes, pipes or articles for smoking while they are ignited; and the use of electronic cigarettes. As pertains to this document, an electronic cigarette is defined as any product designed to provide the user with a dose of nicotine, in combination with other substances, in the form of vapor, as established by the Food and Drug Administration of the United States.
- 4.5 Environmental tobacco smoke – smoke emitted from a cigarette, pipe, cigar, or electronic cigarette, and that which is exhaled by the smoker. Exposure to environmental tobacco smoke is known as involuntary smoking or passive smoking.
- 4.6 Residence – any building or property designated for accommodating people and property belonging to the University.

V. Sale, Distribution, and Promotion of Tobacco within the Premises of the University

The sale and distribution of tobacco and the promotion of its use in the buildings and premises of the University is prohibited.

VI. Non-smoking Areas

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

VII. Smoking Areas

Smoking is permitted in:

- 7.1 Outdoor areas, as defined in Article IV – 4.1 of this document.
- 7.2 Areas specifically designated for smoking.

VIII. Identification of Areas

The areas where smoking is and is not allowed will be properly identified as such with signs that communicate this message. The lack of identification is not an authorization to smoke, if the location falls within a common area, 4.2, work scenario, 4.3, or residence, 4-6, as defined in Article IV.

IX. Compliance

The chief executives and supervisors will take the necessary measures to ensure the strict compliance with these rules.

X. Disciplinary Measures

Sanctions

Any person who violates the provisions of these rules will be subject to the following sanctions:

- 10.1 Teaching and Non-Teaching Personnel
 - 10.1.1 Orientation by the immediate supervisor.
 - 10.1.2 Written reprimand by the immediate supervisor.
 - 10.1.3 Suspension from employment and salary for a period no less than one day or greater than five work days by the chief executive officer of the unit, by the vice presidents in their area of responsibility in the case of the Central Office, and by the President in the case of the chief executive officers and vice presidents.
 - 10.1.4 Dismissal or suspension from employment and salary for recurrent violations of the rules that permit the good and normal operation of the Institution, in accordance with the due processes established in the Faculty Handbook and the Non-Teaching Personnel Manual.

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10.2 Students

In cases of violation to these rules by students:

- 10.2.1 Orientation by the Dean of Students of the respective unit.
- 10.2.2 Written reprimand by the Dean of Students.
- 10.2.3 Application of the procedures and sanctions indicated in Chapter V of the *General Student Regulations: Punishable Behavior and Just Procedure*.

XI. Severability

If any part or section of these rules is declared void by a competent authority, said decision will not affect the rest of them.

XII. Annulment and Amendments

These rules repeal Normative Document G-0403-007R and any other directives in conflict with the provisions herein. This document may be amended or revoked by the President of the University.

XIII. Effective Date

This document will go into effect immediately upon the President's approval and signature.

IV. Approval

NOTE: Normative Document G-0618-045: *Normas para Regular el Fumar en la Universidad Interamericana de Puerto Rico* was signed by President Manuel J. Fernós on June 14, 2018.