



Memorandum Circular	SMOKING PROHIBITION	Date: 12 December 2012
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REFERENCE DOCUMENTS

CSC MC No. 17 s. 2009	Smoking Prohibition based on 100% Smoke-Free Environment Policy
Joint CSC/DOJ MC No. 2010-01	Protection of the Bureaucracy Against Tobacco Industry Interference
Tagaytay City Ordinance 2012-033	Prohibiting Smoking in All Public Places
Pasig City Ordinance No. 65 s. 1996 as amended on December 2011	Ordinance Banning Smoking in Public Places

RATIONALE

In 2010, the Civil Service Commission and the Department of Justice issued Joint Memorandum Circular (MC) No. 2010-01 on the protection of the bureaucracy against tobacco industry interference based on the following principles:

1. The Civil Service Commission (CSC), as the central personnel agency of the government, is responsible for the promotion of morale, efficiency, integrity, responsiveness, and courtesy in the civil service and the institutionalization of management climate conducive to public accountability. Particularly, CSC shall have the primary responsibility for the administration and enforcement of the "Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees;
2. The Department of Health (DOH) is primarily responsible for the formulation, planning, implementation, and coordination of policies and programs in the field of health;
3. Both parties, CSC and DOH, in setting and implementing their public health policies with respect to tobacco control, shall act to protect these policies from commercial and vested interests of the tobacco industry;
4. To assist these parties implement these policies, government personnel must avoid interaction with the tobacco industry and if any dealing is necessary for its regulation, supervision and control, it must be transparent and accountable.

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IMPLEMENTING GUIDELINES

1. **Coverage.** This Memorandum Circular shall apply to all Academy offices and facilities in Pasig and Tagaytay.
2. **Smoking Area.** In compliance with CSC MC No.17 s. 2009, smoking in any premises of the Academy offices / facilities is prohibited except in open spaces designated as “smoking” area. A smoking area refers to an outdoor space designated by the head of the agency that meets the following requirements:
 - 2.1. It shall be located in an open space with no permanent or temporary roof or walls in an outdoor area.
 - 2.2. It shall not be located within 10 meters of entrances, exits or any place where people pass or where people congregate.
 - 2.3. It shall not have an area larger than 10 square meters.
 - 2.4. No government building shall have more than one designated smoking area.
 - 2.5. No food or drinks shall be served in the designated smoking area.
 - 2.6. Every smoking area shall have highly visible and prominently displayed “Smoking Area” signages.
3. **“Smoking Area” Signs.** The “Smoking Area” signage shall be no more than 8 x 16 inches in size and shall contain the information regarding the hazardous effects of smoking on the smoker’s health and/or secondhand smoke on others.

4. Responsibilities

- 4.1. The *Academy Building Administrator* shall be responsible for the strict compliance with the requirements of the smoking area as defined in this Memorandum Circular.
- 4.2. The *Security Office* shall be responsible for apprehending individuals caught smoking in non-Smoking Areas. Academy personnel violating this provisions of this Memorandum Circular shall be reported to the Human Resource Management and Development Office (HRMDO).
- 4.3. *Human Resources Management and Development Office (HRMDO)* shall be responsible for taking appropriate actions against Academy personnel violating the provisions of this Memorandum Circular.



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5. Monitoring and Reporting

- 5.1 All officers and staff of the Academy shall take responsibility in monitoring and reporting any violation of this policy. The Center for Office and Conference Facilities (COCF) shall ensure that all security guards are properly oriented on this policy and are likewise able to monitor and report violations thereon.
- 5.2 Report of any violation shall be made in writing, using the prescribed form (see attached sample) and filed with or forwarded to the HRMD Office. Only report forms that are accomplished in full will be accepted and processed.

6. Investigation and Sanctions

- 6.1 The HRMD office shall initiate investigation based on any one or all of the following evidences:
 - 1) Duly accomplished violation report form;
 - 2) Clear photo of the violation (preferably with date and time indicated)
 - 3) Admission by the violator or offender
- 6.2 There is only one violation, i.e., smoking in places other than that which is designated as smoking area. The gravity of the offense is determined in terms of repeated disregard of the prohibition and the sanctions become heavier as follows:

First offense:	Written warning
Second offense:	Written reprimand
Third Offense:	Suspension for 1 mont & 1 day up to 6t months
Fourth Offense:	Dismissal
- 6.3 The HRMD Office shall implement sanctions for the first and second offense after the evidence/s shall have been confirmed. Sanctions for 3rd and 4th offense shall be meted only after the case had been deliberated upon by the Discipline Committee, with the HRMD Office acting as Secretariat.
- 6.3 In cases when the violator is a guest, the provisions of the Pasig or Tagaytay City ordinances shall prevail.

EFFECTIVITY

This Memorandum Circular shall take effect immediately and shall remain in force unless superseded by an appropriate policy issuance. Likewise, all issuances inconsistent with this shall be deemed superseded.


ANTONIO D. KALAW, JR.
President



development academy of the philippines

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Smoking Violation Report

Date

Report No:

Violator's Name: _____

Place where violation occurred: _____

Time and Date the violation occurred: _____

Description of the incident: _____

Reported by : _____

Printed Name with Signature

Received by: _____

Printed Name with Signature

This form may be used as evidence for initiating the investigation and administering the appropriate sanctions for the reported violation.