



VOSH PROGRAM DIRECTIVE: 02-010

ISSUED: August 15, 1993

SUBJECT: Information to be Included in Closing Conferences

A. Purpose.

This Directive transmits information on Environmental Tobacco Smoke in the Workplace which is to be included in closing conferences.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH Personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This Directive applies to all VOSH personnel and specifically to Occupational Safety and Health Compliance Officers and Consultants.

C. Action.

The Assistant Commissioners for Enforcement and for Training and Public Services, Directors and Supervisors will insure that the information contained in this Directive is provided to employers during closing conferences.

D. Effective Date.

August 15, 1993

E. Expiration Date.

Not Applicable.

F. Background.

Legislation was introduced during the 1993 General Assembly Session to include exposure to Environmental Tobacco Smoke in the VOSH General Duty Clause, §40.1-51.1. Duties of Employers. The legislation was not adopted. However, the House Committee on Labor and Commerce requested the Department provide information to employers on environmental tobacco smoke in the workplace.

G. Summary.

Compliance officers and consultants will include the following statement in their comments when conducting closing conferences on all general industry inspections or consultations and on those construction industry inspections or consultations where appropriate:

“Exposure to tobacco smoke in the workplace is a matter of growing concern. At the present time, there are no occupational safety and health standards covering exposure to tobacco smoke in the workplace; however, OSHA is considering adopting such a standard. In the interim, the National Institute for Occupational Safety and Health (NIOSH) has issued a report on the subject. The NIOSH report contains recommendations on what employers can do to protect nonsmokers from environmental tobacco smoke. Would you like to have a copy of the NIOSH report?”

If the employer answers “yes”, the compliance officer or consultant will give the employer a copy of NIOSH Current Intelligence Bulletin 54, June 1991, *Environmental Tobacco Smoke in the Workplace*.

If the employer answers “no”, the compliance officer or consultant will proceed with the rest of the closing conference.

Carol Amato
Commissioner

E-Attachment: *Environmental Tobacco Smoke in the Workplace*; NIOSH Current Intelligence Bulletin 54, June, 1991

<http://www.cdc.gov/niosh/topics/tobacco/>

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