

BOARD RULE NO. 20

Adopted: January 23, 2001

Subject: No Smoking Policy

Purpose: This rule sets forth a No Smoking Policy for the Corporation. The legislature of the State of Alaska has declared that tobacco smoke is a nuisance and a hazard to the health of the citizens of Alaska. The Anchorage Assembly has found and declared that tobacco is a major contributor to indoor air pollution and is the cause of disease in both smokers and non-smokers. In the interest of the safety and health of ARRC employees, passengers, customers, and visitors, the Alaska Railroad Corporation is establishing a no-smoking policy for all ARRC buildings, facilities, and vehicles.



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Approved by:


Governor William J. Sheffield

Effective Date:

January 1, 2001

1. **Policy:** The legislature of the State of Alaska has declared that tobacco smoke is a nuisance and a hazard to the health of the citizens of Alaska. The Anchorage Assembly has found and declared that tobacco is a major contributor to indoor air pollution and is the cause of disease in both smokers and non-smokers. Consistent with those findings, and in the interest of the safety and health of ARRC employees, passengers, customers, and visitors, the Alaska Railroad Corporation ("ARRC") hereby establishes a no-smoking policy for all ARRC buildings, facilities and vehicles.
 2. **Coverage:** This policy applies to all ARRC employees and to all members of the public who enter ARRC buildings, facilities, or vehicles.
 3. **Responsibilities:** The Director, Employee Services, is responsible for the interpretation, application, and administration of this policy. Managers and supervisors are responsible for enforcing this policy throughout their organizations.
 4. **Definitions:**
 - a. *ARRC buildings and facilities* means any building or facility owned or leased for railroad use by the ARRC, including but not limited to ARRC offices, depots, shops, maintenance facilities, warehouses, section buildings, storage sheds, fueling stations, training facilities, and passenger shelters.
 - b. *ARRC vehicle* means any mode of transportation owned or leased for railroad use by the ARRC, including but not limited to automobiles, trucks, hy-rails, vans, buses, motorized equipment, locomotives, rail diesel cars, cabooses, baggage cars, passenger coaches, spreaders, and any other rail car that is capable of being occupied by an individual.
 - c. *Smoking* means inhaling, exhaling, burning, or carrying any lighted tobacco product.
2. **No Smoking in ARRC Buildings and Facilities.** Smoking is prohibited in all ARRC buildings and facilities. "No Smoking" signs or the international symbol for "No Smoking" shall be clearly and conspicuously posted in ARRC buildings or facilities where practicable. The lack of a "No Smoking" sign in a building or facility

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shall not be interpreted as a waiver of the prohibitions contained in this policy.

3. **No Smoking in ARRC Vehicles.** Smoking is prohibited in all ARRC vehicles. "No Smoking" signs of the international symbol for "No Smoking" shall be clearly and conspicuously posted in ARRC vehicles where practicable. The lack of a "No Smoking" sign in any vehicle shall not be interpreted as a waiver of the prohibitions contained in this policy.
4. **No Waiver By Consent.** The prohibitions against smoking contained in this policy shall apply to all ARRC buildings, facilities, and vehicles, and compliance with this policy may not be waived by the consent of the occupants of the building, facility, or vehicle.
5. **No Waiver By Sole Occupancy.** This policy shall apply to all ARRC buildings, facilities, and vehicles, notwithstanding the fact that the building, facility, or vehicle may be occupied by only one person.
6. **Designation of Outdoor Smoking Area.** The facility manager responsible for an ARRC building or facility may, in his/her sole discretion, designate an area outside of the building or facility where smoking is allowed. Any such area shall be located a sufficient distance from the building or facility to ensure that:
 - a. tobacco smoke does not enter the building or facility through entrances, windows, or ventilation systems, or any other manner ; and
 - b. individuals entering and leaving the building are not required to walk through the smoking area.
7. **Where Smoking Is Not Prohibited.** Notwithstanding any other provision of this policy, smoking shall not be prohibited:
 - a. in hotel/motel rooms leased or paid for by the ARRC for use by its employees, so long as the room is designated as a smoking room by the hotel/motel;
 - b. in any building or facility owned by the ARRC but leased to an individual for use as the individual's permanent living quarters; and



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- c. an open air vestibule of a passenger or freight train that has been designated as a smoking area by the ARRC;
8. **Other Applicable Laws or Regulations.** This policy shall not be construed or interpreted to permit smoking where it is otherwise restricted by applicable laws or regulations.