



## **HUMAN RESOURCE POLICY SMOKING**

<b>Policy No: NLMHREP009</b>	<b>Effective Date: 01 April 2008</b>
<b>Approved:</b>	<b>Review Date: 01 April 2009</b>

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary, subject to Labour Law Dispensation or operational requirements.

### **1. SCOPE**

The aim of Management is to create a pleasant and healthy working environment for the benefit of all staff members.

Staff consist of both smokers and non-smokers. It is therefore considered important to ensure the harmonious co-existence of both groups. Each group's viewpoints and rights have to be accommodated, taking into consideration that smoking is a health risk that adversely affects the health of both smokers and non-smokers.

## **2. PREAMBLE**

An investigation was conducted in line with advice from the Department of National Health and Community Development. Based on the result of this investigation it was recommended that specific measures be introduced. These measures have been phrased in such a manner that it will address the needs of both smokers and non-smokers.

“There is a solid body of medical evidence which indicates that exposure to secondhand tobacco smoke is hazardous to health and can cause disease, including lung cancer, in healthy non-smokers.” (University of Toronto Smoking Policy)

## **REFERENCES**

- National Smoking Policy for the Department of Health
- Bloemfontein Local Government Policy on the application of the Tobacco Products Control Act in workplaces of the Bloemfontein Municipal employees.
- University of Toronto Smoking Policy
- Occupational Health and Safety Act (Act 85 of 1993)
- Tobacco Products control Act (Act 12 of 1999)

## **3. POLICY**

Ngwathe undertakes:

- To educate, inform and train smokers and non-smokers about the harmful effects of smoking and give advice, guidance and support if employees decided to give up smoking.
- To change the working environment to minimise the harmful effects of passive smoking of the non-smoker.

- To provide employees with a healthy and efficient working environment and create tolerance for each other's needs.
- To provide necessary supervision.
- To incorporate the smoking policy into a office health and safety program.

This policy will also address the following issues:

- Productivity
- Health education
- Individual rights
- Provision of facilities and services to encourage employees to abide by policies aiming to reduce smoking.

#### 4. STAKEHOLDER ANALYSIS

<b>Role</b>	<b>Responsibility</b>
Municipal Manager / Director Corporate Services (subject to its delegations if any)	
Council	
Line Manager	
Human Resources	
Labour Representatives	

## 5. PROCEDURE

### LEGISLATION

- **Occupational Health and Safety Act (Act 85 of 1993)**

Duties of the employer: Every employer shall provide a working environment that is safe and without risk to the health of his employees and to as reasonably practicable take steps to eliminate, mitigate or control any hazards or potential hazards in the workplace.

Duties of the employee: Employees shall perform their duties as prescribed by the employer and in such a manner that they do not endanger or expose their fellow employees to any health hazards, report any hazards or accidents in the workplace.

- **Tobacco Products Control Amendment Act 2000 (Act 12 of 1999)**

According to the Tobacco Products Control Act (No 12/1999) as amended, smoking is prohibited (all employees, visitors and public) in:

The following workplaces: any indoor or enclosed area which employees perform their duties such as offices, including any corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by employees during the course of their employment (such as toilets).

Smoking is only allowed in employer- designated smoking areas.

### **Designated non-smoking areas shall include:**

- Reception areas
- All meeting rooms
- All offices including storerooms, lobby, corridors, stairwell, kitchens, toilets or other common areas frequently used by employees during the course of their employment.
- Council vehicles that convey passengers

### **Designated smoking areas**

- Outdoor areas unless smoking is prohibited as a fire hazard
- Rooms specifically designated as smoking areas and which comply with the Tobacco Product Control Amendment Act of 2000
- Employers must ensure that their regular visitors are made aware of the Policy
- All non-smoking areas should be clearly marked with appropriate signs as required by law. In addition the following sign should also be displayed

**“ANY PERSON WHO FAILS TO COMPLY WITH THIS NOTICE SHALL BE PROSECUTED AND MAY BE LIABLE TO A FINE.”**

- Employees using the designated smoking areas during working hours may only do so for as long as it is required to finish a cigarette.

Education and Information programmes shall be provided to all staff with information on:

- The effects of smoking on health
- The reason for the workplace policy
- Benefits of a policy

Changes will be implemented to the work environment and shall include the following steps:

In all workplaces, particular areas shall be immediately designated as non-smoking areas. These are as follows:

- Conference rooms and training areas

- Offices of non-smokers
- Confined and poorly ventilated places, such as toilets and lifts
- Libraries
- Photocopier rooms and storerooms
- Tea rooms
- Cafeteria/A la Carte Restaurants
- Open plan/communal offices
- Municipal-owned vehicles

Work areas will be made smoke-free. The following is a possible “definition” of “smoke-free” work areas:

- No smoking to be allowed in offices where facilities are shared, including open plan/communal offices
- No smoking to be allowed in places where the public is served.

Smoking will be prohibited in the workplace, except in employer designated areas, e.g. smoke room. Secondhand tobacco smoke from such smoke room shall not be allowed to enter the rest of the workplace by means of ventilation systems or an open door. Such smoke room’s door must be closed and windows opened to naturally ventilate air outside the workplace.

The following are options for a smoke room/area:

- There can be restrictions on its use
- Visits to smoke rooms are limited to normal tea/coffee breaks and lunch hours.

Signs to indicate clearly the presence of a smoke-free area should be available. If signs are situated at the entrance to non-smoking areas, then ashtrays or smokers’ bins should be provided to extinguish cigarettes.

Based on the response from the questionnaire regarding a smoking policy, the following occupational health service facilities should be available for those smokers who want to attempt to give up smoking.

- Establish an environment that is supportive rather than punitive in its attitude to smoking.
- Support groups
- “Stop smoking” classes.

These occupational health service facilities shall, for example, be negotiated with the Provincial Department of Health.

The policy applies to all staff at all levels.

The policy shall be stated when recruiting staff - it shall be made clear at the interview and/or in the job advert and any other recruitment literature.

The efficiency of the policy shall be reviewed after 6 months, then annually and modifications made as appropriate.

Non-compliance and complaints to this policy will be handled via the normal grievance process.

## **PRACTICAL HINTS/ARRANGEMENTS REGARDING SMOKING**

The public and officials from outside the office visiting the premises should be discretely made aware of the smoking policy of the office.

To behave properly at all times, will result in respecting the rights of smokers and accommodating non-smokers in an acceptable manner. Mutual respect and acceptance are thus the crucial elements.

Areas/facilities where smoking is prohibited will be provided with no-smoking signs.

As for conference rooms or places of assembly, agreements can be reached to have smoke-breaks at regular intervals to allow smokers to smoke outside the facilities. For such purposes ashtrays will be provided in passages for nearby rooms.

## **6. AUTHORITY**

Formulation Policy	:	Municipal Manager
Authorisation Policy	:	Council
Ownership and Maintenance Manager	:	Director Corporate Services