



COUNCIL POLICY

POLICY TITLE:	SMOKING IN THE WORKPLACE POLICY
POLICY NUMBER:	073
INFOPERT REF:	91780
DATE OF ADOPTION:	26 June 2018
TIME PERIOD OF REVIEW	2 Years
DATE OF NEXT REVIEW:	26 June 2020

1. OBJECTIVE

To establish a smoke free workplace, reduce and/or eliminate passive smoking in the work environment and to ensure compliance with Council's Workplace Health and Safety responsibility.

2. INTRODUCTION

Council acknowledges that while the use of tobacco products is not an illegal activity, the obligations to ensure a safe workplace for all must take precedence. Although an activity, such as smoking, is legal, this does not translate into an absolute right to undertake the activity at the workplace; non-smokers have a right in their workplace, to not be exposed to harmful contaminants. These contaminants also include airborne contaminants. (Exposure is here after referred to as passive smoking.) In order for Council to fulfil its obligation for a safe workplace, the following procedure is to be adopted across the shire.

This policy applies to all workers while at work and/or in Council operated premises and plant

3. RESPONSIBILITIES

3.1 Management

Will ensure this Policy is implemented within all Council work areas and will support all workers under Council's direct control and hold them accountable for their specific responsibilities.

3.2 Managers and supervisors

Are responsible and will be held accountable for:

- Ensuring this policy is effectively implemented within their respective work areas.

- Provide support to everyone under their direct control and hold them accountable for their specific responsibilities.
- Ensure that employees and visitors are not exposed to passive smoking.

3.3 Employees and other workers

Are responsible and will be held accountable for:

- Co-operating by complying with the requirements of this Policy; and
- Ensuring the health and safety of fellow employees, contractors and visitors.

3.4 Council contractors/sub-contractors and visitors

Are responsible and will be held accountable for:

- Co-operating by complying with the requirements of this Policy; and
- Ensuring the health and safety of fellow employees, contractors and visitors.

4. COUNCIL WORKPLACES

Council workplaces include:

- All Council workplaces that are enclosed areas, irrespective of the number of employees at the workplace;
- Inside all Council owned and controlled buildings, irrespective of the use of the building;
- Outside storage areas or within the confines of any depot (enclosed open spaces);
Note: Sewer Treatment Plants and Saleyards etc. are recognised as workplaces; and
- Inside all vehicles owned or leased by Council irrespective of the number of persons or views of the persons in the vehicle.

5. GUIDELINES

5.1 Smoking will not be permitted without exception in the following places:

- While operating any plant or equipment;
- Within any confined space;
- Adjacent to any products or materials of a flammable or explosive nature;
- Within 10 metres of all Richmond Shire Council owned or managed buildings (including balconies, covered areas, public halls, toilets, sports centres, depots, airport terminals or the like);
- On playing fields, recreation areas, sporting grounds, and sporting facilities (i.e. swimming pools, outdoor sports centres) and the like.
(Note: Smoking will be permitted within designated car parking areas at these locations only);

5.2 Smoking in Council's designated smoke areas is not permitted, except in the following circumstances:

- During designated breaks; and
- Smoking is not undertaken within 10 metres of any doorways, windows or air conditioning intakes - where second hand smoke may enter any Council building; and
- Smoking is not undertaken within 10 metres of any outdoor meal area.

5.3 Designated Breaks

- Employees who need to take cigarette breaks should do so in their designated breaks (morning tea and lunch break).
- Excessive smoking breaks may be regarded as absenteeism and performance management action may be taken.
- Employees cannot be disciplined because they smoke away from these workplaces, during their own time (or at times agreed between an employee and their supervisor). However any smoking or smoke breaks taken outside of the specified guidelines may lead to disciplinary action.
- All smokers must ensure no other staff member is exposed to the smoke they produce. Employees who fail to look after the safety of other people at work by not complying with the Council's Smoking in the Workplace Policy may be subject to disciplinary action.
- Council employees must appropriately dispose of their cigarette butts in rubbish bins or other suitable cigarette butt bin.
- An employee who refuses to comply with a 'no smoking' direction may be subject to such disciplinary action as is permissible under Council's disciplinary procedure.

5.4 Enforcing no smoking throughout Council (designated breaks excepted).

- Appropriate notices are to be circulated and displayed on notice boards located across all Council work sites.
- Counselling or written reprimands may be issued for non-conformance to the Policy as appropriate. These measures are designed to discourage employees from smoking during working hours in order to comply with Council's legal obligations to ensure the health, safety and welfare of our employees and visitors to our workplaces.

6. LEGISLATION

Work Health and Safety Act 2011

Tobacco and Other Smoking Products Act 1998

Tobacco and Other Smoking Products Regulation 2010

7. ASSISTANCE TO STAFF

Council can offer assistance to employees wishing to give up smoking. For contact and referral information please contact Councils' Quality Assurance and Safety Compliance Officer; OR

For the cost of a local call from anywhere in Australia, the Quitline provides advice and assistance to smokers who want to kick the smoking habit. It is open 24 hours a day; seven days a week, offering the assistance that a smoker may need to make a successful quit attempt.

The Quitline phone number is: 13 78 48.

8. VARIATION

Council reserves the right to review, vary or revoke this policy which will be reviewed periodically to ensure it is relevant and appropriate.

Adopted at the Council Meeting held on 26 June 2018

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I..... (insert name) declare that I have read and understood the Smoking in the Workplace Policy.

Signed:.....Date.....