

POLICY- COUNCIL

No Smoking Policy

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1. Document control

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2. Preamble

South Australia's *Tobacco Products Regulation Act 1997* bans smoking in all enclosed workplaces. The Council also has a primary duty of care under the *Work, Health and Safety Act 2012 (SA)* to provide and maintain a work environment without risks to health and safety. This policy provides the framework for the council's management of its legislative obligations to provide a safe work environment.

Tobacco smoking, including inhaling 'second hand' smoke, is a major health issue in Australia. Undiluted side stream smoke from second hand smoking carries many harmful and toxic compounds in far greater concentrations than the smoke inhaled by the smoker. Particles of side stream smoke are smaller than those of mainstream smoke and are inhaled more deeply into the lungs. Passive smoking results in an increased risk of serious and harmful health outcomes including bronchitis, pneumonia, asthma, lung cancer and cardiovascular disease.

3. Policy purpose

This policy aims to ensure, as far as reasonably practicable, measures are taken to eliminate, minimise or control risks to health and safety of persons from exposure to second-hand smoke and the adverse health effects of passive smoking

4. Scope

All Council employees, including, contractors, apprentices, trainees, labour hire workers and work experience students, volunteers, visitors, stakeholders, lessees, community groups and customers to Council's designated Workplaces are required to comply with this policy.

5. Definitions

| | |
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| Enclosed | An area is considered enclosed if it is fully or partially covered by a ceiling and has walls such that the total area of the ceiling and wall surfaces exceeds 70 percent of the total notional ceiling and wall area. Shade cloth and umbrellas are included when calculating ceiling or wall space of an area as they impede air flow. |
| Workplace | is a place of work where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. |
| Smoking | to smoke, hold, or otherwise have control over an ignited tobacco product that includes cigarettes, pipes, cigars, e-cigarettes, vapes or any other device that may be used or is designed to be used to inhale a substance into the lungs. |

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| Ceiling | includes any structure or device (whether fixed or movable) that prevents or impedes upward airflow |
| Wall | includes any structure or device (whether fixed or movable) that prevents or impedes lateral airflow |
| Passive Smoking | is the inhalation of second hand tobacco smoke, which is a combination of side-stream smoke from a burning cigarette and mainstream smoke exhaled by a smoker. |
| Tobacco product | Includes, a cigarette, cigar; cigarette or pipe tobacco, tobacco prepared for chewing or sucking; snuff; or any other product containing tobacco of a kind prescribed by regulation, or any product that does not contain tobacco but is designed for smoking; any product that does not contain tobacco but is designed for smoking, and includes any packet, carton, shipper or other device in which any of the above is contained. Waterpipes or waterpipe products, including shisha and hookah products are considered to be tobacco products under the Act (including products that do not contain tobacco). |

6. Policy

6.1 RESPONSIBILITIES

A person conducting a business or undertaking (PCBU) must ensure that smoking in or around the Workplace does not create a risk to their own or anyone else's health and safety. It is the Council's responsibility as the PCBU to ensure that this risk is managed by identifying the hazards, assessing the risks and taking action to eliminate or control them.

Team leaders and supervisors are required to ensure that staff are aware of the requirements of this policy and that any lost time is recorded on timesheets in accordance with clause 6.7.

It is the responsibility of each Council employee, volunteer or contractor to request all visitors and members of the public for whom they have responsibility for while they are on Council property, to comply with this Policy.

When hiring new employees, volunteers or contractors this policy must be explained as part of their on-boarding – refer to clause 7.2. Each person should understand that they will be expected to accept this No Smoking policy as a mandatory condition of their employment.

6.2 PROHIBITION

Under the *Tobacco Products Regulation Act 1997* smoking is banned in all enclosed public places, workplaces (including work vehicles) or shared areas.

In Workplaces under the control of the City of Onkaparinga smoking is prohibited in the following areas:

- *Any and all* Council buildings at all times and within five (5) metres of any entrance/exit of a Council building
- Five (5) metres from the intake area for building air conditioning systems
- *Any and all* Council vehicles at all times
- The northern side of the Noarlunga office building near the main customer and staff entrance
- Whilst attending any “on site” meeting/inspection/worksite outdoors
- In any type of evacuation area for staff following any type of evacuation of any building, whether in a real emergency or as part of a drill or exercise

6.3 PUBLIC AREAS

In South Australia, it is an offence under the *Tobacco Products Regulation Act 1997* to smoke in the following public areas:

- Any outdoor dining areas where people go to eat and/or drink
- Within ten (10) meters of children’s public playground equipment - this includes playgrounds at public parks, swimming pools, schools, sporting venues, restaurants, hotels and businesses. Even where there are no signs, smoking is still prohibited. 'No Smoking' or 'Smoking Prohibited' signs may be erected or displayed in the vicinity of children's playground equipment to indicate that smoking is not permitted within ten (10) meters of the playground equipment.
- In any public transport waiting areas, including bus stops, train stations, and taxi stands
- At any declared smoke-free outdoor areas and events

All persons covered by this policy are required to abide by these restrictions whilst conducting council work or using council facilities. Failure to do so will be a breach of this policy.

6.4 VEHICLES

Vehicle users must not smoke in a council vehicle at any time – whether the vehicle is stationary or moving. Individuals who smoke in council vehicles will be subject to disciplinary action.

6.5 ENVIRONMENTAL CARE

Persons who choose to smoke are required to dispose of their cigarette butts in an appropriate manner, using ash trays or disposal containers appropriately, ensuring that they fully extinguish their cigarette butts prior to disposal to avoid the risk of inadvertently starting a fire.

It is expected that staff will set an example to members of the public rather than littering and polluting the environment with tobacco related waste, including cigarette packets or filter paper.

6.6 SUPPORT TO EMPLOYEES

As part of the Council's Employee Well-being Program, which is aimed at encouraging employees to quit smoking whilst providing support on their journey towards a healthier lifestyle, a subsidy of up to \$75.00 for the purchase of nicotine patches or similar nicotine substitutes will be available to paid employees of the City of Onkaparinga.

It is the individual employee's responsibility to ensure that their participation in such a program suits their personal circumstances and does not conflict with any medication they may take.

6.7 WORK BREAKS

While staff may go away from their main workplace to smoke during their normal hours of work, this must take place during their designated work breaks.

If a staff member takes additional time this should be kept to a minimum and must be mutually agreed with their supervisor/team leader. All additional break time must be accurately reflected on the employee's time sheet.

6.8 SMOKING CESSATION SUPPORT

There are various organisations that are able to assist staff to quit smoking. Staff can obtain more information from the following websites - Your Smokefree Workplace and Quit SA - CancerSA Quitline. Alternatively, staff can make access free Quitline telephone counselling service on 137 848.

6.9 BREACHES

Any breaches of this No Smoking policy will be investigated by the Council and employees may be subject to disciplinary action.

7. Relevant legislation and references

7.1 Legislation

7.1.1 TOBACCO PRODUCTS REGULATION ACT 1997

7.1.2 WORK, HEALTH AND SAFETY ACT 2012 (SA)

7.1.3 WORK, HEALTH AND SAFETY REGULATIONS 2012 (SA)

7.2 Procedures

7.2.1 EMPLOYEE ONBOARDING LEADER CHECKLIST FORM

7.2.2 EMPLOYEE ONBOARDING POLICY

8. Further information

It is also available for downloading or printing from our website www.onkaparingacity.com.au.