



Private Bag x2
GROBLERSHOOP

!Kheis
Munisipaliteit
Municipality

Phone: 054 – 8339500
Fax: 054 – 8330690

SMOKING POLICY OF !KHEIS LOCAL MUNICIPALITY

Policy Number	!KSP1
Policy Name	SMOKING POLICY OF !KHEIS LOCAL MUNICIPALITY
Policy Status	Draft
Version	No. 1
Date of Approval	
Date of First Implementation	
Date of Last Amended	09 October 2014
Date of Next Review	09 October 2016
Policy Custodian	Corporate Services (Human Resources)
Related Policies and Legislation & Benchmarking	<ol style="list-style-type: none"> 1. Tobacco Products Control Act 83 of 1993 2. Section 24 of the Constitution of the Republic of South Africa 3. Occupational Health and Safety Act 1993
Approving Authority	Council
Applicability	This policy and implementation strategy applies to all permanent and contract municipal employees.
Stakeholders Consulted	Yes

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1. PHILOSOPHY

There is increasing recognition of the need to restrict smoking in the workplace for medical, legal and financial reasons, including recognition of the health effects of passive smoking, of the need to manage the risk of liability from diseases caused by passive smoking, and of encouraging smoking cessation as part of health promotion in the workforce.

Medical evidence clearly shows that smoking is harmful to the health of smokers. Medical research has also established that second-hand smoke is a significant health hazard to non-smokers, which, if not controlled, has short-term effects such as irritation to the eyes, throat and respiratory tract, as well as long-term effects including impaired lung function and lung cancer.

The objective of this smoking policy is to protect non-smokers from exposure to second-hand smoke, thereby enhancing the air quality of the work environment for employees of Kheis Municipality. It is also anticipated that the eventual ban on smoking in the workplace will yield supplementary benefits, such as providing leadership on this issue for other employers, and reducing the level of sick leave benefits required by employees.

2. AIM

!Kheis Municipality has a legal duty to take reasonable care to protect its employees. In attempt to consider and accommodate the needs of smokers and non-smokers and to provide all our employees with a safe and healthy working environment, !Kheis Municipality envisages a "phased" policy that would discourage smoking. This policy is not meant to punish the smokers but to protect and improve the health of all members and staff.

3. OBJECTIVE

!Kheis Municipality recognizes that all employees have the right to a safe and healthy workplace. In accordance with this recognition and in compliance with relevant legislation, the Municipality has therefore regulated smoking in the workplace. .

The objective of the Municipality is to:

- 3.1 educate smokers about the harmful effect of smoking and give advice, guidance and support if employees decide to give up smoking.
- 3.2 change the working environment to minimize the harmful effects of passive smoking on the non-smoker.
- 3.3 provide employees with a healthy and efficient working environment and to avoid conflict in the workplace.
- 3.4 provide education and information programs to all staff regarding the effects of smoking on health.

4. LEGAL FRAMEWORK

4.1 Legislation, in the form of Tobacco Products Control Act 83 of 1993, has been promulgated to regulated smoking in public places, including the workplace. In compliance with this law and its regulations, it is the policy of the Municipality that smoking is prohibited in all public areas, including all workplaces. Smoking is however, permissible in areas designated as "Smoking Areas" by !Kheis Municipality at its discretion.

4.2 Section 24 of the constitution of the Republic of South Africa states that “Every person has the right to an environment which is not harmful to their health and well-being”.

4.3 It is further noted that !Kheis Municipality has a duty under the Occupational Health and Safety Act 1993: “to provide a safe working environment and to protect the health of all employees from illness and 11

5. POLICY

5.1 !Kheis Municipality recognises that smoking causes harm to both smokers and non-smokers. In accordance with this recognition, the Municipality is committed to providing a safe, healthy and productive environment for all its employees and, in doing so, will endeavour to control the exposure of employees in the workplace, to the harmful effects of tobacco products.

5.2 The ultimate objective of this policy is to protect non-smokers and in doing so enhance the air quality of the work environment for !Kheis Municipality employees.

5.3 It is further anticipated that the introduction of this policy will yield supplementary benefits such as the reduction of sick leave required by employees.

6. SCOPE OF POLICY

This policy will apply to:

6.1 All employees, clients, visitors and contractors of !Kheis Municipality and no exception to the policy will be made.

6.2 All buildings, premises or enclosed spaces occupied, owned, leased or controlled by the Municipality.

6.3 All workplaces, which include all company buildings, corridors, lobbies, stairwells, elevators, cafeterias, washrooms, toilets or any other common areas frequented by employees.

7. PROCEDURE.

Smoking is prohibited in the workplace, unless that area is a designated "smoking area". A designated smoking area must be clearly marked as such and it must be properly ventilated. Ventilation from designated "smoking areas" will be directed out of the building so as to ensure that this smoke-filled air is not circulated into other areas of the workplace.

7.1 The number, location and distribution of designated areas will be sole determined by the Municipality.

7.2 All designated smoking areas will be clearly marked with a sign stating that it is a "smoking area"

7.3 The Municipality on a regular basis will monitor designated "smoking areas" for compliance to the policy.

7.4 The Municipality will allow employees who do smoke, to take short breaks during the day to smoke in designated areas.

However, the specific times and number of smoke breaks will be dependent upon the following factors:

- The effect on workflow and organisation of employees being absent from the workplace.
- The requirements of the workplace and the work-processes in that particular area, including considerations relating to client liaison.
- The impact of absence from the workplace on employees who remain in that workplace, particularly, if the employees, who remain at their workplaces, will have to perform tasks normally performed by those employees who are absent from their workplaces.
- The Municipality recognises and acknowledges that employees have the right to work in a safe and healthy working environment and therefore the Municipality will attempt to minimise the exposure of non-smoking employees to designated "smoking areas". Despite this, consideration must also be given to the operational needs and requirements of the business of the Municipality. Bearing this in mind, non-smoking employees, who liaise with the public must acknowledge that in certain circumstances, they be required to perform their services in areas of the workplace, which are designated "smoking areas".

8. DISCIPLINARY MEASURES.

Disciplinary action will be taken against any employee who violates the regulations of this policy.

9. ADMINISTRATION

9.1 The Department of Corporate Services (Unit: Human Resources) will be responsible for facilitating the implementation of this policy and for monitoring adherence.

9.2 Departmental health and safety committees will be responsible for review of concerns, complaints, or questions about the application of this policy as referred to them by management or staff.

9.3 Committees will review such referrals and make recommendations to the department to resolve any problems arising from this policy.

10. SMOKING ASSISTANCE.

To assist employees who wish to stop smoking, !Kheis Municipality will provide smoking cessation workshops, provided that there is a sufficient demand for such workshops. Information regarding smoking cessation programs is available from institutions such as the:-

- National Council Against Smoking
- Cancer Association of South Africa
- Heart Foundation
- National Cancer Registry
- Medical Research Council
- Human Sciences Research Council
- South African Medical Association.

Approved by Council at GROBLERSHOOP on _____ 201_____

Signed on behalf of the Council:

Cllr P Vries (Mayor)