

POLICY:-	
Policy Title:	Smoking (Vaping) in the Workplace
File reference:	F10/618-06
Date Policy was adopted by Council initially:	28 July 2005
Resolution Number:	212/05
Other Review Dates:	24 August 2006, 16 April 2009 and 20 May 2010, 21 November 2019
Resolution Number:	238/06, 138/09, 199/10, 342/19
Current Policy adopted by Council:	20 May 2021
Resolution Number:	70/21
Next Policy Review Date:	2024

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed;	
Procedure/guideline reference number:	

RESPONSIBILITY:-	
Draft Policy Developed by:	General Manager
Committee/s (if any) consulted in the development of this policy::	WHS Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	General Manager

SCOPE

This policy covers all elected representative of the public, council staff, council committees, contractors working for or on behalf of council and members of public using or visiting council sites.

OBJECTIVES:

1. Upper Lachlan Shire Council is committed to ensuring staff are provided with a safe and healthy environment that is free from the potential effect of tobacco smoke and Vapour. This includes environmental tobacco smoke (passive smoking) and second-hand vape aerosols.
2. To encourage the reduction of active smoking.
3. To promote a safe and healthy working environment for all Upper Lachlan Shire Council employees.

POLICY:

Smoking is defined as the "act of lighting, smoking or carrying a lighted or smouldering cigar, cigarette or pipe of any kind." Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars.

Smoking is prohibited in all Council buildings, structures and vehicles; this includes:

- All enclosed areas in general use;
- All lobbies, foyers and corridors;
- All offices (including office carpark at Crookwell), depot buildings and workshops;
- Common rooms, tea rooms, site caravans and staff rooms;
- All vehicles, plant etc;
- Amenities buildings and toilets;
- Both the Crookwell and Gunning swimming pool buildings and enclosures;
- Within 10m of air intakes, external doors in regular use and windows regularly opened;
- Within 10 metres of Council buildings, places of work and areas adjacent to buildings where cigarette smoke will accumulate or drift back into the building);
- Areas that may be frequented by members of the general public;
- Staff working in areas where they are likely to affect others who come into the area;
- At all grounds within and around Council depots and administration buildings. (With the exception of sites that have designated smoking areas)

Upper Lachlan Shire Council is under no legal requirements to provide smoking breaks during work hours for its staff members. Staff members wishing to have smoke breaks must make arrangements with their supervisors. Smoking arrangements can be revoked at any time by supervisors, appropriate managers and / or the appropriate director.

When granting approval for employee smoke breaks supervisors will keep in mind how these regular smoke breaks will affect the moral of the non-smoking staff not receiving the regular breaks.

Recruitment processes for all staff will include reference to the policy on smoking. However, the smoking behaviour of applicants for employment or promotion is not a factor in selection processes.

Where possible, Council will provide designated Smoking areas and Vaping areas for its Depots and Buildings that meet the above mentioned criteria. All new staff will be shown the location of designated smoking areas.

Where ever possible, workers when smoking should do so out of the view of the public

Note: (Smokers are not entitled to smoke in unapproved areas even if all staff in that particular area wish to smoke.)

No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.

Quit Smoking Awareness Programme

Council supports a quit smoking awareness programme designed to inform employees of the dangers and consequences of smoking in the workplace.

Council will support staff who seek assistance with counselling in relation to quit smoking.

Council will provide staff with four (4) hours special leave to be taken as determined to arrange/attend counselling during normal working hours on a one off basis. Additional time off will necessitate the employee utilising accrued leave entitlements. For information about giving up smoking:

The QUIT Line

Telephone: 137 848

NSW Cancer Institute NSW

(I Can Quit)

www.icanquit.com.au

Cancer Council New South Wales

www.cancercouncil.com.au

Members of Public

This policy is to be extended to the general public entering any Council property that meets the definition of this policy. Council staff can refuse service to any member of the public whilst they are smoking. Members of public who wish to smoke in areas other than designated smoking areas outlined in this policy will be asked politely to leave or to put the cigarette out.

Council may revoke any usage arrangements or terminate lease agreements if committees and public groups refuse to follow this policy.

Breaches of Policy

Staff

It is unacceptable behaviour to smoke in any of the areas other than designated smoking areas outlined in this policy and any complaints arising from staff smoking in non-smoking areas will be directed to Supervisor, Managers and/or the appropriate Director.

Staff members who fail to comply with the policy will be counselled and warned appropriately and disciplinary action will be implemented in accordance with Award provisions.

Upper Lachlan Shire Council staff cannot be disciplined whilst they are smoking away from the workplace during their own time.

Variation

Council reserves the right to vary or revoke this policy.

RELEVANT LEGISLATION AND COUNCIL POLICIES

The following legislation and Council policies that are relevant to this Policy include:-

- WHS Act 2011
- WHS Regulation 2017
- WHS Policy
- Smoke Free – Playgrounds, Playing Fields and Sporting Grounds Policy