

SECTION HR 26

AMAHLATHI
MUNICIPALITY

MUNICIPAL

SMOKING

POLICY

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MUNICIPAL SMOKING POLICY

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MUNICIPAL SMOKING POLICY

1. Preamble

The Municipality realises the need to provide a healthy working environment for all its employees, customers and visitors.

It considers that the effects of smoking on health calls for strong action to deter people from taking up smoking and encourage existing smokers to give up smoking.

The Municipality resolves to align it's Occupational Health and Safety programme with the democratic values of the Constitution as well as to enhance and protect the fundamental rights of citizens by discouraging the use, promotion and advertising of tobacco products in order to reduce the incidents of tobacco related incidents and death.

2. Purpose

2.1 To provide a healthy and comfortable working environment for all employees.

2.2 To accommodate the needs for both smokers and non-smokers based on mutual tolerance, respect and common courtesy.

2.3 To promote health awareness.

3. Scope of Application

This policy is applicable to all employees of the Municipality.

4. Policy Provision

4.1 No smoking will be allowed in any communal area of property occupied by the Municipality. This includes toilets, corridors, lifts, staircases, foyers or other common areas frequented by employees during the course of their employment.

4.2 The Head of Department or his/her delegate should allocate designated smoking areas to staff who are smokers in a manner that will not infringe upon the rights on non-smokers.

4.3 The designated areas should comply with Section 3 of Government Notice R975 of 29 September 2000 and have sufficient ventilation

so that smoke does not affect the non-smokers in the vicinity of such areas.

- 4.4 The designated smoking areas should be private, outside the public eye and ashtrays should be made available in such areas or rooms.
- 4.5 The designated smoking areas shall be properly marked as such in compliance with the said Government Notice R975.
- 4.6 Employees will not be allowed to smoke in their offices.
- 4.7 Smokers are encouraged to use only tea and lunch breaks to smoke in the designated areas. If this is not possible, times must be arranged with supervisors as to when employees may take smoke breaks. The normal duties of employees should not be affected by their frequent absence from their work stations due to smoke breaks.
- 4.8 Employees must refrain from smoking in Municipal vehicles when non-smokers accompany them.
- 4.9 The sale of a prescribed tobacco product on property of the Municipality will only be permissible if:
 - 4.9.1 such product is in a package;
 - 4.9.2 the package in which the tobacco product is sold bears the prescribed warning concerning the health hazards incidental to the smoking of tobacco products;
 - 4.9.3 the quantities of the constituents present in the tobacco product concerned are stated on the package;
 - 4.9.4 vending machines for the sale of tobacco products are restricted to places which are inaccessible to persons under the age of sixteen years.
- 4.10 Where the Municipality leases accommodation for its employees, the provisions of this policy will also apply to such leased accommodation.
- 4.11 In all cases, the right of a non-smoker to an environment that is not harmful to his/her well-being takes precedence over the smoker's desire to smoke.
- 4.12 If an employee's inability to control his/her smoking habit is such that it disrupts the operations of the employer, then the Municipality must offer assistance to such employee to enable him/her to overcome or reduce his/her habit.

- 4.13 When dealing with incapacity problems, professional and anti-smoking counselling, advice or training should be considered.
- 4.14 Smoking should be regarded as an act of misconduct when it is undertaken in non-designated smoking areas and in disregard of the provisions of this policy.

5. Monitoring, Evaluation and Reporting

The success of this policy will depend on the consideration and co-operation of all employees. All employees share the responsibility of adhering to and enforcing this policy. Any conflicts should be brought to the attention of the appropriate supervisor, health and safety representative, and if necessary the management of the Municipality.

If and when this policy or any provision thereof is amended, the amended policy or provision thereof will supersede the previous one.