DR NKOSAZANA DLAMINI ZUMA MUNICIPALITY

SMOKING POLICY

Date Approved:	
Date Implemented:	

1. PURPOSE

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 the 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.

The 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 further is strengthened by:

- To educate smokers about the harmful effect of smoking and give advice, guidance and support if employees decide to give up smoking.
- To change the working environment to minimize the harmful effects of passive smoking on the non-smoker.
- To provide employees with a healthy and efficient working environment and to avoid conflict in the workplace.
- Education and information programs shall be provided to all staff with information on the effects of smoking on their health.

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2. SCOPE OF APPLICABILITY

This policy will apply to:

2.1 All Councilors, employees, clients, visitors and contractors of the Municipality and no exception to the policy will be made.

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

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

3. DEFINITIONS

3.1 "Employer" means the Dr Nkosazana Dlamini- Zuma Municipality/ Council that utilizes the efforts of
employee to render services to communities.

3.2 "Employee" means a person employed by the employer to carry out certain duties and responsibilities in return for remuneration.

3.3 "Council" means the council of Dr Nkosazana Dlamini- Zuma Municipality.

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 the 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 the 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 injury arising from the workplace.

4.4 Municipal Structures Act 117 0f 1998

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5. POLICY

5.1 The 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 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. 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.

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

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

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

7. DISCIPLINARY MEASURES

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

8. ADMINISTRATION

8.1 The Department of Human Resources will be responsible for facilitating the implementation of this policy and for monitoring adherence.

8.2 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.

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

9. SMOKING ASSISTANCE

To assist employees who wish to stop smoking, the 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

10. COUNCIL APPROVAL AND EFFECTIVE DATE

Approval of Policy by Council and Effective date: **09 September 2016**

Municipal Manager **Date**



..... **12 September 2016**