



Policy

93 WORKPLACE SMOKING POLICY

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Strategic Outcome: Good government
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Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Council is committed to providing a safe and healthy working environment in accordance with Work Health and Safety legislation, and Smoke-free Environment legislation. Council will ensure procedures and resources are in place to identify hazards and introduce control measures that eliminate or reduce the risks.

Secondhand smoke or passive smoke increases the risk of illness to all staff, and Council under its duty of care, will provide an environment that protects non-smokers, and under wellbeing programs encourages smokers to become tobacco free.

2. PURPOSE

The purpose of this policy is to outline how no smoking in the workplace is enforced, how Council staff and members of the public comply with smoke-free public places, and to clearly outline variations where the policy does not apply.

3. SCOPE

This Policy applies to all Council workers including, contractors and volunteers; and Councillors and visitors to Council workplaces.

4. OBJECTIVE

This policy is developed to assist the Council with Community Strategic Plan Objective

2.2 Ensure effective governance by Council of Council operations and reporting

Specific objective is to:

1. Reduce the risk of harm to all workers and visitors to the workplace.

5. DEFINITIONS



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Council Workplaces are all workplaces where Council staff or contractors are expected to work. This extends to buildings, construction sites, parks and reserves.

Council vehicles include all motor vehicles within Council's fleet.

Council plant includes larger plant not defined as a motor vehicle, and includes but not limited to road construction plant, trucks, tractors, ride-on mowers.

Private use of vehicles is in accordance with the Private Use of Council Vehicles Policy and includes all vehicles where private use is included as part of the appropriate staff member's vehicle arrangement.

Public places as defined by the *Smoke Free Environment Act 2000* means a place or vehicle that the public, or a section of the public, is entitled to use or that is open to, or is being used by, the public or a section of the public (whether on payment of money, by virtue of membership of a club or other body, or otherwise).

Smoke-free area is an area that is free of smoke generated by tobacco products, non-tobacco smoking products or e-cigarettes. Smoke-free areas are defined in the *Smoke Free Environment Act 2000* and include indoor and outdoor public places.

Workers is the definition under the *Work Health and Safety Act 2011* and includes paid employees, contractors, volunteers, work experience students, and hired staff.

6. POLICY IMPLEMENTATION

6.1 Council Buildings, Plant and Vehicles

All Council buildings, large plant and vehicles used in the course of Council business are smoke-free areas.

All workers and visitors are not permitted to smoke in these areas. This also extends to areas within four metres of an entry or exit point of any Council buildings that are open to the public, and in areas where chemical storage prohibits smoking.

Smoking is permitted in designated smoking areas and these are provided at the rear of the Council offices, and identified areas at Council Depots.

6.2 Private Use Vehicles

Council staff and the Mayor who have access to private use of vehicles are permitted to smoke in their vehicles when no other worker or passenger is present.

In these instances, they are also responsible for the cleanliness and odour control of the vehicle.

6.3 Public Places



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Under the *Smoke Free Environment Act 2000*, smoking is not permitted in identified public places. These include:

- Within ten metres of children's play equipment in outdoor public places;
- At public swimming pools;
- Spectator areas at sportsgrounds or other recreational areas used for organized sporting events;
- Public transport stops and platforms;
- Within 4 metres of a pedestrian access point to a public building;

This includes the entrance to the Council Offices, however does not include the workplace exit at the rear, as this is for Council workers only and not open to the public.

6.3 Quit Programs

As part of Council's commitment to Health and Wellbeing, any staff member requiring assistance to quit smoking is encouraged to participate in a quit program. Council will provide information around these programs, and how they can be accessed.

6.4 Breach of this Policy

All Council workers are expected to comply with this policy. Any breach of this policy will result in disciplinary action in accordance with the provisions of the Local Government (State) Award 2017 and Council procedures.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Smoke Free Environment Act 2000*
- *Work Health and Safety Act 2011*

7.2. Council policies and guidelines

- Private Use of Councils Vehicle Policy
- Work Health and Safety Policy
- Code of Conduct