SMOKING POLICY

2025/2026

APPROVED BY:

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MUNICIPAL MANAGER

DATE: 19/06/2025

APPROVED BY:

CLLR JANDA

EXECUTIVE MAYOR

DATE: 25/06/2025

TABLE OF CONTENTS

1. Background.....3
2. Purpose of Policy.....3
3. Policy Definition.....3
4. Application and Scope.....3
5. Legislative Framework.....3
6. Policy Procedure.....4
7. Procedure for Implementing Policy.....6
8. Policy Reviewal.....6

1. POLICY BACKGROUND

To provide a Healthy working environment to all employees, clients, and visitors.

2. POLICY PURPOSE

- The purpose of the policy shall be to establish a framework within which the use of tobacco products inside the premises and vehicles of the municipality can be regulated.
- To provide a healthy and comfortable working environment for all employees
- To accommodate the needs of both smokers and non-smokers based on mutual tolerance, respect and common courtesy.
- To promote health awareness; and
- To protect and enhance our indoor air quality

3. DEFINITIONS

3.1 "smoking" means the practice of inhaling the fumes from burning cigarettes or other forms of tobacco, known to be a causative factor in the development of several diseases, especially lung cancer.

3.2 "tobacco product" means any product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, and including cigarette papers, tubes and filters.

3.3 "public space" means any indoor, or enclosed or semi-enclosed area which is open to the public or any part of the public, and includes a workplace and a public conveyance as well as the area within five meters of any doorways or entrances to the public place, workplace or public conveyance.

4. APPLICATION AND SCOPE

This policy shall apply to all Councillors, officials and all other persons who enter or use any offices, vehicles or other facilities of the Municipality

5. LEGISLATIVE FRAMEWORK

a) Constitution Act 108 of 1996

b) Occupational Health and Safety Act

c) Tobacco Products Amendment Act, (Act No 12 of 1999) and Government Notice R975, Notice relating to smoking of tobacco products in public places
d) Promotion of Equality and Prevention of Unfair Discrimination Act, 2000;
e) Labour Relations Act, 1998 (as amended);

6. POLICY PROCEDURE

6.1 General provisions

a) The responsibility for the interpretation, application and evaluation of this policy shall be vested in Council and its employees by delegation.
b) This policy shall remain the only valid policy of Council until such time as circumstances or statutory prescriptions necessitate amendment.
c) This policy of Council shall establish specific smoking areas for Councillors, officials and members of the public in the facilities of Council.
d) This policy shall furthermore enable Council to comply with all statutory prescriptions in respect of smoking in the workplace.
e) It is Council policy that available smoking areas shall not exceed 25% of the total floor space of the workplace.
f) All designated smoking areas shall be separated from the remainder of the workplace by solid partitioning and an access door on which the sign "SMOKING AREA" shall be displayed, in black lettering at least 2 cm high and 1,5 cm wide, on a white background.
g) The ventilation of the smoking areas shall be such as to permit the air of the smoking area to be discharged directly to the outside by means of artificial and effective ventilation, and that no smoke shall be re-circulated to any other area in the workplace.
h) The following message shall be displayed at all smoking areas in black lettering at least 2 cm high and cm wide: "THE SMOKING OF TOBACCO PRODUCTS IS DANGEROUS TO YOUR HEALTH, THE HEALTH OF CHILDREN AND PREGNANT OR BREAST-FEEDING WOMEN AND NON-SMOKERS. FOR ASSISTANCE TO STOP SMOKING, CALL (011) 720-3145."
i) Notices and signs indicating areas where smoking is permitted and where it is prohibited shall be displayed permanently, and signs indicating that smoking is prohibited shall contain the following warning: "FAILURE TO COMPLY WITH THIS NOTICE SHALL RESULT IN PROSECUTION AND THE POSSIBLE IMPOSITION OF A FINE."

j) Council recognises smokers' right to smoke during working hours, but makes a serious appeal to all employees not to permit productivity to suffer as result thereof.

k) It is Council policy to subject any employee who disregards or abuses this policy to the adopted disciplinary procedures.

l) It is Council policy that smoking areas shall not be utilised for any other functional purpose and that no member of personnel may be obliged to enter such areas.

m) Council Buildings (Owned, rented or on lease)

n) Council buildings shall be deemed to be smoke-free buildings.

o) Smoking is prohibited in the workplace, unless that area is a designated "smoking area". The designated "smoking area" shall in all respects comply with Section 3 of Government Notice R.975, "Notice relating to smoking tobacco products in public places issued under the Tobacco Products Control Amendment Act No 12 of 1999.

6.2 In the event where the Municipality is not yet in the position to designate smoking areas employees are encouraged to use open space in the premises

6.3 Designated smoking areas must be clearly marked as such.

6.4 The number, location and distribution of designated smoking areas will be determined by the Municipality

6.5 Designated "smoking areas" 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.

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

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

6.8 In all workplaces, particular areas shall be designated as non-smoking areas. These are:

(a) Any area in which a fire or safety hazard exists, including Municipal owned vehicles;

(b) Boardrooms and Offices;

(c) Council Chambers where meetings are held;

(d) common areas, including elevators, staircases, storerooms, reception areas, customer service areas and rest rooms/Public ablutions;

(e) any area not specifically designated "smoking permitted".

6.9 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:

(a) The effect on workflow and organisation of employees being absent from the workplace;

(b) The requirements of the workplace and the work-processes in that particular area, including considerations relating to client liaison;

(c) 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;

6.10 Time wasted as a result of officials leaving their respective offices to smoke, must be monitored by the Supervisors and such time must be made up.

6.11 The employer will give assistance to those who want to give up smoking to establish an environment which is supportive, through the Employee Assistance Programme.

7. IMPLEMENTATION

This policy shall be effective from 01st Jul 2025.

8. REVIEWAL

This policy shall be reviewed on annual basis