



# POLICY MANUAL

## WORKFORCE

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### 3.6 SMOKING IN THE WORKPLACE POLICY

Distribution	Elected members, All Employees, Contractors, Visitors, Volunteers
Responsible Officer	Chief Executive Officer
Date adopted	15 February 2023
File Reference	N/A

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#### **Purpose**

Council recognises that passive smoking is hazardous to health and that non-smokers should be protected from the involuntary inhalation of smoke. Council is committed to ensuring that its employee, visitors, volunteers and contractors are not exposed to tobacco smoke or vapours from e-cigarettes (vapes) in the workplace, including enclosed and outdoor spaces, and Council vehicles.

Council will achieve this by providing a “standard” that details the measure Council will take to meet legislative requirements including, but not limited to Work Health and Safety and The Tobacco Products Control legislation and regulations.

#### **Objective**

This policy aims to:

- Ensure provision of a smoke-free work environment
- Provide a safe work environment and a safe system of work for employees, contractors, volunteers and visitors.

#### **Scope**

This policy applies to

- a) All employees, directors, contractors, volunteers performing work at the Shire of Goomalling workplaces or where work is performed (eg a customer’s premises).
- b) All visitors to the Shire of Goomalling workplaces
- c) All Shire of Goomalling workplace sponsored functions.

## Standard

### SMOKE-FREE ENVIRONMENT MINIMUM STANDARDS

#### Smoking is NOT permitted in:

1. Instances where the fire danger rating is HIGH, EXTREME or CATASTROPHIC
2. All enclosed spaces that are either owners or leased by Council, including but not limited to:
  - a. Office spaces
  - b. Car parks
  - c. Basement areas
  - d. Stairwells
  - e. Toilets
  - f. Fire escapes
  - g. Lunchrooms
  - h. Common areas
  - i. Sheds/depots
3. Within five metres of any doorway, or access walkway to a Council building, air intake area, or public transport waiting point.
4. Outdoor spaces, including but not limited to:
  - a. Outdoors areas where food or drinks are provided
  - b. Balconies
  - c. Access ramps
  - d. Thoroughfares
  - e. Loading bays
  - f. Within ten metres of children's play equipment open to the public
  - g. Railway Terrace
5. All Council vehicles and plant OR your own personal vehicle if a co-worker is present.
6. If you are working in your own residence and another co-worker is present, smoking is prohibited.
7. Hazardous areas, where flammable gases or dusts may be present.
8. **No Smoking/Smoking Prohibited** signs are to be placed at all entrances to Council building by building maintenance, at conspicuous and/or relevant locations within those buildings, and in all Council vehicles.

#### DESIGNATED SMOKING AREAS

Council has provided designated smoking areas in some locations. Where these facilities are provided, smoking is to be restricted to these areas. Smokers are to ensure that cigarette butts are disposed of in the waste containers provided.

Smoking breaks are **not** an entitlement and do not constitute paid work. Accordingly, smokers are to not take any such breaks apart from meal breaks and recognised stop work pauses.

## ASSISTANCE TO QUIT SMOKING

Council may provide support to employees who require assistance in giving up smoking with the provision of individual health consults within the LGIS health and wellbeing program.

For assistance with giving up smoking, employees may also seek support FREE support resources from:

- WA Quitline by phoning 13 78 48 or visit their website [www.quit.org.au](http://www.quit.org.au)
- My Quit Buddy: Download the app for free
- Quit Now Calculator: Available on [quitnow.gov.au](http://quitnow.gov.au)

## BREACHES OF THE SMOKING POLICY

All Council employees, visitors, volunteers and contractors may report breaches of the Smoking in the Workplace Policy by completing an Incident Report form and providing it to their respective managers.

Breaches of the policy must be managed in accordance with Council's Code of Conduct.

### Definitions

<b>Air intake areas</b>	Includes area within five metres of an air-conditioning unit or building fresh air intake vent, a doorway, window, walls or a building that has air-conditioning units installed above.
<b>Designated smoking area</b>	Means an external area designated as a space in which people may smoke
<b>Enclosed</b>	A workplace is enclosed if it has a ceiling or roof and is greater than 50% enclosed by walls, or other vertical structures or coverings. A vehicle meets the definition of an 'enclosed' workplace.
<b>Smoking</b>	Inhaling tobacco smoke from a cigarette, cigar and pipe as well as inhaling vapour from an e-cigarette.
<b>Council</b>	Council of the Shire of Goomalling

### Roles & Responsibilities

- The Shire of Goomalling has a duty of care to provide a safe workplace to its employees, as per safety and health legislation and common law.
- The employees, contractors and volunteers are responsible for maintaining a smoke-free work environment and reporting any breaches to manager/s.
- The employer and direct manager are responsible for ensuring adherence to the policy and maintaining the privacy of any suspected breaches.

### Legislation

[Work Health and Safety Act 2020](#) and associated regulations

[Work Health and Safety \(General\) Regulations 2022](#)

[Work Health and Safety \(Mines\) Regulations 2022](#)

[The Tobacco Products Control Act 2006](#) and associated regulations

## Document Links

### Strategic Community Plan 2018

Objective 4: Civic Leadership

#### Procedures Manual

Nil

#### Local Law

Nil

#### Delegation

Nil

#### Review History

Version	Review date	Resolution no.	Notes
1	15 February 2023	586 – OM 15/02/23	New policy