

**RICHTERSVELD MUNICIPALITY**

**HUMAN RESOURCE POLICIES**

**8. SMOKING POLICY**

**RICHTERSVELD MUNICIPALITY  
HUMAN RESOURCE POLICY**

**SMOKING POLICY**

SMOKING POLICY

**Approved Date: 30/06/2022**

**Council Resolution Nr: RVM007/06/2022**

**Effective Date: 01 July 2022**

**Review Date: 30 June 2023**

**Why have a Policy?**

As an employer, the Richtersveld Municipality has a duty under the tobacco products control amendment act (Act No.12 of 199) to ensure that the rights of employees who do not wish to be exposed to tobacco smoke in the workplace are protected. In terms of the Occupational Health and safety Act no 85 of 1995 the Richtersveld Municipality is required to provide a safe working environment and protect the health and safety of persons at the workplace. Consequently, in the interest of the health and safety of all employees, the Richtersveld Municipality is moving towards a smoke-free working environment.

## **THE POLICY**

### **1. Preamble**

The Richtersveld Municipality is obliged in terms of the Occupational health and safety act (Act no 85 of 1993) and the tobacco products control act (act 83 of 1993) to provide a healthy workplace environment, and to protect the health of all employees, Councilors, and visiting public at the workplace.

### **2. Definitions**

All terminology used in this policy shall bear the same meaning in the applicable legislation.

### **3. Legal Framework**

- Tobacco Products Control amendment act (act no12 Of 1999)
- Government Notice R975, Notice related to smoking of tobacco products in public places dated 29 September 2000, in terms of the Tobacco control product amendment Act No. 12 of 1999
- Occupational Health and Safety act no.85 of 1993.

### **4. Scope and Application**

All terminology, service provider's members of the public visiting the Municipal buildings, premises and/or using municipal vehicles.

### **5. Objectives of policy**

- To implement the provisions of the Occupational health and safety act (act 85 of 1993) and the Tobacco Products Control Act (Act 83 of 1993) and regulations promulgated there under.
- Ensure that a healthy workplace environment is maintained and that the health of non-smokers is not adversely affected by exposure to tobacco smoke.
- To regulate smoking in the Richtersveld Municipality workplaces
- To ensure that indoor air is good quality.

### **6. Policy Content**

Indoor air quality is an important determinant of population health, wellbeing and productivity. People nowadays spend most of their time indoor spaces such as homes, workplaces, schools, and in vehicles. Exposure to hazardous airborne agents such as cigarette smoke, present in many indoor spaces, might cause adverse effects such as allergies, irritation of the respiratory tract, some cancers.

Heart disease, peripheral vascular disease and respiratory diseases such as emphysema and chronic bronchitis. It is not just mainstream smoke which is implicated in the above mentioned public health issues.

Non-smokers are definitely harmed by second hand tobacco smoke, and may develop the already mentioned adverse effects. Employees who already suffer from respiratory disease or allergies may be at an increased risk in a smoke filled environment.

Non-smoking programmes should be conducted on a regular basis, to promote the healthiness of no smoking. Smoking is prohibited within the Richtersveld Municipality buildings and vehicles, except in a specifically designated smoking area as described in the Tobacco Products Amendment Act No12 of 1999, Section 29(b). Staff will be allowed to smoke in the designated areas only, of which the allocation, size and number will be determined by the Richtersveld Municipality Manager. The area must comply with the requirement as prescribed in the Government Notice R975, Notice relating to smoking tobacco products in public places, dated 29 September 2000, in terms of the Tobacco Products Amendment Act, No 12 1999.

This smoke free workplace policy applies to employees, contract workers, clients and visitors.

Heads of Departments are required to oversee that no working hours are lost as result of smoking by employees.

### **6.1 Designated smoking areas**

Where a need for smoking exists amongst a group of employees, they should in conjunction with the Richtersveld Municipality Manager, identify a suitable area and the Richtersveld Municipality Manager must confirm the suitability of all such areas.

Smokers are encouraged to smoke in the designated areas. Times must be arranged with supervisors as when smokers may take smoke break. Employee's work should not be affected by their absence from their work stations.

### **6.2 Assistance for smokers**

It is recognized that some staff members who smoke may have some difficulty in adjusting, particular those who have been smoking for a long time. It should be noted that smokers are being asked to refrain from smoking in the workplace. In an effort to assist individuals in adjusting to this change counseling should be available.

## **7. Implementation and Monitoring**

All reasonable efforts will be made to help individuals meet the requirement of the smoke-free policy. Any breach of this policy may result in disciplinary action for employees and a fine to members of the public, as imposed by the Tobacco Products Amendment Act, No 12 of 1999

## **8. Communications**

This policy will be communicated to all Municipalities Employees using the full range of communication methods available to the Richtersveld Municipality.

## 9. Policy Review

This policy will be reviewed and amended on an annual basis or each time any Act or conditions of service or other agreements deem it necessary. all proposed amendments will serve before the local labour forum for recommendations and the council approval

## 10. Budget and Resources

The financial and resource implications related to the implementation of this policy should be qualified and quantified.

## 11. Roles and Responsibilities

The Richtersveld Municipality Manager or his her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

## 12. Penalties

Non-compliance of any of the stipulations contained in the policy will be reviewed as misconduct and will be dealt with in terms of the Richtersveld Municipality Disciplinary Code.

## 13. Dispute Resolutions

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the local labour forum for adjudication. Resolutions from the local labour forum must be incorporated into this policy.

## 14. AUTHORITY

MM Approval:



Date:

30/06/2022