REPORT: CORPORATE SERVICES
4 JUNE 2002

6.3 SMOKING POLICY FOR DRAKENSTEIN

The Corporate Services Committee on 4 June 2002 gave consideration to the enclosed proposed smoking policy for Drakenstein Municipality. The proposed policy had already been considered and agreed to by the parties represented in the Local Labour Forum.

The Committee **RECOMMENDS**

that the proposed smoking policy be adopted.

The Executive Committee on 18 June 2002 gave consideration to the matter. The Executive Committee supported the recommendation of the Corporate Services Committee and requested that the policy also be made available in Afrikaans and Xhosa.

RECOMMENDED

1. that the enclosed smoking policy be adopted; and

2. that the policy also be made available in Xhosa.

(The Afrikaans version is included. Work is still in progress on the Xhosa version.)

17/1/B x 4/B

DRAKENSTEIN MUNICIPALITY

SMOKING POLICY

1. **RATIONALE**

1.1 There is now clear evidence that smoking is harmful to the health of smokers and non-smokers.

1.2 A non-smoker sharing an office with a smoker could inhale the equivalent of five cigarettes a day in tobacco smoke. This has warranted restrictive laws in the public's interest and it requires this Municipality to have a written policy on smoking in the workplace.

1.3 As an employer, the Municipality has a duty under the Tobacco Products Control Amendment Act, 1999 (Act 102 of 1999) to ensure that employees who do not want to be exposed to tobacco smoke in the workplace are protected from tobacco smoke. This Municipality is bound by the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) to provide a safe working environment and protect the health of all employees from illnesses and injuries arising from the workplace.

1.4 In the interest of the health and safety of all our employees, this Municipality will enforce a smoke-free work environment in all public places as defined by the Act and which is under control of Drakenstein Municipality.

2. **SMOKE-FREE POLICY**

2.1 Smoking is prohibited in all buildings, premises or enclosed spaces occupied, owned leased or controlled by the Council. This policy will apply to all staff, clients and visitors irrespective of their seniority, race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language, marital status, or family responsibility.

2.2 No smoking of any tobacco product regardless of the form of tobacco product it is or the method in which it is used will be permitted in any building, communal area or any office occupied, used or controlled by the Council.

2.3 The prohibition of smoking in offices applies in respect of all offices of all Officials and Councillors of this Municipality.

2.4 The prohibition of smoking at the workplace applies in respect of all entrances, exits, foyers, staircases, lifts, toilets and boardrooms. Smoking is forbidden in or on all vehicles owned, operated, leased or controlled by this Municipality.

2.5 All employees, visitors or clients who wish to smoke may only smoke outside any building or premises owned or controlled by the Municipality provided that they smoke far away enough for smoke not to enter the building or premises directly or indirectly through any

window, entrance, ventilation inlet and;

2.5.1 In the case of outside workers far away enough from co-workers not to cause a nuisance or risk of inhaling.

2.5.2 Provided the person does not stop working solely for the purpose of smoking.

2.6 2.5.1 and 2.5.2 is subject to any objection received either verbally or in writing, from any person smoking outdoors on any Municipal site or work area, then smoking shall be prohibited in such place.

2.7 Employees who wish to smoke may only use the existing lunch intervals to smoke outside the building.

2.8 A breach of the smoking policy will constitute misconduct, which will lead to disciplinary action against the perpetrators.

2.9 Smoking at the workplace is viewed as an offence so serious to warrant a maximum of two written warnings to an employee who act in contravention of this policy before drastic measures like a final warning, suspension, demotion or even dismissal are considered.

2.10 This Municipality reserves the right to evict visitors or clients who refuse to comply with the instruction to comply with the provisions of this policy.

2.11 This policy is also applicable to all political office bearers/councillors.

3. ASSISTANCE TO SMOKERS

It is accepted that, whilst this initiative will provide a positive benefit to all staff, some staff members may have difficulty in adjusting, particularly those whose smoking habit is a long-standing one. It should be noted that smokers are being asked to resist smoking at the workplace rather than stop smoking all together.

4. PROCEDURES FOR BREACH OF POLICY

While all efforts will be made to help individuals meet the requirements of this policy, it must be noted that the smoke-free policy now forms part of the health and safety policy of this Municipality.

5. IMPLEMENTATION

5.1 This policy replaces all existing interim smoking policies;

5.2 The Municipal Manager be responsible for the implementation of the policy and informing all staff of the contents thereof;

5.3 The policy be implemented with immediate effect;

5.4 Advice will be given to staff as to where they can get assistance to stop smoking

DRAKENSTEIN MUNISIPALITEIT

BELEID TEEN OPSIGTE VAN ROOK

1. RATIONALE

1.1 Daar is voldoende bewys dat tabakrook 'n baie nadelige invloed het op die gesondheid van rokers sowel as nie-rokers.

1.2 'n Nie-roker wat 'n kantoor deel met 'n persoon wat sigarette rook, word daagliks geforseer om sigaretrook gelykstaande aan die rook van vyf sigarette in te asem. Dit het beperkende wetgewing in die belang van die publiek genoodsaak en het daartoe gelei dat hierdie Munisipaliteit 'n skriftelike beleid teen opsigte van rook in die werksplek opstel.

1.3 As 'n werkgewer is die Munisipaliteit ingevolge die gewysigde Wet op die Beheer van Tabakprodukte van 1999, (Wet 102 van 1999) verplig om te verseker dat werknemers wat nie aan tabakrook in die werksplek blootgestel wil word nie, beskerm word daarteen. Ingevolge die bepalings van die Wet op Beroepsgesondheid en Veiligheid van 1993 (Wet 85 van 1993) verbind hierdie Munisipaliteit homself om 'n veilige werksomgewing te verseker en om die gesondheid van alle werknemers te beskerm teen siektes en beserings wat in die werksplek ontstaan.

1.4 In die belang van die gesondheid en veiligheid van al ons werknemers, sal hierdie Munisipaliteit 'n rookvrye werksomgewing verseker in alle openbare plekke, soos bepaal in die Wet en ook in alle plekke wat onder die beheer van die Drakenstein Munisipaliteit resorteer.

2. ROOKVRYE BELEID

2.1 Rook word verbied in alle geboue, persele of toegeboude areas wat deur die Raad gebruik, besit, gehuur of beheer word. Hierdie beleid is van toepassing op alle personeel, kliënte en besoekers, ongeag hulle senioriteit, ras, geslag, seks, etniese of sosiale oorsprong, kleur, geslagsoriëntasie, ouderdom, ongeskiktheid, godsdiens, gewete, geloof, politieke oortuinge, kultuur, taal, huwelikstatus of gesinsverantwoordelikheid.

2.2 Die rook van alle tabakprodukte, ongeag die vorm daarvan of die manier waarop dit gebruik word, word verbied in enige gebou, gemeenskaplike area of enige kantoor wat deur die Raad beset, gebruik of beheer word.

2.3 Die verbod op rook in kantore is van toepassing op alle kantore van alle Amptenare en Raadslede van hierdie Munisipaliteit.

2.4 Die verbod op rook in die werksplek is van toepassing op alle ingange, uitgange, voorportale, trappe, hysers, toilette en raadsale. Rook word streng verbied in of op alle voertuie wat deur die Raad besit, gebruik, gehuur of beheer word by hierdie Munisipaliteit.

2.5 Alle werknemers, besoekers of kliënte wat wil rook, mag dit slegs doen buitekant geboue of persele wat aan die Munisipaliteit behoort of deur die Munisipaliteit beheer word. Rokers sal slegs toegelaat word om op hierdie plekke te rook op voorwaarde dat hulle ver genoeg van die geboue af is om te verhoed dat die rook nie direk of indirek die geboue of persele binne gaan deur middel van vensters, ingange of ventilasie toevoerpype nie; en

2.5.1 In die geval van buitewerkers, dat hulle ver genoeg weg van hulle medewerkers rook om te verseker dat hierdie nie-rokers nie blootgestel word aan die inaseming van rook nie.

2.5.2 Op voorwaarde dat bogenoemde werkers nie hulle werk onderbreek spesifiek met die doel om te rook nie.

2.6 2.5.1 en 2.5.2 is albei onderhewig aan mondelinge of skriftelike besware wat ontvang word teen enige persoon wat buite op enige Munisipale terrein of werksarea rook, in welke geval rook dan selfs op bogenoemde plekke verbied sal word.

2.7 Werknemers wat wil rook , mag slegs van hulle etensuur gebruik maak om buitekant die gebou te rook.

2.8 Enige persoon wat hierdie beleid verontagsaam, sal skuldig wees aan wangedrag en dit sal tot dissiplinêre stappe teen hulle lei.

2.9 Rook in die werksplek word as 'n baie erenstige oortreding beskou en enige persoon wat hierdie beleid vertontagsaam, sal 'n maksimum van twee skriftelike waarskuwings ontvang voordat verdere meer drastiese stappe soos bv. 'n finale waarskuwing, diensopskorting, demosie of selfs afdanking teen so 'n persoon oorweeg sal word.

2.10 Hierdie Munisipaliteit behou die reg voor om besoekers of kliënte wat weier om te voldoen aan die bepalings van hierdie beleid, uit te sit.

2.11 Hierdie beleid is ook van toepassing op alle politieke ampsdraers of raadslede.

3. BYSTAND AAN ROKERS

Dit word aanvaar dat hierdie inisiatief 'n positiewe voordeel sal inhou vir alle personeellede, maar daar is ook begrip vir diegene wat reeds vir 'n lang tyd rook en dit dus moeilik sal vind om die nodige aanpassings te maak om die beleid te volg. Daar moet ook duidelik kennis geneem word dat daar nie van rokers verwag word om geheel en al op te hou met rook nie, maar om nie binne die werksplek te rook nie.

4. PROSEDURES TEN OPSIGTE VAN DIE VERREKING VAN DIE BELEID

Alhoewel alle pogings aangewend sal word om individue te help om aan die vereistes van hierdie beleid te voldoen, met daar kennis geneem word dat die rook-vry beleid nou deel vorm van die Munisipaliteit se veiligheids- en gesondheidsbeleid.

5. IMPLEMENTERING

5.1 Hierdie beleid vervang enige ander bestaande tussentydse beleid met betrekking tot rook.

5.2 Die Munisipale Bestuurder is verantwoordelik vir die implementering van hierdie beleid en ook om alle personeellede ten volle in te lig omtrent die inhoud hiervan.

5.3 Die implementering van hierdie beleid is onmiddellik van krag.

5.4 Personeellede wat graag wil ophou met rook, sal met hulp en advies bygestaan word.