Blouberg Municipality

CHAPTER 29: SMOKING POLICY

1. PREAMBLE

The Blouberg Local Municipality is committed to providing healthy workplace environment, and to protect the health of all staff members and visiting public at its workplaces.

2. PURPOSE

To regulate smoking and ensure quality indoor air and a healthy workplace environment is maintained and that the health of non-smokers is not adversely affected by exposure to tobacco smoke in all the Municipality workplaces.

3. SCOPE OF APPLICATION

This policy is applicable to all staff members, service providers, clients and visitors to the Municipality buildings, premises and / or using the Municipality vehicles.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Tobacco Products Control Amendment Act, 1999 (Act No. 12 of 1999)
- Government Notice R975, relating to smoking of tobacco products in public places, dated 29 September 2000

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

Smoking is a serious health hazards and pollution of environment requires to be managed.

7. POLICY PROVISIONS

7.1 Acknowledgement of health risks

7.1.1 The Municipality acknowledges the fact that tobacco smoke could 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.

7.1.2 The Municipality further acknowledges the fact that non-smokers are harmed by secondary tobacco smoke and may develop the adverse effects.

7.2 Smoke breaks and smoking areas

7.2.1 Heads of Department shall oversee that no working hours are lost as a result of smoking by staff members.

7.2.2 Only two smoke breaks of five (5) minutes each are allowed during the day, preferably at 10h00 and at 15h00.

7.2.3 Smoking is prohibited within all the Municipality buildings and vehicles, except in specifically designated smoking areas whose location, size and number shall be determined by the Municipal Manager as described in legislation.

7.3 Assistance for smokers

In an effort to assist staff members to adjust to the changes, counselling shall be made available on request through the Staff Member Wellness Programme (EWP).

7.4 Roles and responsibilities

7.4.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.4.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: **Signature:** _____ **Date:** 30/07/2024

Recommended by Portfolio Committee on Corporate Services: **Signature:** _____ **Date:** 30/07/2024

Approved by Municipal Council: **Signature:** _____ **Date:** 30/07/2024