

Sample workplace smoking policy



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Action on Smoking and Health (ASH) have prepared a sample policy document to help employers implement their own workplace smoking policy. (References to legislation have been changed to reflect the relevant regulations in Northern Ireland.)



Smoking policy for (name of organisation)

Effective from (date)

Introduction

Passive smoking/secondhand smoke (breathing other people's tobacco smoke) has been medically proven to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.

The Health and Safety at Work (Northern Ireland) Order 1978 places a duty on employers to provide a working environment for employees that is, so far as is reasonably practical, safe, without risk to health and adequate as regards to facilities and arrangements for welfare at work.

The employer has a duty in common law to take reasonable care to protect the health of employees. An employer who receives a complaint about the effects of smoking, but ignores it, could be sued for any resultant damage to health. Under health and safety legislation, employers may find themselves liable for damage to an unborn child if a pregnant employee has been exposed to passive smoking. Tobacco smoke has also

been proven to cause asthma and migraine attacks. Therefore, the following policy has been adopted concerning smoking in

(name of organisation)

General principles

Under the Health and Safety at Work Order, employees have duties to take reasonable care for the health and safety of themselves and others and to cooperate with the employer as far as is necessary to enable the employer to comply with the requirements of the Health and Safety at Work Order.

The management of health and safety at work

This smoking policy seeks to guarantee all employees the right to work in air free of tobacco smoke. All premises will be designated smoke-free from

(date) _____ with adequate signage to inform employees and visitors of the smoke-free status of the building.

Common areas

Smoking is not permitted in the following areas:

- lifts
- corridors
- stairways
- restaurant/canteen
- rest rooms
- meeting rooms
- toilets
- reception areas
- entrances
- car parks
- other areas (specify as necessary).

Work areas

Smoking is not permitted in any work area. This applies to all offices and work areas, whether occupied by one person, or shared by two or more.

Policy on smoking and rest areas

Under the Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993, if staff restrooms are provided appropriate measures must be taken for the protection of non-smokers against discomfort caused by tobacco smoke.

This means that where there is a single rest area, it will be non-smoking. Any provision for

smokers on the employer's premises (indoors or out of doors) is a matter for local negotiation.

As a minimum any such provision must be entirely separated from non-smokers, and must pose no risk to their health. It should be remembered that ventilation and air filtration systems may be either only partially effective as a protection against secondhand smoke, or, if poorly maintained or installed, of little or no benefit at all.

Facilities for disposal of smoking refuse etc

Smoking may be permitted as appropriate on (organisation) _____ land, but will not be permitted inside (organisation) _____ buildings.

Where smoking is permitted on land owned by (organisation) _____ receptacles will be provided for the disposal of cigarette ends and other waste smoking materials.

Vehicles

Smoking is not permitted in company vehicles. The policy of no smoking will apply to the car park.

Unions/health and safety representatives

This policy has been devised in full consultation with all of those employees who are concerned with health and safety in this workplace. It enjoys the support of the relevant representatives.

Informing staff of the policy

The employer has informed staff 90 days in advance and will provide all members of staff with a copy of this policy upon their request.



Visitors and temporary staff

Visitors and temporary staff are expected to abide by the terms of this policy. The following arrangements have been made for informing them of its existence:

- The receptionist or other person greeting visitors or temporary staff will inform the person of the policy, to be reinforced via the invitation letter or email if required.
- Job advertisements, job descriptions and interviews will include reference to this policy. On their appointment, all new staff members will be given a copy of this policy.

Help for those who smoke

This policy recognises that passive smoking adversely affects the health of all employees. It is not concerned with whether anyone smokes, but where they smoke, and the effect that this has on non-smoking colleagues. However, it is recognised that the smoking policy will impact on smokers' working lives.

In an effort to help individuals adjust to this change, the following help is being provided:

- up to five hours off to attend any course that will help smokers to quit
- smoking cessation support provided by (organisation) _____

Enforcement of the policy

Breaches of this policy will be subject to the normal disciplinary procedures.

Implementation, monitoring and review

Responsibility for implementing and monitoring this policy rests with senior managers. Twelve weeks' notice will be given of the introduction of this policy. Monitoring this policy will be carried out at three, six and twelve months following its implementation. A formal review of the policy will be conducted after eighteen months. Unions and health and safety representatives will be consulted over the results of the monitoring and review.

Changes to the policy

Twelve weeks' notice will be given of any changes made to the policy. Trade unions and health and safety representatives will be consulted in good time about any proposed changes.



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Promotion
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