

Pro_120

Smoking in the Workplace

Life Choice has an obligation to provide a safe working environment and to protect the health and safety of all workers and participants we support from illness or injury arising from the workplace.

Life Choice's approach to ensuring a smoke free working environment (inclusive of vaping) for all persons is to ensure compliance with current smoking legislation, work health and safety requirements, and to effectively manage a smoke-free workplace to minimise risks associated with smoking and passive smoking in the workplace.

Record of policy development

Version	Date approved	Date for review
2020/3	August 2022	August 2024

Responsibilities and delegations

This procedure applies to	CEO, Leaders and supervisors, workers <i>(inclusive of volunteers)</i> .
Specific responsibilities	<p>Board of Directors: responsible for ensuring the organisation has systems in place to adequately identify, assess, manage and monitor risks in relation to smoking.</p> <p>CEO/Leader: responsible for ensuring a smoke free workplace is achieved and maintained according to current policies and procedures.</p> <p>Direct supervisor: responsible for ensuring workers and others only use the designated smoking areas at our locations.</p> <p>Workers: responsible for using the identified smoking areas and assisting in directing others to the designated areas as needed, and disposing of smoking litter appropriately.</p>
Procedure approval	Quality & Risk Committee

Policy context – this policy relates to:

Standards	<ul style="list-style-type: none"> AS/NZS ISO 45001:2018 Occupational health and safety management systems-Requirements with guidance for use Code of Practice – How to Manage Work Health & Safety Risks
Legislation	<ul style="list-style-type: none"> Queensland Work Health and Safety Act and Regulations Tobacco and Other Smoking Products Act 1998 Tobacco and Other Smoking Products Regulations 2010
Organisation policies	<ul style="list-style-type: none"> WHS Policy WHS Responsibilities WHS Risk Management

Definitions

Smoking product means—

- a tobacco product, herbal cigarette, loose smoking blend, personal vaporiser, personal vaporiser related product or smoking related product; or
- a package or carton of a thing mentioned in paragraph (a).

Smoking related product means a product, prescribed under a regulation, that is used primarily in the consumption of a tobacco product, herbal cigarette or loose smoking blend.

A **Personal vaporiser** is a device that—

- is capable of being used to deliver a substance into an individual's body when the individual inhales through the device; and
- has 1 or more of the following parts—
 - a battery;
 - a cartridge or container to store a liquid, vapour or gas;
 - an electric heating element.

However, a **personal vaporiser** does not include any of the following—

- a device included in the register under the Therapeutic Goods Act 1989 (Cwlth), other than a device designed for the purpose of helping a person to stop smoking;
- a device designed to be used to deliver oxygen into an individual's body;
- a bong, hookah or ice pipe;
- a device prescribed under a regulation.

A **Personal vaporiser related product** means any of the following—

- a device or other product that—
 - is apparently intended to be part of a personal vaporiser; and
 - is not capable of being used to deliver a substance into an individual's body without an adjustment, modification or addition

A **hookah** means a fully assembled device—

- for smoking tobacco or another thing by the drawing of smoke, fumes or vapour, resulting from heating or burning the tobacco or other thing in the device, through water or another liquid in the device; and
- that has—
 - 1 or more openings; and
 - 1 or more flexible hoses, each with a mouthpiece, through which the smoke or fumes are drawn.

Procedure

This procedure applies to all permanent, temporary and casual workers and contractors of Life Choice

This procedure does not form part of any person's contract of employment; nor does it form part of any other workplace participant's contract for services. This procedure is not limited to the workplace or work hours, but also extends to all functions and places that are work related (*ie. work lunches, conferences, Christmas parties and client functions*)

Passive smoking (*the breathing in of other people's tobacco smoke*) is harmful to Health. Passive smoking increases the risk of lung cancer and heart disease, and is dangerous for people with existing heart or lung conditions. Passive smoking can trigger asthma attacks, increase the chance of chest infections, cause watery eyes, headaches and sore throats.

This policy is not an anti-smoking campaign. The issue is not who smokes, but where and when smoking occurs.

It is illegal to smoke tobacco in certain places as indicated within the "*Tobacco and Other Smoking Products Act 1998*".

All workers, participants and others must comply with Legislation and while on our premises or property, smoking is prohibited (*but not limited to*):

- Inside all buildings either owned or leased by Life Choice,
- Inside Life Choice owned vehicles.
- Inside private vehicles with a person you are supporting present, or another worker of Life Choice
- Inside participant's homes that you are supporting, even if the participant smokes
- Whenever you are supporting a participant
- Toilets, lunchrooms, or other drinking and eating locations.
- Under any roofed area or where smoke may drift into buildings;
- Within five meters of an entrance to a building including at a participant's residence;
- Within five metres of building ventilation systems, including at a participant's residence;
- Within thoroughfares, specifically in the immediate vicinity of entrances and exits;
- Fuel and chemical storage areas.

Designated Smoking Areas

Designated smoking areas may need to be determined by Management who should display a site plan defining the location of designated smoking areas. Sun safety should be considered where natural shade is unavailable.

Information of the designated smoking areas is provided to existing and new workers and contractors during site specific inductions. Workers and contractors using designated smoking areas, even if not using smoking products, acknowledge and voluntarily accept that there are risks associated with active and passive smoking. Ashtrays and rubbish bins should be considered within designated smoking areas or utilising existing rubbish bins for cigarette and ash disposal.

Workers and contractors are permitted to use smoking products in designated smoking areas during meal breaks and rest pauses as described in applicable awards and contracts, and in accordance with work unit operating requirements. **Smokers are not permitted additional breaks outside of applicable awards and contracts.**

Compliance

Any worker, contractor or other person not complying with the use of smoking products in a designated smoking area must be immediately informed by Management that they are breaching Life Choices Smoking Policy and must be immediately directed to comply.

Where workers, contractors or others do not comply with Life Choice Smoking Policy, a disciplinary process or a review of contract terms may be initiated where other actions fail to achieve compliance.

Signage

Signage should be displayed at designated smoke-free areas where possible and practical.

Assistance for Smokers

For the benefit of the personal health and safety, workers are encouraged to quit smoking. Workers who are genuinely trying to quit smoking can seek approval from Management to use their personal vaporiser, or personal vaporiser related non-nicotine product, away from the designated smoking areas but not in any designated smoke free areas. This will be determined on case by case basis and only if it is safe to do so.

Quit line – 137 848

Quit line is a telephone service for anyone wanting information about quitting smoking. Trained counsellors are available to provide information, counselling, support and resources to help individuals to succeed in quitting smoking. Quit line is an anonymous service and is provided at the cost of a local call.

End of document

Acknowledgement of Understanding

I, _____ have read this **Smoking in the Workplace policy (Pro 120)** and agree to abide by all elements in this document.

Signed: _____

Date: _____