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B15/03/26/2001.
EXCO 170/03/2001

TOBACCO PRODUCTS CONTROL AMENDMENT ACT,
2000 (ACT NO 12 OF 1999)

RESOLUTION

Ass TS (P)

1. That Council adopt and recognise as a written policy for a smoke-free work environment, to comply with the "Tobacco Product Control Amendment Act, 2000 (Act no 12 of 1999)",
* That the:

A. Rationale is:

There is now clear evidence that passive smoking (Breathing other people's tobacco smoke is harmful to the health of smokers and non-smokers.

A non-smoker sharing an office with a smoker inhale the equivalent of up to five cigarettes a days in smoke. This has thus warranted restrictive laws in the public's interest and this requires Msukaligwa Local Council to have a written policy on smoking in the workplace.

As an employer, Msukaligwa Local Council has a duty under the Tobacco Products Control Amendment Act (Act No 12 of 1999), to ensure that employees who do not want to be exposed to tobacco smoke in the workplace are protected from tobacco smoke. The Msukaligwa Local Council should provide a safe working environment and protect the health of all employees, Msukaligwa Local Council will more towards a smoke-free work environment.

B. Smoke-free Policy is:

Smoking will be prohibited within all company buildings, except in the designated smoking areas. This smoke-free workplace policy will apply to all staff, clients and visitors.

Staff may only continue to smoke in the designated smoking areas (as allocated by the Heads of Departments), which has to comply with the requirements of the law, and should display clear signs indicating that it is a designated smoking area(s).

C. Assistant for smokers

It is recognised that, while 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 their smoking in the work-place rather than stop smoking altogether. The law makes provision for designated smoking area provided it does not allow smoke to enter into non-smoking areas. In an effort to assist individuals to adjust to this change the following help is provided: (Contact the Community and Health Services for support).

D. 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 this smoke-free policy now forms part of the Health and safety policy of Msukaligwa Local Council. Any breach of this policy will lead to a further fine of R200,00 as imposed by law.

Employers wishing to discuss any aspect of this policy are invited to contact the Acting Head: Community and Health Services – Mr. P. Malinga.