



**LESEDI LOCAL MUNICIPALITY
("the Municipality")**

SMOKING POLICY

1. OBJECTIVE

- 1.1 Lesedi Local Municipality recognizes that all employees have the right to a safe and health working environment. In accordance with this recognition and in compliance with relevant legislation, Lesedi Local Municipality has **regulated smoking in the workplace.**

2. INTRODUCTION

- 2.1 The aim of this policy is to **encourage a healthier and more productive environment** to work in and also to avoid conflict in the workplace.
- 2.2 Lesedi Local Municipality as an employer has a Legal obligation to comply with the regulations of the Tobacco Products Control Amendment Act and any other relevant legislation.
- 2.3 It is the Line Manager's responsibility to ensure that **both staff and visitors adhere** to the Lesedi Local Municipality's smoking policy in their respective areas of responsibility. It is furthermore the responsibility of every employee to respect the rights of one another and to adhere to Lesedi Local Municipality's Smoking Policy.
- 2.4 In terms of the Act – the smoking of Tobacco Products in any public place is prohibited, which includes a "workplace". A workplace is considered to be:
- 2.5 Any indoor or enclosed area in which employees perform the duties of their employment; and includes any office, boardroom, training facility, corridor, reception area, stairwell, elevator, canteen, washroom or toilet or any other common indoor area.

3. POLICY

- 3.1. Lesedi Local Municipality **recognises that smoking causes harm to both smokers and non-smoker.** In accordance with this recognition, Lesedi Local Municipality

- is committed to providing a safe, health and productive environment for all its employees and in so doing, will endeavour to control the exposure of employees in the workplace, to the harmful effects of tobacco products.
- 3.2 Legislation, in the form of the Tobacco Products Control Act 83 of 1993, has been promulgated to **regulate smoking in public places**, including the workplace. In compliance with this law and its regulations, it is the policy of Lesedi Local Municipality that smoking is prohibited in all public areas, including all workplaces.
- 3.3 Employees who are **smokers are permitted to take a maximum of two smoke breaks per day** and to keep these **breaks to a maximum of 5 minutes each**; however staff is encouraged to smoke out of working hours where possible.
- 3.4 **The two 5 minute breaks have been introduced so that employee who are smokers will not have tea breaks and will have a shorter lunch break of 20 minutes.**
- 3.5 **Smoking areas** include the **balconies**, the **parking garage** and any other **open space outside** of a building.
- 3.6 This policy applies to:
- 3.6.1 All employees, clients and visitors of Lesedi Local Municipality;
- 3.6.2 All buildings, premises or enclosed spaces occupied, owned, leased or controlled by Lesedi Local Municipality;
- 3.6.3 All workplaces, which include all company buildings, corridors, lobbies, stairwells, elevators, cafeterias, washrooms, toilets or any other common areas frequented by employees.

4. PROCEDURE

- 4.1 Lesedi Local Municipality will allow employees who do smoke, to take short breaks during the work day to smoke in designated areas. However, the specific times and number of smoke breaks will be dependant upon the following factors:
- 4.1.1 the effect on workflow and organisation of employees being absent from the workplace;
- 4.1.2 the effect on productivity of employees being absent from their workplaces;

- 4.1.3 the requirements of the workplace and the work-processes in that particular area, including considerations relating to client liaison;
- 4.1.4 the impact of absence from the workplace on employees who remain in that workplace, particularly, whether employees, who remain at their workplaces, will have to perform tasks normally performed by those employees who are absent from their workplaces.

5. **SMOKING CESSATION PROGRAMMES**

- 5.1 To assist employees who wish to stop smoking, Lesedi Local Municipality will **provided smoking cessation workshops**, provided that there is a sufficient demand for such workshops.

6. **POLICY ADOPTION**

This Policy has been considered and approved by the Council of **Lesedi Local Municipality** on this day _____ 2013.