

POLICY REGISTER

SMOKE & VAPE FREE WORKPLACE POLICY

Policy adopted: 22nd March 2018 (Minute No. 59.3.18)

Reviewed: 27th September 2018 (Minute No. 214.9.18)
22nd May 2025 (Minute No. 166.5.25)

File Ref: P13-1, S12-14.4

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 59.3.18 (22nd March 2018)
1.1		Amended	Council Minute No. 214.9.18 (27th September 2018)
1.2	Sylvester Otieno April 30 2025	Amended to include vaping, and to increase the minimum distances in Section IV from 5m to 10m.	Council Minute No. 166.5.25 (22 nd May 2025)

I SCOPE

This Policy covers all elected representative of the public, council staff, council committees, contractors working for or on behalf of council and members of public using or visiting council sites.

II OBJECTIVE

Warren Shire Council (Council) is committed to ensuring staff are provided with a safe and healthy environment that is free from the potential effect of tobacco smoke. This includes environmental tobacco smoke (passive smoking).

Council aims to encourage the reduction of active smoking or vaping and to promote a safe and healthy working environment for Council employees.

III DEFINITIONS

Smoking means smoking, holding or otherwise being in control over an ignited smoking product. Smoking product includes any tobacco or other product that is intended to be smoked.

Vaping means the action or practice of inhaling and exhaling vapour containing nicotine and flavouring produced by a device designed for this purpose.

IV POLICY:

As Council Policy, smoking or vaping are prohibited in all council buildings, structures and vehicles; this includes:

- All enclosed areas in general use;
- All lobbies, foyers and corridors;
- All offices, depot buildings and workshops;
- Common rooms, tea rooms, site caravans and staff rooms;
- All vehicles, plant etc;
- Amenities buildings and toilets;
- Swimming pool buildings and enclosures;
- Within 10 metres of air intakes, external doors in regular use and windows regularly opened;
- Within 10 metres of Council buildings, places of work and areas adjacent to buildings where cigarette smoke will accumulate or drift back into the building;
- Areas that may be frequented by members of the general public;
- Staff working in areas where they are likely to affect others who come into the area; and
- At all grounds within and around Council depots and administration buildings. (With the exception of sites that have designated smoking areas).

Council is under no legal requirements to provide smoking or vaping breaks during work hours for its staff members.

A. Recruitment

Recruitment processes for all staff will include reference to the Policy on smoking and vaping. However, the smoking or vaping behaviour of applicants for employment or promotion is not a factor in selection processes.

B. Designated Smoking or Vaping Areas

Where possible, Council will provide designated Smoking and Vaping areas for its Depots and Buildings that meet the above-mentioned criteria. All new staff will be shown the location of designated smoking and vaping areas.

Wherever possible, workers when smoking or vaping should do so out of the view of the public.

Note: (Smokers and vapers are not entitled to smoke or vape in unapproved areas even if all staff in that particular area wish to smoke or vape.)

V QUIT SMOKING OR VAPING AWARENESS PROGRAMME

Council supports a quit smoking or vaping awareness programme designed to inform employees of the dangers and consequences of smoking or vaping in the workplace.

Council will support staff who seek assistance with counselling in relation to quit smoking or vaping. Council will provide staff with four (4) hours special leave to be taken as determined to arrange/attend counselling during normal working hours on a one-off basis. Staff will need to provide written proof of arrangement or attendance of counselling. Additional time off will necessitate the employee utilising accrued leave entitlements.

For information about giving up smoking:

- The QUIT Line – Telephone: 137 848
- Cancer Institute NSW (ICanQuit) – www.icanquit.com.au
- Cancer Council New South Wales – www.cancercouncil.com.au

VI MEMBERS OF PUBLIC

This Policy is to be extended to the general public entering any Council property that meets the definition of this Policy. Council staff can refuse service to any member of the public whilst they are smoking or vaping. Members of public who wish to smoke or vape in areas other than designated smoking areas outlined in this Policy will be asked politely to leave or to put the cigarette out or switch the vape device off.

Council may revoke any usage arrangements or terminate lease agreements if committees and public groups refuse to follow this Policy

VII BREACHES OF POLICY

A. STAFF

It is unacceptable behaviour to smoke or vape in any of the areas other than designated smoking areas outlined in this Policy and any complaints arising from staff smoking or vaping in non-smoking/vaping areas will be directed to Supervisor, Managers and/or the appropriate Director.

Staff members who fail to comply with the Policy will be counselled and warned appropriately and disciplinary action will be implemented in accordance with Award provisions.

Council staff cannot be disciplined whilst they are smoking away from the workplace during their own time.

B. VARIATION

Council reserves the right to vary or revoke this Policy.

VIII RELEVANT LEGISLATION AND COUNCIL POLICIES

The following legislation and Council policies that are relevant to this Policy include:

- Work Health and Safety Act 2011
- Work, Health and Safety Policy

IX REVIEW

This Policy should be reviewed every 4 years or within 12 months of a Council election. The Policy may be reviewed at any time at Council's discretion (or if legislative changes occur).