

3.11 Smoke-Free Workplace

POLICY TITLE: SMOKE-FREE WORKPLACE

FILE REF: SC67

REVIEW DATE: FEBRUARY 2026

OBJECTIVES

The aim of this policy is to ensure a Smoke-Free Workplace during working hours.

For the purposes of this policy “smoking” includes Environmental Tobacco Smoke (ETS) as well as vaping. The difference between traditional smoking and vaping is that smoking delivers nicotine by burning tobacco whilst vaping can deliver nicotine by heating a liquid.

FOCUS

This policy applies to all employees, contractors, and visitors to Council's work sites.

The focus of this Policy is to eliminate or reduce the risk associated with passive smoking/vaping in the workplace. Given that ETS is a major airborne contaminant, employers who continue to allow smoking in their workplace may be in breach of the *Work Health and Safety Act 2011*. In this regard:

Section 17 of the Act imposes a duty to:

- a) Eliminate risks to health and safety, so far as is reasonably practicable, and
- b) If it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

Section 19 of the Act requires the provision and maintenance of a work environment without risks to health and safety.

POLICY STATEMENT

1. Smoking is not permitted at any time in or around any Council workplace. This includes:
 - a) All Council owned or controlled buildings and enclosed structures
 - b) All Council vehicles and items of plant
 - c) All Council work sites whether in the open air or not.
2. Staff are not permitted to leave the workplace to smoke. Whilst not encouraging such departure for the purpose of smoking, Council acknowledges staff are entitled to leave the workplace during a non-paid break.
3. It is the responsibility of all supervisors and employees to ensure that no employee, contractor and/or visitor, smokes whilst on a Council work site. Employees who fail to look after the safety of other people at work by not complying with Council's Smoke-Free Workplace Policy may be in breach of the *Work Health and Safety Act 2011*.
4. Council will give assistance to any employee who wishes to quit smoking/vaping by way of counselling and/or financial assistance. An employee can contact Council's Human Resources/Work Health and Safety Co-ordinator for further information and all enquiries will be treated as confidential.
5. Employees found breaching Council's Smoke-Free Workplace Policy may be disciplined in accordance with the disciplinary procedures contained in the *Local Government (State) Award*.

*Adopted by Council 20 February 2023
Refer minute 15/23*

*Reviewed by Council 5 February 2018
Refer minute 23/18*

*Adopted by Council 15 March 2021
Refer minute 38/21*

*Adopted by Council 17 August 2009
Refer minute 283/09*