



SMOKING POLICY

Reference number	1P_1.1.11
Accountable executive manager	Executive Director: People and Culture
Policy Administrator	Director: Employee Relations
Responsible division	Employee Relations
Status	Approved
Approved by	Council
Date of approval	23 September 2011
Date of amendments	20 June 2014 17 June 2021
Review date	June 2024

SMOKING POLICY

Preamble

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the Council of the North-West University (NWU) adopted this Policy on 20 June 2014.

1 Interpretation and application

This Policy must be interpreted and applied in a manner consistent with the –

- 1.1 Constitution of the Republic of South Africa, 1996;
- 1.2 Higher Education Act, 101 of 1997;
- 1.3 Tobacco Products Control Act, 83 of 1993, as amended, and
- 1.4 Statute of the North-West University.

2 Definitions

In this policy, unless the context indicates otherwise –

‘Campus Protection Services representative’ means an employee working for the Campus Protection Services department on any of the campuses;

‘Campuses’ means the Potchefstroom, Vaal or Mafikeng Campuses of the North-West University as a collective or each individually;

‘Health and Safety Committee’ means or refers to a campus Occupational Health and Safety Committee;

‘Line Management’ means a specific campus, faculty or administrative department or a school line manager;

‘NWU’ means the North-West University;

‘OHS coordinator’ means each of the designated Health and Safety Coordinators employed within the NWU Occupational Health and Safety Department and respectively responsible for the various faculties, support services departments and business enterprise departments;

‘OHS representative’ means each of the designated Occupational, Health and Safety representatives employed within the various faculties, support service departments and business enterprise departments;

‘public place’ means any indoor, enclosed or partially enclosed area which is open to the public, and includes a workplace and a public conveyance;

‘service area’ means any area designed to be or regularly used by one or more persons to receive or wait to receive a service, to enter a public place, or to make a transaction, whether or not such service involves the exchange of money, and includes an ATM and a telephone kiosk or booth;

‘service line’ means an outdoor queue in which one or more persons are waiting for or receiving service of any kind;

‘smoking’ means to smoke, inhale, exhale, hold or otherwise have control over an ignited tobacco product (or any other device that may contain an ignited tobacco product), cannabis or any other plant-based material, and ‘smoked’ and ‘smoke’ shall have corresponding meanings; and

‘tobacco product or products’ means any product manufactured (commercially or otherwise) from tobacco or any other plant-based material, a hookah, tobacco pipe, hubbly pipe or a cannabis pipe, chewing tobacco, snuff and dip, and the use of which is intended for smoking, inhalation, chewing, sniffing or sucking.

3 Policy statement

It is the policy of the NWU that the right to work and study in a smoke-free environment must be guaranteed, that the need to inhale smoke-free air has priority over the desire to smoke, and that a healthier, more productive working and learning environments for all members of the university community must be encouraged.

4 Scope of application

This policy is applicable to all permanent, fixed-term, casual and temporary employees of the NWU, all students and visitors to the NWU, including temporary staff from agencies, staff supplied by labour brokers, lessees of premises, contractors, and sub-contractors, and any other person who assists in the carrying out of any aspect of the day-to-day functioning of the NWU.

5 Smoking restrictions

- 5.1 The provisions of all legislation regarding smoking must be fully complied with by anyone present on the premises of the University.
- 5.2 No person is allowed to smoke any tobacco product in a public place on any of the premises of the NWU.
- 5.3 Smoking is prohibited –
 - 5.3.1 within a radius of at least 10 metres from any building or next to an open window if the open window is not in a designated smoking area;
 - 5.3.2 in any vehicle owned or leased by the University, regardless of the location of the vehicle;
 - 5.3.3 in or within five metres of any enclosed or unenclosed area where food and beverages are prepared, purchased or consumed;
 - 5.3.4 in all service areas and service lines;
 - 5.3.5 at any outdoor event during an organised gathering which is sanctioned by the NWU for the purposes of sport, education, music, dance, theatre, drama, entertainment, performance or fair, parade, market, or event; and
 - 5.3.6 in all offices and work areas, whether occupied by one person or shared by two or more persons.

6 Designated smoking areas

- 6.1 Designated smoking areas must be identified and determined by management in consultation with the Health and Safety committee.
- 6.2 All designated smoking areas must be indicated by appropriate signage that complies with the NWU’s corporate identity specifications.
- 6.3 Smoking is permitted only in designated smoking areas, identified by “Smoking Area” signs.
- 6.4 No ashtrays may be placed in any other area than a designated smoking area.
- 6.5 Areas which are commonly and frequently used by employees and students, including passages, entrances or lobbies, staircases, stairwells, toilets, changerooms, tearooms, kitchens, balconies, meeting rooms, or other common areas, may not be designated as smoking areas.
- 6.6 Areas where smoking occurs which may adversely affect the image of the NWU from a public relations point of view may not be designated as smoking areas.
- 6.7 Designated smoking areas may not infringe on any areas used by non-smokers.
- 6.8 Designated smoking areas must be at least 10 metres away from any public building, or within 10 metres from a window or ventilation inlet or doorway to or entrance into a public place.

- 6.9 Line management, in cooperation with the relevant Occupational Health and Safety representatives of each campus, may determine rules governing designated smoking areas as well as all other issues pertaining to smoking in order to comply with legislative requirements.
- 6.10 Rules governing smoking in designated smoking areas must be made available and known to all persons entering the buildings on NWU premises.
- 6.11 The rules referred to in paragraphs 6.9 and 6.10 must serve before the Workplace Forum of the specific workplace to ensure that all such rules are aligned and equitable and not prejudicial to the rights of any employee.
- 6.12 It is important to note that legislation does not oblige the University to establish designated smoking areas.

7 Smoke breaks

- 7.1 No specific periods may be identified as established smoke breaks, and employees and students who wish to smoke are encouraged to limit their smoking to approved break periods such as class breaks and tea or lunch breaks, and to take due cognisance of the rights of other employees and students who may wish to continue to work, study or relax while smokers take a break.
- 7.2 Employees are not prohibited to smoke during office hours; however, a manager or supervisor may for operational efficiency, employee productivity and expected work performance of the particular individual determine guidelines by which employees in the office are allowed to leave the office or work stations to smoke during office hours.

8 Liability

- 8.1 Violation of or non-compliance with the requirements of this policy constitutes misconduct to be dealt with in accordance with the Employees' Behaviour Manual and Student Disciplinary Rules of the NWU.
- 8.2 All employees and students are required to immediately report any alleged violation of or non-compliance with this policy to a Campus Protection Services representative or an OHS representative, who in turn shall report the alleged violation to the relevant OHS Coordinator for further investigation.

9 Administration

- 9.1 People and Culture will be responsible for facilitating the implementation of this policy and for monitoring adherence.
- 9.2 Occupational Health and Safety representatives will be responsible to attend to complaints, or questions about the application of this policy as referred to them by People and Culture, staff, or students.

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