



UNIVERSITY OF THE  
WITWATERSRAND,  
JOHANNESBURG

**OHS&E Directorate**

**SMOKING POLICY**

**Revision 6.0**

<b>REV</b>	<b>DATE</b>	<b>PREPARED BY</b>	<b>STATUS OF REVISION</b>
1.0	23.05.2016	Jonathan De Villiers	Major revision of previously approved smoking policy
2.0	18.04.2017	Jonathan De Villiers	Complete policy review / minor revisions made throughout
3.0	12.06.2019	Jonathan De Villiers	Complete policy review / minor revisions made throughout
4.0	22.05.2020	Jonathan De Villiers	Complete policy review / minor revisions made throughout
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6.0	09.04.2022	Jonathan De Villiers	Complete policy review / minor revisions made throughout

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**1 PURPOSE**

This policy underlines the principles adopted by Wits to provide a working environment that is not harmful to the health or well being of employees, students, contractors, service providers or visitors due to smoking.

**2 SCOPE**

- 2.1 Wits must ensure compliance with the OHS Act, Section 8(1) which states that a working environment that is safe and without risk to health shall be provided and maintained by an employer. Also, Wits has an obligation to ensure compliance with Section 29 of the Fundamental Rights in the Constitution of South Africa which states that every person shall have the right to an environment which is not detrimental to his or her health or well-being. The University furthermore promotes the establishment of a healthy environment through its OHS&E Policy. As such, Wits is a safety, health and environmentally conscious employer and does not support the act / habit of smoking.
- 2.2 Smoking on any University premises is considered to be a privilege (not a right) and although Wits may provide a work environment that makes provision for smokers it does so primarily by taking into consideration the health implications that smoking may have on non-smokers as well as the risks that it may impose on its premises and property. In view hereof, smoking should be minimized to the greatest extent reasonably possible and must have no negative effect on the job at hand and not cause a risk to non-smokers or to Wits property.
- 2.3 By designating specific areas for smokers to use does not mean that Wits condones this habit and Wits assumes hereby that those persons who do smoke should be aware about the dangers of smoking, do so at their own accord and accept full responsibility for the health implications associated therewith.
- 2.4 Wits Management furthermore reserves the right to modify or cancel this policy at their discretion at any time.

**3 DEFINITIONS**

**OHS Act** means the Occupational Health and Safety Act, no 85 of 1993.

**Smoking** means the deliberate action of inhaling and exhaling smoke and/or vapour arising from cigarettes, cigars, pipes, e-cigarettes / electronic nicotine delivery systems (ENDS), hookah pipes, / shisha pipes / Arabic water pipes / hubbly bubbly pipes or any other means and/or device with the intention of consuming various forms of tobacco, chemicals and/or any other products or substances.

**4 REFERENCES**

- 4.1 OHS Act, 85 of 1993, Section 8(1)
- 4.2 Constitution of South Africa, Fundamental Rights, Section 29
- 4.3 Wits University OHS&E Policy
- 4.4 Tobacco Products Control Act, 1993, as amended.

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## **5 RESPONSIBILITIES**

- 5.1 The Directorate: OHS&E Management is responsible for developing, amending and approving this policy.
- 5.2 It is the responsibility of each Dean, Director, Head of School, etc. (i.e. Section 16.2 Assignees) to;
  - Assist with the allocation of smoking areas in their respective areas of responsibility in terms of this policy as well as to ensure that arrangements are made for smoking areas to be appropriately assigned and demarcated.
  - Ensure that persons within their work areas are informed of the content of this policy.
- 5.3 PIMD is responsible for providing / installing “Smoking Area” signage as well as for signage stating: “Smoking prohibited except in designated smoking areas”.
- 5.4 It is the responsibility of every person entering Wits’s premises to adhere to this policy.

## **6 SMOKING POLICY**

### 6.1 Introduction

Wits, as a responsible employer and higher educational institution which cares for its people, strongly promotes employee, student, contractor, service provider and visitor well-being as well as quality of work life. It strives to provide a working environment that is not harmful to the health or well being of employees, students, contractors, service providers and visitors. As such, Wits is classified predominantly as a non-smoking area and smoking is only permitted in certain clearly designated outdoor areas.

Smoking is discouraged at the University as it pollutes the environment and is harmful to the health of both smokers and non-smokers. However, as smoking is prevalent amongst staff, students, contractors, service providers and visitors the University will accommodate the rights of smokers only to the extent that it does not compromise the health of non-smokers and/or the health and safety of its infrastructure and facilities.

### 6.2 Purpose

The purpose of this policy is three-fold:

- Firstly, to discourage smoking at the University.
- Secondly, to make explicit the permissible and non-permissible smoking practices within the University.
- Thirdly, to ensure that such smoking practices are aligned with relevant legislation, inter alia, the Tobacco Products Control Act, 1993, as amended.

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**6.3 Background**

The University places a high premium on creating an environment that is conducive for good health of its staff, students, contractors, service providers and visitors. Accordingly, the University will engage relevant legislation to enforce good health practices. The University will take strong action to protect non-smokers from exposure to the risks and hazards associated with smoking and to encourage existing smokers to quit.

South African laws prohibit smoking in a public space, which is defined as 'any indoor, enclosed or partially enclosed area which is open to the public and includes a workplace... and a public conveyance' (Tobacco Products Control Act, 1993, as amended). The University buildings (including its residences, sports stadia, eating areas and modes of conveyance) are public spaces and must align with such legislation. However, provision will be made for smokers as long as there is no direct or secondary impact on the health of non-smokers. Accordingly, non-smoking staff and students are entitled to object to working and / or studying in a areas where smoking occurs and should not be compelled to do so by the University.

**6.4 Policy principles**

- Smoking is prohibited throughout the University's campuses except in designated smoking areas outside of buildings which are identified by Smoking Permitted signs (See annexure 1 for signage which indicates that smoking is permitted in certain University areas).
- Only outdoor areas may be designated as smoking zones and these should be in safe zones as well as blend in with University architecture / aesthetics and purpose. Such designated outside smoking areas must be clearly identified by the relevant Smoking Permitted signs (Annexure 1).
- Ashtrays will be placed in all outside, smoking permitted areas and will also be removed from non smoking areas.
- The sale of tobacco products, including the use of vending machines, is not permissible at the University.
- The University prohibits the advertising and promoting of tobacco products, nor can there be any free distribution of tobacco products or gifts.
- Signs displaying the following statement should be posted at building entrances: "Smoking prohibited except in designated smoking areas".

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**6.5 Enforcement and Disciplinary Measures**

- Flouting any of the above policy principles should be brought to the attention of the appropriate supervisor, and if necessary, referred to the Legal Office.
- In all cases the right of a non-smoker to protect her or his health and comfort will take precedence over a staff members, student's, contractor's, service provider's and/or visitors desire to smoke.
- If a staff member, student, contractor, service provider and/or visitor is found to have smoked prohibited substances while on the University's premises that affect / alter normal behaviour then the appropriate measures / action / disciplinary procedures will unfold. The latter measures / actions / procedures will apply irrespective of the mode of smoking engaged (i.e. cigarettes, pipes, e-cigarettes / electronic nicotine delivery systems, hookah pipes or any other means).

**6.6 Non smoking areas**

Smoking is specifically Not Permitted in the following areas:

**6.6.1 Inside any University building, including but not limited to:**

- Residences and all residence rooms,
- Stadia,
- Modes of public conveyance,
- Offices,
- Reception / waiting areas,
- Storerooms / storage areas,
- Passages,
- Conference rooms and facilities,
- Meeting / Committee rooms,
- Rest rooms and ablutions / toilets,
- Eating areas / restaurants and kitchens,
- Lecture / seminar theatres / rooms,
- All laboratories (including computer laboratories),
- Workshops,
- Electrical sub-stations,
- Contractor sites,
- Museums, planetarium,
- Galleries,
- Walkways,
- Elevators,
- Stairways / stairwells,
- Lobbies,
- Waiting rooms,
- Copier rooms,
- Auditoriums,
- Employee common rooms,
- Lounges,

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- Class-rooms,
- 6.6.2 Partially enclosed areas of buildings such as covered patios, verandas, balconies, eating areas, walkways and parking areas;
- 6.6.3 Any area within five metres from a window, “ventilation inlet of, doorway to or entrance into” (Tobacco Products Control Act, 1993, as amended);
- 6.6.4 Any area in which a fire or safety hazard exists, including but not limited to hazardous substance storage areas, flammable liquid storage areas, gas storage areas, University owned vehicles, etc.;
- 6.6.5 Any other area not specifically designated as an area where smoking is permitted.

**6.7 SMOKING AREAS**

**Smoking areas are to be limited strictly to the following areas:**

- 6.7.1 Demarcated (clearly signposted) outside areas that do not pose a threat to any people, equipment, hazardous area, building, vehicle.
- 6.7.2 In the event of licensed restaurants on University premises a designated clearly demarcated / signposted smoking area could be acceptable provided that such area does not cause smoke to enter other parts of buildings via openings, passageways, ducts or ventilation / air-conditioning shafts.

**7 DOCUMENTS AND RECORDS**

- 7.1 Annexure 1 – Typical smoking area symbolic sign (Green letters and pictogram on white background) – But sign could differ from place to place

**APPROVED:** \_\_\_\_\_ **(SIGN)**      **DATE:** \_\_\_\_\_

\_\_\_\_\_ **(PRINT)**

# SMOKING



# AREA