

1. Introduction

As an employer, the Greater Dandenong City Council (GDCC) has a duty, under the Occupational Health and Safety Act, 2004, to provide and maintain a working environment that is safe and without risks to health.

2. Aim

The aim of this procedure is to maintain a smoke free working environment and to protect all employees and the public from the ill effects of tobacco smoke, e-cigarettes (vape) and shisha tobacco. Appropriate 'No Smoking' signs will be clearly displayed at the entrances of council owned or leased buildings.

Council will:

- Maintain a healthy environment
- Create an environment which provides support for staff wanting to manage or change their smoking habit; and
- Protect and promote the overall health and wellbeing of all staff, contractors and members of the public by actively encouraging smoking prevention and smoking cessation.

3. Circumstances in which smoking / vaping is not permitted:

- All Council owned / leased buildings occupied by staff or contractors in the course of their normal employment with Council.
- Any enclosed areas / shelters occupied or used by staff during their normal employment with Council.
- In Council owned leased vehicles, plant and equipment.
- In any vehicle where a client is present
- Within 10 metres of any Council storage areas for hazardous substances or combustible materials.
- Areas within 10 metres of any outdoor worksite or activity where other workers, contractors, children or clients may come into contact.
- Rooftop, balconies or verandah areas.
- Council expects that employees will respect the environment by the responsible disposal of cigarette butts.
- Areas within 10 metres of doorways or other openings (including air intake vents) where passive smoke may enter an enclosed space or building.
- In client's home where a Council service is being provided.
- Request not to smoke / vape in the house whilst services are being provided. Clients who do smoke are advised to ventilate the house prior to workers attending to remove the presence of second hand smoke or service will not be provided.
- Outside of any agreed designated smoking areas.
- Other zones prescribed under Council Local Laws, the Tobacco Act and the Tobacco Amendment Act.

4. Definitions

Smoke Free Workplace Procedure		This Document is Uncontrolled when Printed		Responsible Officer: Manager OHS	
Version: 2.2	Status: Operational	Issue Date: Dec 2023	Next Review: Dec 2026	1/3	

Enclosed Area - means an area, room or premises that is or are substantially enclosed by a roof and walls, regardless of whether the roof or walls or any part of them are—

(a) permanent or temporary

(b) open or closed

Second Hand Smoke - smoke from a cigarette, e-cigarette, cigar, pipe, etc., that can be involuntarily inhaled by people who are near the person who is smoking.

5. Our Commitment

To support the smoke-free workplace policy, GDCC will:

- Ensure appropriate 'No Smoking' signs are clearly displayed at the entrances of council owned buildings
- Consult with Council's Community Advocacy Team and provide information regarding the health effects of smoking and the importance of being smoke-free
- Provide support for employees who smoke through Health & Wellbeing programs and assistance programs
- Ensure that a copy of the Smoke-free Workplace Procedure is available to all employees
- Ensure clients adhere to the requirements of this policy
- Council expects that employees will respect the environment by the responsible disposal of cigarette butts.

6. Procedures for Breaches

Non-compliance with the smoke-free workplace procedure will be viewed as a serious matter. Whilst every effort will be made to help individuals comply with the requirements of this procedure, any disregard for the procedure will be viewed in the same way as any breach of Health and Safety Policy, and disciplinary action may be taken in accordance with Council's Policy & Procedure for Performance & Behavioural Issues.

Responses to procedure breaches will include:

- Asking the individual to extinguish the cigarette (or similar) immediately
- Explaining details of the policy to the offending individual
- Making every effort to assist employees understand and adhere to the policy and
- Disciplinary action for repeated and continued failure to comply with a reasonable and lawful management direction.

7. Relevant Legislation & Related Documents

Occupational Health & Safety Act 2004

Victorian Tobacco Act 1987

Tobacco Amendment (Protection of Children) Act 2009

Tobacco Amendment Act 2016

COS0049 Health & Wellbeing Policy

Quit Victoria: <http://www.quit.org.au/>

Healthy Council Steering Committee

Council Code of Conduct for Staff

Policy & Procedure for Performance and Behavioural Issues

Smoke Free Workplace Procedure	This Document is Uncontrolled when Printed	Responsible Officer: Manager OHS
Version: 2.2	Status: Operational	Issue Date: Dec 2023
	Next Review: Dec 2026	2/3

8. Document History

Version Number	Issue Date	Description of Change
0.1		1 st Draft from Risk & OHS Unit. Previous version of Policy was under old document control process: Version "J" , Effective: October 1995, Last Review: April 2016
0.2	12.07.2018	Accepted by OHS Policy Sub-Committee
0.3	Aug 2018	14 Day Employee Consultation completed
1.0	Aug 2018	Approval by OHS Oversight Committee
1.1	Oct 2023	2 nd Draft from Risk & OHS Unit
1.2	Oct 2023	Accepted by OHS Policy Sub-Committee
1.3	Nov 2023	14 Day Employee Consultation completed <i>(minor changes made – 'By-Laws' replaced with Local Laws, and a reference included for Council's Community Advocacy team)</i>
2.0	Dec 2023	Approved by the OHS Committee
2.1	May 2025	Minor Amendment Change title from 'Policy' to 'Procedure' and update Responsible Officer
2.2	May 2025	Accepted by OHS Policy Sub-Committee