

LORD HOWE ISLAND BOARD POLICY

TITLE	Smoke Free Environment Policy		
DATE ADOPTED	June 1993	AGENDA ITEM	21
CURRENT VERSION	March 2013	AGENDA ITEM	8 (iv)
REVIEW	5 years	FILE REFERENCE	PO0007
ASSOCIATED LEGISLATION	<p>Work Health and Safety Act 2011 (NSW) – This Act places a duty of care on all employers to ensure the health, safety and welfare at work of their employees, as well as onsite visitors including contractors.</p> <p>Workers Compensation Act 1987 (NSW) – Employees who receive an injury arising out of or in the course of employment may be entitled to compensation under this Act.</p> <p>Smoke-free Environment Act 2000 (NSW) – Under the Smoke-free Environment Act 2000 all enclosed public places and certain outdoor public places must be smoke-free.</p>		
ASSOCIATED POLICIES	WorkCover NSW Passive Smoking Policy and Control		

1 Introduction

1.1 Title and Commencement

This policy is entitled the Lord Howe Island Board Smoke Free Environment Policy. This policy is a revision and extension of the Smoke Free Workplace Policy, which was adopted by the Lord Howe Island Board (LHIB) at its meeting of May 2011. It replaces the previous policy titled Lord Howe Island Board Non Smoking Policy that was first adopted in June 1993 and has not been amended.

1.2 Purpose of the Policy

The purpose of the policy is to protect the health of the community, Office of Environment & Heritage employees engaged on behalf of the LHIB (LHIB Staff), Board Members, contractors, volunteers and visitors by eliminating exposure to environmental tobacco smoke in and around all LHIB occupied buildings and facilities (including fleet vehicles and plant) and in certain public outdoor areas.

1.3 Objectives and Coverage of the Policy

The objectives of this policy are:

- a) Specify public areas managed by the LHIB where smoking is not permitted
- b) Specify places where smoking is not permitted in and around the workplace
- c) Outline the responsibilities of staff including managers

- d) Promote the smoke free environment policy in recruitment and training for new employees
- e) Authorise placement of “No Smoking” signs

This policy applies to all LHIB Staff, Board Members, contractors, volunteers the local community and visitors to LHIB buildings and facilities.

1.4 Background to the Policy

Passive smoking is breathing in other people's smoke (Environmental Tobacco Smoke). It affects smokers and non-smokers. Environmental Tobacco Smoke (ETS) is a combination of exhaled mainstream smoke (smoke breathed out by the smoker) and sidestream smoke (smoke that drifts from the burning end of a cigarette).

Environmental Tobacco Smoke is made up of over 4,000 chemicals and more than 60 of these are known to cause cancer in humans. Research indicates that there is no safe level of exposure to ETS. A recent report by the US Surgeon General (2006) concluded that ETS causes premature death and disease in children and adults who do not smoke. Prolonged ETS exposure is known to increase the risk of lung cancer and heart disease, as well as the incidence of sore throats, nasal symptoms, asthma attacks and other chest illnesses.

The dangers of passive smoking have been extensively documented and there are a number of studies undertaken in Australia and overseas that confirm the impact of ETS on workers and the general public.

In October 2001 the danger of prolonged exposure to ETS in the workplace was highlighted in the case of *Marlene Sharp v Port Kembla Hotel and Port Kembla RSL*. This litigation became the first case of cancer of the larynx proven in a court of law to be associated with passive smoking in the workplace. (Source: NSW Department of Health Fact Sheets at www.health.nsw.gov.au)

2 Policy Statement

Under the *Smoke-free Environment Act 2000* smoking is not permitted in enclosed public places and certain outdoor areas. Occupiers of these areas are responsible for ensuring these areas remain smoke-free.

The Lord Howe Island Board has a legal obligation to provide a safe and healthy workplace under legislation such as the *Work Health and Safety Act 2011* (. A workplace can constitute both indoor and outdoor places, including motor vehicles.

2.1 Areas Affected by Policy

2.1.1 Public Buildings, Workplaces and Surrounding Areas

A smoke free environment must be maintained in all LHIB occupied buildings and workplaces, including the Administration Offices, Depot, Nursery, Powerhouse, Jetty Facilities, Airport, Waste Management Facility, Community Hall, all LHIB fleet vehicles including plant, storage areas, igloos, restrooms and toilets, workshops and lunchrooms.

To prevent drift of smoke into smoke free environments, no smoking will be permitted within 10 meters of LHIB premises and workplaces. No smoking is permitted in thoroughfares or access paths e.g. no person should have to inhale smoke walking into or out of a building or on paths between LHIB

buildings. Every care should be taken to prevent the drift of smoke into workplaces.

Workplaces include all outdoor areas occupied by the LHIB and within 10 meters of other members of staff at any time while on duty, including duties undertaken in the field and the Permanent Park Preserve.

2.1.2 Lord Howe Island Oval

Smoking is banned at the LHI community oval, including spectator areas.

2.1.3 Lord Howe Island Playground

Smoking is banned within 10 meters of the children's play equipment.

2.2 Approved Smoking Areas

Smoking is not permitted within 10 metres of LHIB premises or workplaces

No smoking signs may be erected near entry to buildings and smoke-free outdoor areas.

Where possible, staff should not smoke in outdoor areas which are visible to the public.

2.3 Recruitment

The LHIB will advertise in all recruitment material, including the LHIB website, of its smoke free environment policy.

All new employees will be informed of the smoke free environment policy at commencement of employment and at induction training for new staff.

2.4 Responsibilities

All staff are responsible for ensuring that LHIB maintains a smoke free environment by complying with the provisions of this policy and reporting any incidents, which may breach this policy. LHIB Staff who fail to consider the safety of others at work by not complying with the non-smoking policy may be personally liable to a fine under Division 5 of the *Work Health and Safety Act 2011*. In particular, managers and team leaders are responsible for ensuring that all employees under their control fully understand the requirements and provisions of this policy and this policy is included in induction training for new staff.

2.4.1 Environmental Waste Reduction

Staff are responsible for ensuring that any waste such as cigarette butts are properly disposed. Staff are reminded that cigarette butts take five years to break down and make up more than 50% of litter items in NSW, therefore used butts must be properly disposed. Inappropriate disposal can incur fines of up to \$200.

3 Right to Vary or Revoke

The LHIB reserves the right to vary or revoke this policy at any time in consultation with relevant parties.