SMOKING

POLICY NUMBER: NDIS WHS 7

INTENT

To meet the legal obligations of the *Work Health and Safety Act 2011 (Qld)*, Real Living Options Association Inc. will take all reasonable steps to provide Employees, Participants, Contractors and visitors with a safe working environment.

DEFINITION

Smoking: Smoking products include tobacco products, herbal cigarettes, loose smoking blend, personal vaporisers (such as electronic or e-cigarettes, e-cigars, vape pens) and personal vaporiser related products (e-liquids and e-cigarette parts).

POLICY STATEMENTS

- Environmental Tobacco Smoke (ETS) is a known health hazard. It is the combination of side stream smoke (smoke from burning tobacco) and exhaled mainstream smoke (smoke exhaled by smokers) and is a proven carcinogen (cancer causing agent). ETS has been proven to cause serious health conditions such as lung cancer, heart disease and emphysema.
- Real Living Options Association Inc. aims to protect all Staff, Participants, Representatives/Nominees, Contractors, Volunteers and visitors from the effects of ETS.
- Smoking is prohibited in:
  - The premises of Real Living Options Association Inc. – indoors and outdoors;
  - Any vehicle while transporting Participants; and
  - When assisting Participants out in the community.
- Employees are prohibited from smoking in the home of a Participants.
- Employee compliance with this policy is a condition of employment.
- Complaints regarding non-compliance with this policy should be made, in the first instance, to the General Manager, whose responsibility it is to enforce this policy.
- There are no accepted exemptions to this policy following the introduction of the amendments to the Tobacco and Other Smoking Products Act 1998, current as at 21 July 2020. All employees and visitors must comply with the referenced act.

PROCEDURES

- All Employees of Real Living Options Association Inc. will be informed of the regulations on smoking in the workplace at induction.

Buildings and Surrounds

- Smoking is prohibited inside buildings and on the grounds of Real Living Options Association Inc. This includes ALL buildings, external entrances and all outdoor

areas within the property boundary.

- Smoking is prohibited by employees within five (5) metres of any entries/exits of Real Living Options Association Inc's. premises and the home of any Participants.

Participants Homes and Other Public Settings

- Real Living Options Association Inc. has a duty of care and is required to provide a safe working environment for Employees during all occasions of employment.
- Management of Real Living Options Association Inc. will advise Participants and their Representative/Nominee who smoke that if they choose to smoke in their home whilst the Employees of Real Living Options Association Inc. are in attendance the Employees member will have to step outside and can only come back inside once the smoke has dissipated.
- The Participants and/or their Representative/Nominee may negotiate with the Service and choose to either:
    - Smoke outside when the Employees of Real Living Options Association Inc. are in attendance; or
    - Smoke inside and the Employees will step outside the house until the smoke has dissipated.
- Employees will be given the opportunity to choose if they are happy to work in a home where there are smokers, however even Employees who are smokers must not perform their duties in an enclosed environment where other people choose to smoke.
- Employees must never smoke in the presence of a Participant.

Vehicles

- Smoking is prohibited in the Real Living Options Association Inc. vehicle at any time by any person.
- Smoking is prohibited for any person in a vehicle at any time while service is being provided.
- Employees transporting other Employees, Participants and/or their family or volunteers in their own vehicle must provide a smoke free vehicle.

DELEGATIONS

Management Committee

- Ensure as far as practicable that Real Living Options Association Inc. complies with the Work, Health and Safety Act 2011 (Qld), Tobacco and Other Smoking Products Act 1998, current as at 21 July 2020 and all applicable standards and policies.
- Ensure compliance in areas under their control as far as practicable.

General Manager

- Ensure as far as practicable that all employees receive a copy of the policy on Smoking.
- Ensure as far as practicable that appropriate signage is installed and maintained in and around the office.

RELATED DOCUMENTATION
Policy WHS 1 Workplace Health and Safety

REFERENCES
Work Health and Safety Act 2011 (Qld)
Tobacco and Other Smoking Products Act 1998, current as at 21 July 2020
Tobacco and Other Smoking Products Regulation 2010
Centres for Disease Control and Prevention

AMENDMENTS/REVIEWS

Amended 20.01.11, Amended 07.06.12, Amended 13.06.13, Amended 22.05.14, Amended 27.11.14, Amended 22.03.18, Amended 25.02.21, Amended 06.02.25