



**SMOKE FREE WORKPLACE  
POLICY**

## **Smoke-Free Policy**

Employers/managers should together establish and implement a written policy and procedures to ensure compliance with the law as they are each potentially liable under Section 47(3) of the Public Health (Tobacco) Act, 2002 as amended (as are occupiers and “any other person for the time being in charge of a place”). This policy may form part of your written Safety Statement, an existing requirement for all employers under health and safety legislation. The policy should clearly identify the members of management and staff that have responsibility for its implementation and specify the procedures to be followed in the event of non-compliance. The policy should acknowledge the right of employees to work in a smoke-free environment and information on how to obtain help quitting smoking. This policy and associated procedures must be communicated to all staff and in particular to new and part-time staff before they commence employment. Action in relation to disciplinary procedures should be undertaken for violations of the smoke-free policy and this should be in line with the procedures used for violation of any other health and safety procedure.

### **Policy**

It is the policy of Ballymakenny College that all of its workplaces are smoke-free and that all employees have a right to work in a smoke-free environment. Smoking and Vaping is prohibited throughout the entire workplace with no exceptions. This policy applies to all employees, consultants, contractors, customers and visitors.

### **Implementation**

Overall responsibility for policy implementation rests with the occupier, manager or other person for the time being in charge of the workplace. All staff have an obligation to adhere to, and facilitate the implementation of this policy. The person in charge, the Principal, shall inform all existing employees, consultants and contractors of the policy and their role in the implementation and monitoring of the policy. All new and prospective employees, consultants and contractors shall be given a copy of the policy on recruitment/induction by the person in charge.

### **Policy Infringements**

Infringements by staff will be dealt with under local disciplinary procedures. Infringements by customers, clients etc., will be dealt with in accordance with the procedure set out below. Infringements by students will be dealt with in accordance with the Code of Behaviour.

Employees, consultants, contractors, customers and visitors who contravene legislation prohibiting smoking in the workplace are also liable to a criminal prosecution with an associated fine.

### **Smoking Cessation**

Information on how to obtain help quitting smoking is available from The National Smokers Quitline (1850 201 203) or the Health Promotion Service of the local health board.

## **Procedure if a person smokes in contravention of the law prohibiting smoking in the workplace**

1. Draw the person's attention to the "No Smoking" signs and advise that they are committing an offence by smoking on the premises.
2. Advise the person that it is also an offence for the occupier, manager and any other person for the time being in charge of the premises to permit anyone to smoke in contravention of the law.
3. Advise the person that the business has a smoke-free policy to ensure a safe working environment for staff and customers. And that under the policy staff are obliged to refuse service to customers who persist in smoking.
4. If the person continues to smoke immediately request that they leave the premises.
5. If the person refuses, implement normal procedure for antisocial/illegal behaviour in the premises.
6. Maintain an appropriate record of all such incidents and notify all staff of action taken.
7. In all cases where physical violence is threatened or encountered, notify and/or seek the assistance of the Gardaí.