



SMOKING IN THE WORKPLACE POLICY

Policy Number:

Originating Department: Human Resources

*Approved By: Council
Council
Council*

*Date of Approval: May 10, 2010
Amended: December 14, 2015
Amended: May 14, 2018*

1.0 **Purpose:**

- 1.1 To provide a healthy and safe work environment, the City of Charlottetown offers a smoke-free workplace for its employees. Employees are responsible to adhere to this smoke-free directive and, as is the case with any Employer policy, noncompliance will be treated as an infraction of the Employer's rules and will be subject to progressive discipline.

2.0 **Scope:**

- 2.1 This policy applies to all City of Charlottetown employees regardless of their work site or location and is intended to support *the Smoke-free Places Act* and the *Occupational Health and Safety Act of Prince Edward Island*. For the purpose of this policy, smoking includes the use of products that contain tobacco or nicotine, including cigarettes, cigars, pipes, hookahs, water pipes, and all forms of smokeless tobacco including electronic or e-cigarettes and marijuana that is smoked or vaporized.

3.0 **Definitions:**

- 3.1 **Workplace:** For the purpose of this policy, workplace means any employer property, including all buildings, the fifteen-foot smoke-free buffer zone surrounding entrances, any construction site, police or fire scene, City vehicles or City mobile equipment, etc.

Due Process: The idea that laws and legal proceedings must be fair. An employee must be made aware of any allegations of misconduct (smoking in the workplace) and be given an opportunity to provide their 'side of the story'.

Documentation: During the investigative process, it is important to note facts in writing so that any discipline which may follow can later be substantiated if necessary. (“If the violation was not documented, the act did not occur.”)

4.0 **Procedures:**

- 4.1 Management will follow-up on all allegations or complaints of smoking infractions promptly. The employee’s Manager and/or Human Resources will review the applicable collective agreement time line requirements for the imposition of discipline and interview the employee and all witnesses as soon as possible, documenting all related conversations.
- 4.2 If the employee is found to have committed an infraction, Human Resources will check their personnel file to see if there is prior related discipline.
- 4.3 The Manager and Human Resources will discuss before imposing the appropriate level of progressive discipline in accordance with the City of Charlottetown’s Corrective Discipline Policy.
- 4.4 The Manager and/or HR will provide an offer of assistance through the Employee Assistance Program for a smoking cessation program to assist the employee to quit smoking.