



1. Introduction and Purpose

Fred's Forklift and Plant Hire CC (Fred's) as an employer, has a legal obligation to comply with the regulations of the Tobacco Products Control Amendment Act (the Act) and any other relevant legislation.

In terms of the Act – smoking tobacco products in any public place, which includes the workplace, is prohibited unless the area is indicated as a dedicated smoking area.

The Policy on Smoking in the Workplace applies to all Fred's staff members.

It is Fred's Member(s) responsibility to ensure that both staff members and visitors adhere to the Policy on Smoking in the Workplace. It is, furthermore, the responsibility of every Fred's Employee to respect the rights of others and adhere to this Policy.

This Policy aims to encourage a healthier and more productive environment to work in and to avoid conflict in the workplace.

2. Objectives, Definitions and Designated Smoking Areas

2.1 Objectives

The objectives of the Policy on Smoking in the Workplace are to:

- ensure compliance with applicable legislation
- protect non-smokers from involuntary exposure to second-hand (passive) smoking
- establish a smoke-free environment for non-smoking staff members, visitors and clients
- regulate where smoking is and where smoking is not permitted.

Fred's Member(s) has a legal duty to take reasonable care to protect its employees. This Policy aims to consider and accommodate the needs of smokers and non-smokers and to provide all employees with a safe and healthy working environment. It is not meant to punish smokers, but to protect and improve the health of all staff members. This Policy also aims to improve productivity in the workplace by aiding the prevention of smoking-related illnesses and complications.

2.2 Definitions:

- **'smoke'** means to inhale, exhale, hold or otherwise have control over an ignited tobacco product, weed or plant, and 'smoked' and 'smoking' have corresponding meanings.
- **'Tobacco product'** means any product manufactured from tobacco and intended to be smoked or intended for use by smoking, inhalation, chewing, sniffing or sucking.
- **"workplace"** means any indoor or enclosed or partially enclosed area where employees perform the duties of their employment. It includes any corridor, lobby, stairwell, elevator, cafeteria, washroom and any other common area frequented by employees during their employment. Partially enclosed areas such as covered patios, verandas, balconies, walkways and enclosed or partially enclosed parking areas that form part of any public place are also defined as part of the workplace.



2.3 Designated smoking areas:

Fred's respects an employee's right to choose whether or not to smoke, but similarly a need exists to protect non-smokers and the environment. With this in mind, smoking shall only occur within designated smoking areas of the building, outside or in the open car park area.

For purposes of this policy, an office within the Fred's building may be approved as a designated smoking area.

3. Document Control

- 3 January 2023 - Policy Review and Approved by Fred's Member(s)