## SMOKE FREE WORKPLACE

Extensive health research has shown that smoking or second-hand smoke affects health and wellness. [Organization Name] is dedicated to upholding the law and preventing smoking and vaping in the workplace as outlined in Manitoba’s *Smoking and Vapour Products Control Act.*

DEFINITIONS

The following definitions have been taken directly from the *Smoking and Vapour Products Control Act*:

"e-cigarette" means either of the following:

1. a product or device, whether or not it resembles a cigarette, containing a power source and heating element designed to vapourize an e-substance for inhalation or release into the air,
2. a product or device prescribed by regulation similar in nature or use to a product or device described in clause (a).

"e-substance" means: a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette.

"enclosed public place" means: any part of an enclosed place to which members of the public have access, including, but not limited to,

(a) any part of

(i) an office building,

(ii) a retail store or other commercial establishment, or

(iii) the common areas of a residential building or shopping mall,

(b) a healthcare facility,

(c) a day care centre or nursery,

(d) an educational institution or facility,

(e) a restaurant,

(f) an elevator,

(g) a licensed premises,

(h) an enclosed place, other than a private residence, in which a private function is being held,

(i) a private club to which a member or invited person has access,

(j) a bus shelter, pedestrian tunnel or enclosed pedestrian walkway, and

(k) any other place or class of places prescribed by regulation.

"indoor workplace" means: an enclosed area of a building, structure, mine or other premises in which an employee engages in work, including any eating area, washroom, corridor, lounge, reception area, lobby, elevator, escalator, stairway, amenity area, storage area, closet, laundry room and parking garage used by employees, and any other enclosed area frequented by employees during the course of their employment, but does not include a private residence;

"smoking" means:

(a) smoking a cigarette, cigar, pipe or other device used for smoking tobacco or cannabis, or

(b) having control of a lighted cigarette, cigar, pipe or other device used for smoking tobacco or cannabis.

"use", in relation to an e-cigarette, means:

(a) to vapourize an e-substance for inhalation or release into the air by means of an e-cigarette, or

(b) to have control of an e-cigarette in which an e-substance is being vapourized.

"vapour product" means any of the following:

(a) an e-cigarette,

(b) an e-substance,

(c) a cartridge for or a component of an e-cigarette.

POLICY

[Organization Name] is a smoke-free workplace.

Employees, contractors, and visitors may not smoke or vape on company premises except in designated smoking areas.

In accordance with the *Non-Smokers Health Protection And Vapour Products Act*, no smoking or use of e-cigarettes is allowed in any of the following places:

* An enclosed public place
* An indoor workplace
* A vehicle used in the course of employment, while carrying two or more employees.
* A group living facility
* A public vehicle

Employers will:

* Ensure nobody smokes or uses an e-cigarette in any areas that are prohibited by law
* Display signage indicating that smoking and the use of electronic cigarettes is prohibited within every place where it is prohibited by the regulations, and keep the signage in place
* No ashtrays or similar equipment other than a vehicle with an installed ashtray shall remain in the enclosed workplace or place or area.

It is not the obligation of [Organization Name] to provide breaks for smoking.

This policy is for the workplace only. Indeed, [Organization Name] supports maintaining employee health and welfare, but the organization will not penalize employees for using tobacco, cannabis or vaping products outside of work.

Non-Compliance

Those who violate the guidelines outlined in this policy will be subject to disciplinary action, including possible suspension or termination of employment.