Environmental Tobacco Smoke (ETS) Workplace Policy – Fact Sheets



SHOULD SMOKING BE RESTRICTED AT THE WORKPLACE?

Restricting smoking in the workplace can be part of a complete health and safety and/or a health promotion program in the workplace. It is very important to remember that for many workers, exposure to smoke is just one of the many hazards they face on a regular basis. While most people would be in agreement that exposure to ETS should be addressed, it should be done as part of a complete occupational health program and it should not take away resources or distract attention from other hazards that may be present.

What information is covered in this document?

This document will cover issues related to smoking restrictions in the workplace including legal obligations, ventilation, and steps to take when instituting a workplace smoking policy.

Besides the health concerns, are there other reasons to restrict smoking in the workplace?

Smoking in the workplace often results in higher expenses for employers. It has been estimated by the Conference Board of Canada that in 2012, on average, each employee who smokes costs the employer $4,256 a year. These costs are attributed to increased absenteeism, lower productivity, unscheduled smoke breaks, maintenance of smoking areas, property damage, and health and fire insurance costs. Other studies report that non-smoking employees have difficulty concentrating where ETS is present.

Studies have shown that smoke-free environments also make for increased productivity, better morale, and lower cleaning costs.

These factors, along with health concerns, have led many regulators and employers to institute smoking controls in the workplace. Some have introduced policies that restrict smoking in the workplace, or limit certain types of jobs to non-smoking employees. Others offer programs designed to encourage and assist employees to give up smoking.

Hasn’t smoking been regulated in the workplace for years and years?

Traditionally, smoking has not been allowed in situations that involve working with flammable, combustible and/or explosive materials. In these situations tobacco smoking is not restricted to protect people from the health effects of ETS but rather to protect them from the obvious fire and explosion hazards.

In other situations, smoking has been banned as a measure to prevent hand-to-mouth digestion of chemicals. Food, drink, and cigarettes are frequently contaminated by contact with unwashed hands, gloves or clothing, or by being left exposed in the workplace.

Since the early 1990s, however, health concerns about exposure to ETS have broadened legislation.

What jurisdictions in Canada have regulated ETS in the workplace?

All Canadian jurisdictions, have a formal law or regulation that restricts smoking in the workplace. Smoking is completely prohibited in workplaces in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Quebec. Some provinces allow a separately ventilated room to be built in the workplace.

Regulations are not the same from province to province so it is important that local authorities are consulted.

A list of ETS regulations and smoke free workplace legislation is also available.

Note: Access to the actual legislation requires a subscription.

What jurisdictions in Canada have regulated the use of e-cigarettes (vaping) in the workplace?

Many jurisdictions are treating e-cigarettes the same as tobacco. All Canadian jurisdictions except federal, Alberta, Saskatchewan, Northwest Territories, Nunavut and Yukon have legislation regulating the sale and use of e-cigarettes.

Generally speaking, what do the regulations say?

Some jurisdictions have banned smoking and vaping from the building entirely while others have restricted smoking to specific rooms or areas. In some cases, smoking is restricted in public buildings (including provincial government offices) but the restriction does not apply to other workplaces. Where smoking is permitted in a specific room or area, these areas must meet certain criteria in terms of the uses of the room and ventilation.

Where smoking is not permitted in the workplace, it is often restricted from any area that is considered a work space. A “work space” may mean any indoor or other enclosed space in which employees perform the duties of their employment, and includes any adjacent corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by such employees while they are at work. In some workplaces, this ban has been extended to include company vehicles as well.

Public entertainment facilities (such as restaurants, bars and games rooms) and other establishments (such as long-term residential facilities including

extended care facilities and prisons) present a unique situation. Debate has centered on two main concerns: on one hand these places are public spaces or they are considered a residence where smoking has traditionally been permitted, but on the other hand it is a workplace and the rights of the employees need to be considered. Again, provincial or municipal regulations should be consulted to determine what the law is for your area or situation.

What options are available when setting a workplace policy?

Smoking restriction policies range from minor measures to total bans.

Initially some companies attempted to deal with the smoking problem by segregating smokers and nonsmokers. This approach requires smoking and nonsmoking workstations, office areas, lunch areas, and lounges. Although this approach is intended to satisfy both smokers and nonsmokers, it is not entirely effective. Tobacco smoke is not eliminated under this system because it is almost impossible to remove tobacco smoke from buildings by ventilation or other means such as electrostatic filters. Therefore, some ETS will drift over from the smoking to the nonsmoking areas. In addition, neither smokers nor nonsmokers are satisfied by this segregated arrangement. Nonsmokers continue to object to drifting tobacco smoke and smokers dislike being segregated from their colleagues.

If smoking is not completely banned at your workplace by legislation, there are two options to consider:

1. A “smoke-free” policy that would not allow smoking inside any building or company vehicle. It may or may not permit smoking in designated outdoor locations.
2. A policy that allows for separately ventilated areas.

What are the pros and cons of a ‘smoke-free workplace’ versus a ‘separately ventilated room’?

Policy	Pros	Cons
Smoke-free	**• complies with all laws • greatly reduces ETS exposure for all employees • decreases maintenance costs • easy to administer and enforce • low cost**	**• requires smokers to modify habits • inconvenience to employees who smoke • if not properly managed, smokers may be disproportionately absent from work stations • may incur some cost if outside shelters are constructed**

Separately Ventilated Area	**• complies with some laws • reduces non-smoking employees exposure • allows employee to remain inside to smoke**	**• ventilation systems may not adequately protect from ETS • construction of separate space and ventilation system may be necessary • costs involved with above points**

What is an example of a smoking area?

Designated areas may be available to employees who smoke. Requirements often include that the room be:

- clearly identified to the workforce by signs or other effective means
- provided with a separate, non-recirculating exhaust ventilation system, if indoors
- a safe outdoor location, or room structurally separated from other work or break areas
- equipped with ashtrays or non-combustible covered receptacles for the disposal of waste

Except in an emergency, an employer must not require an employee to enter an indoor area where smoking is permitted.

If outdoors, the area should not be by the entrances to the building where non-smokers have to pass by to enter the building. It should be a separate area, sheltered if possible, which is away from the building’s air intake vents. Local weather conditions will play a role in determining what type of shelter is needed.

If indoors, what ventilation requirements should be considered?

Ventilation requirements often include requirements that the smoking area:

- Meet the requirements for a smoking area (ETS area) specified in Air Conditioning Engineers (ASHRAE) Standard 62.1 “Ventilation for Acceptable Indoor Air Quality” (2016 version) or other standard acceptable to the local authority. The standard addresses requirements for buildings that contain both an ETS area and ETS-free area.
- Be enclosed by walls, a floor and a ceiling. Other structural elements may include sealing ducts and pipes that enter into the room, applying weather stripping to doors, and using automatic door closing devices.
- Be designed in accordance with expected occupancy rates.
- Discharges air directly to the outdoors (air must not be recirculated within the building or mixed with the general dilution ventilation for the building).
- Maintains adequate air flows from non-smoking to smoking areas (smoking area should have a slight negative pressure to ensure airflow into the smoking area rather than back into the general workplace).
- Have the intake and exhaust openings positioned to prevent smoke movement into adjoining rooms and areas.

What are some limitations of using ventilation to 'clean' the air?

Increasing ventilation is often proposed as one way to control concentrations of ETS. The quality of the air in a building depends on the design and operation of the building's environmental control system. Typically systems are designed to maximize human comfort. However, cost and energy constraints must be considered and, therefore, the goal of maximal comfort is often compromised.

Minimum required ventilation rates are usually set to limit the carbon dioxide concentration. Ventilation rates for smoking can be based on various factors such as odour noticed by visitors to a room, irritation experienced by nonsmoking occupants, haze (smokiness), or concentrations of smoke contaminants. Tobacco smoke odours are very difficult to control by ventilation and require high ventilation rates. Also, standard filtration systems in buildings do not remove carbon monoxide or any of the other gases present in tobacco smoke.

Many researchers have concluded that attempts to overcome tobacco smoking contamination by ventilation are futile, since they require ventilation rates far in excess of what is economical. There is a growing consensus that, while some adjustments to workplace ventilation systems may reduce tobacco smoke pollution, the effectiveness of this approach is limited.

In addition, if ETS is present, general ventilation requirements may not apply since human carcinogens or other harmful contaminants are suspected to be present. ETS falls into this category based on its association with lung cancer and other adverse health effects such as heart disease. Under these circumstances, other relevant standards or guidelines (e.g., occupational exposure limits) may supersede the ventilation rate procedure.

How should a smoking policy be introduced?

In many respects, ETS is like any other workplace air contaminant. It can be reduced or eliminated by controlling emission at the source and by instituting policies and procedures to ensure the safety of all employees.

The key to a successful smoking program or policy is to ensure, through discussion, that it has support from the majority of staff and management. The transition to a smoke-free workplace can be implemented through specific steps. Ideally, all employees should be included in the planning process. Open discussions should take place on the kinds of policies that might work and how they should be enforced. As a rule, a strong policy needs to have the backing of all the groups which are covered by it. Employees should be kept informed of each step.

If an organization has committed itself to a smoke-free work environment, it should be prepared to enforce its smoking ban unconditionally. For example, allowing supervisory personnel to smoke because they may work in enclosed offices promotes resentment among smokers who are not allowed to smoke in open areas.

Should a company offer smoking cessation program?

To help those smoking employees who want to stop smoking, a number of companies sponsor or subsidize smoking cessation programs. Complete health promotion programs have also been implemented including fitness and nutritional

counselling, exercise classes, and organized sports activities.

There are three basic approaches for smoking cessation supports in the workplace. The chart below compares the pros and cons of each approach. To achieve the highest success, all three approaches should be introduced with activities incorporated into a broader wellness initiative.

Approach	Pros	Cons
Comprehensive: Offering programs and activities at the workplace	**• More accessible. • More flexible (e.g., can be offered at various times to accommodate shift and other workers). • Sends a strong message of commitment and support from employer. • Demonstrates employer's leadership. • May provide additional motivation. • Can be offered to spouses and family members. • Easy to target hard-to-reach groups. • Supports ex-smokers. • Can provide follow-up and support. • Can integrate cessation supports into existing workplace wellness initiatives. • Can build on existing tobacco control policies.**	**• Costs, in terms of financial and human resources. • Group programs may not suit all employees. • Extensive training may be required. • Does not allow for anonymity. • May not accommodate different levels of addiction and readiness to quit. • There may be more and broader expertise and resources in the community. • Focussing on smokers in the workplace may stigmatize them and decrease success rates.**

Facilitated: Working with outside agencies to deliver programs and activities off-site, and providing self-help materials	**• Offers anonymity. • Makes use of external expertise, which means not "re-inventing the wheel" and ensures a level of expertise that may not exist within a workplace. • Employees can select the options that work best for them. • Some communities have a variety of options to choose from and many resources (especially larger centres). • Sends a message of commitment and support from employer.**	**• Less accessible. • May be high cost in terms of human resources at the outset. • Less flexible. • Less easy to tailor to specific workplaces. • Costs. • Finding acceptable options may be difficult.**
Education and Information: Providing employees with information including self-help materials	**• Low cost. • Better than no support at all if this is all that can be done. • All workplaces can take this approach. • Offers anonymity. • Good option for highly motivated smokers.**	**• The quit rates are lower for self-help. • Education and information is not enough to change behaviour. • Lacks ongoing support. • Shows a lower level of support from employer. • Employees may not feel they are able to quit successfully on their own and this can be a barrier to action. • Follow-up is not possible.**

Common elements of smoking cessation programs include:

- Self-help
- Professional medical advice
- Individual counselling
- Nicotine replacement therapy (NRT)*
- Incentives including contests and special events

*Since 2011, e-cigarettes are one of the most widely used forms of non-tobacco nicotine. Their use as an aid to smoking cessation is controversial. E-cigarettes are marketed as consumer products unlike other NRT products that are licensed as medicines. E-solutions contain unregulated ingredients. Studies have determined that the fluid and vapour contain harmful substances that are also found in traditional tobacco cigarettes but at lower concentrations. Because the

concentrations are lower, some organizations consider e-cigarettes important for tobacco harm reduction so promote their use along with NRT and other non-tobacco nicotine products. However, there are no studies of long-term effects from e-cigarette usage.

What is a sample workplace smoke-free policy*?

Policy:

Due to the health concerns arising from exposure to environmental tobacco smoke, ABC Company Inc. has instituted this policy to provide a smoke-free environment for all employees and visitors.

Definitions:

This policy covers the smoking of any tobacco product, the use of smokeless (or spit) tobacco and electronic smoking devices.

Smoking will not be allowed within the building at any time. Smoking will be allowed in designated smoking areas outside the building.

All materials used for smoking, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers as provided. Supervisors will ensure periodic cleanups of the designated smoking area.

There will be no smoking in company vehicles at any time.

Supervisors will discuss the issue of smoking breaks with their staff. Together they will develop an effective solution that will not interfere with the productivity of the staff but allow for the wishes of the employee to be met.

Procedure:

Employees will be informed of this policy through signs posted in buildings and vehicles, the policy manual, and will receive orientation and training from their supervisors.

Visitors will be informed of this policy through signs and it will be explained by their host.

The company will assist employees who wish to quit smoking by facilitating access to recommended smoking cessation programs and materials.

Any violations of this policy will be handled through standard disciplinary procedures.

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