

CITY OF SARNIA SMOKING BY-LAW FACT SHEET FOR WORKPLACES

A new City of Sarnia Smoking By-Law 125 of 1999 was passed on June 28, 1999. This Fact Sheet provides some specific information for employers and employees to assist them in implementing those sections of the By-Law that apply to workplaces.

The By-Law sets minimum standards for reducing exposure to environmental tobacco smoke. An employer may, if he or she wishes, prohibit smoking entirely.

All workplaces in the City of Sarnia must be smoke-free. Smoking will only be permitted indoors if in a separately ventilated Designated Smoking Area (DSA).

How is a workplace defined?

Workplace means a building or structure, or part thereof, in which an employee works.

What is a Designated Smoking Area?

A Designated Smoking Area means an area designated by the proprietor of an establishment as an area where smoking is allowed and which is a contiguous area in a location not required by the public for thoroughfare to the washrooms, food service areas or entrances.

How is separately ventilated defined?

Separately ventilated means, as it applies to a separately enclosed area, an area that is equipped with its own separate ventilation system that maintains a minimum occupancy, that is ventilated directly to the outside air and exhausted at

a rate of at least one hundred and ten per cent (110%) of supply. Such exhaust must be no less than three metres from any air intake or opening.

The Designated Smoking Area may not occupy more than 1% of the total square footage of the building.

What are the sign requirements?

Signs are required to be posted in a workplace and are available from the Building Department of City Hall.

What are the penalties?

Any person who contravenes any of the provisions of the By-Law is guilty of an offence, and upon conviction is liable to a fine and the provisions of the Provincial Offences Act.

Although the by-law does not require employers to establish a separate policy for their workplace, you may wish to further outline the rules in your workplace. For example, the location of the DSA, company support for cessation, and who

will receive complaints and by what process.

HELPFUL HINTS FOR MAKING YOUR WORKPLACE SMOKE-FREE

Proper planning, communication and commitment are the keys to establishing a smoke-free workplace. The following steps can be used as a guide to help employers with this process. Lambton Health Unit can provide more detailed assistance and resources.

How can I make my workplace smoke-free?

- Notify your employees and customers of the new by-law.
- Circulate your smoking policy or this Fact Sheet among all employees including prospective and newly hired employees.
- Post the required No-Smoking signs conspicuously at all entrances and especially in places where people tend to smoke.
- If you do not wish to construct a DSA for employees and customers who still smoke, designate an outdoor smoking area. It should be away from entrances and exits, where smokers can gather to smoke without affecting non-smokers.
- Discourage smoking by removing ashtrays from the entrance and inside the facility.
- Offer to help employees quit smoking. The Lambton Health Unit can provide you with a list of local services.

How dangerous is second-hand smoke?

Environmental Tobacco Smoke (ETS) also known as second-hand smoke, has been classified as a “Group A” carcinogen. It has

been shown to contribute to more deaths than asbestos, radon, benzene, and all other Group A carcinogens combined. ETS spreads rapidly throughout offices and buildings, stays in the environment for long periods of time and represents one of the major sources of exposure to cancer-causing pollution in the workplace.

What are the benefits of a smoke-free workplace?

Analyses carried out by Labour Canada indicate that a smoke-free workplace will mean increased productivity, decreased absenteeism, decreased property damage, decreased maintenance costs and decreased life and health insurance premiums.

Information and Complaints:

This Fact Sheet provides an overview of the City of Sarnia’s Smoking By-Law 125 of 1999, as it applies to workplaces, and is not intended as a legal document. The full text of the By-Law may be obtained from the City Clerk’s Office at City Hall.

Any person who wishes to make inquiries about the By-Law may contact the Clerk’s Office, City Hall, 332-0330, Ext. 259.

Any person who wishes to register a complaint about non-compliance with the By-Law may contact the City Solicitor’s Office, City Hall, 332-0330, Ext. 248.

For assistance with workplace policy
development or smoking cessation
information contact the Lambton Health
Unit at (519) 838-8331.