

Student Zone: Skill Development: Smoking Cessation Policies

Chapter 13

Background to smoking cessation policies¹

In recent years, many organizations have implemented 'stop-smoking' programmes. Research has documented that smokers are absent approximately 40 per cent more than non-smokers, providing employers with an economic incentive to introduce smoking cessation policies. In Canada, research on exposure to passive or second-hand smoking at work has encouraged challenges under occupational health and safety law to prohibit smoking in the workplace.

Smoking cessation policies

Smoking cessation policies vary considerably in their scope and content but essentially are designed to place restrictions on smoking at paid work. The policies, according to Jackson, “are not concerned with whether or not people smoke, but when and where they smoke. They are designed to minimize the risks of passive smoking (1999, p. 1).

Reasons for change

Smoking cessation policies have been introduced in the UK and North America because of at least four reasons: (1) health, that is, to protect the health of non-smokers, (2) hygiene, for example, food production and sales, (3) safety, for example, petrol stations, and (4) legal action by employees suffering from cancer caused by exposure to second-hand smoke at work.

The legal position for employers with regard to smoking in the workplace is a complex one. The UK, Health and Safety at Work Act (HASAW) 1974 places a general duty on employers to take reasonable care of employees. In particular, Section 2 (2)(e) stipulates:

the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.

More specific provision is contained in the EU directives relating to health and safety. The *Workplace (Health, Safety and Welfare) Regulations* (1992) and the approved code of practice requires employers to ensure that suitable rest facilities are provided and that non-smokers using them are free from discomfort caused by tobacco smoke. Employers also have a number of common law duties to fulfill, including a duty to take responsible care to protect the health of their employees. The law of negligence may allow victims of

¹ This guide to skill development draws from Trisha Jackson's (1999) book, *Smoke Policies*, London: IPD

passive smoking to sue for damages, that is to claim compensation for a deterioration in their health. (Jackson, 1999, p.15). However, employees who find the imposition of a non smoking policy unacceptable and resign, may subsequently claim constructive dismissal.

Developing a Smoking Cessation Policy

Jackson (1999) identifies the following key issues when developing a smoking cessation policy: health, legislation, workforce views, rights of non-smokers, education, monitoring and enforcement.

An effective smoking cessation policy should contain the following:

- Aims of the policy
- Scope of the policy
- Support of the policy from the top management and, if present, trade unions
- General principles
- Restrictions on smoking
- Responsibilities
- Training and education
- Breaches of the policy
- Complaints procedure
- Employee assistance-‘quit smoking clinic’

Student Exercise

A policy is a plan of action adopted and pursued by an organization. Using information from the text and the guidelines here, write a Smoking Cessation Policy for your organization or one that you have studied.

Suggested Further Reading

Trisha Jackson (1999) *Smoke Policies*, London: IPD