

TYPE:	Administrative
TITLE:	Smoke Free Campus and Enforcement
NO.:	ADMIN-270
RESPONSIBILITY:	Chief Administrative Officer + Director, Campus Safety
APPROVED BY:	Durham College Leadership Team
EFFECTIVE DATE:	May 2021
REVISED DATE(S):	
REVIEW DATE:	May 2024

1. Introduction

Durham College is committed to providing a healthy and safe environment, which is integral to the personal, professional and academic growth of students, employees, contractors and visitors.

2. Purpose

This policy serves to:

- a) Confirm the college's commitment to a healthy and safe environment;
- b) Diminish exposure to smoke (tobacco, cannabis or other) and promote health and safety by prohibiting smoking on College premises, including in vehicles;
- c) Acknowledge that some traditional Indigenous ceremonies involve the use of ceremonial tobacco which is considered a sacred medicine;
- d) Establish the responsibility of roles for compliance and enforcement of this policy.
- e) Align with the Regional Municipality of Durham's *Smoking and Vaping By-law* Number 028-2019 which prohibits smoking or vaping on any external portion of the property or grounds of post-secondary institutions.

3. Definitions

Refer to [Durham College's Standard Definitions](#).

4. Policy statements

- 4.1. Smoking, vaping and using water pipes or e-cigarettes which use tobacco, cannabis or shisha products of any type is prohibited on all leased and owned College property, including in personal vehicles while on college property. Smoking tobacco and/or cannabis products is prohibited in College owned vehicles at all times, on or off college property, in accordance with the *Smoke-Free Ontario Act*.

- 4.2. Durham College recognizes the unique relationship that many Indigenous cultures have with the traditional and sacred medicines such as tobacco, sweet grass, sage, cedar among others as provided under the *Smoke Free Ontario Act*. The use of these products for traditional or spiritual ceremonies are guided under policy EMPL-321.
- 4.3. Individuals smoking in areas surrounding college property are expected to avoid littering, and to respect municipal by-laws and provincial legislation. Individuals are asked to be considerate of neighbouring residents, businesses and institutions.
- 4.4. This policy will be interpreted in accordance with the Ontario Human Rights Code, as amended from time to time. Employees/students may seek accommodation under the applicable college policies, which include ADMIN-225, 'Accommodations for Students with Disabilities' or EMPL-320, 'Medical Leave, Return to Work and Accommodations'.

5. Procedure

This section is not applicable.

6. Roles and responsibilities

Reasonable care and diligence shall be exercised to prevent contravention of the laws of Ontario and this policy. The College has identified roles and responsibilities as follows:

- 6.1. The Associate Vice-President, Human Resources and the Director, Campus Safety are responsible for the day-to-day implementation of this policy.
- 6.2. Managers will ensure their employees are notified of the policy, and will take appropriate administrative action for non-compliance.
- 6.3. The Office of Risk Management will ensure that all contracts for third-party work on college property clearly state the college is smoke free;
- 6.4. All college community members are responsible to be in compliance with this policy, and are encouraged to communicate the policy requirements to other community members.
- 6.5. Facilities will post and maintain appropriate signs throughout the property. Requests for additional signage will be considered and addressed as appropriate.
- 6.6. Through Security Services, Campus Safety will monitor and ensure compliance with this policy, and report infractions.
- 6.7. Human Resources will address accommodation requests from college employees.

6.8. The Access and Support Centre will address accommodation requests from students.

7. Accessibility for Ontarians with Disabilities Act considerations

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

8. Non-compliance implications

8.1. All individuals, whether they be students, employees or visitors, who are in violation of this policy are required to provide a valid and accurate student or government issued identification on request from Durham College Security.

8.2. Non-compliance with this policy will follow progressive protocols that include educations, warnings, fines and disciplinary actions in accordance with existing student or employee disciplinary procedures, as applicable.

8.3. All individuals, whether they be students, employees or visitors, who are in violation of this policy, may also be subject to enforcement by external Enforcement Officers from the Durham Region Health Department under Regional By-Law 28-2019.

9. Communications plan

- A message will be posted on ICE alerting employees when new or revised policies and procedures are added to ICE.
- A message will be posted on MyCampus alerting students when new or revised policies and procedures are added.

10. Related forms, legislation or external resources

- Smoke Free Ontario Act
- Cannabis Act
- Ontario Human Rights Code
- Occupational Health and Safety Act
- Durham Regional By-Law 28-2019