

# FMHS SMOKE- AND TOBACCO-FREE CAMPUS REGULATIONS (2018)

## FACULTY OF MEDICINE AND HEALTH SCIENCES, STELLENBOSCH UNIVERSITY

Approved by the Rector's Management Team 27 March 2018

Final version approved by Dean 04 September 2018

### 1. RATIONALE

Despite public health campaigns and various forms of legislation, smoking remains the leading avoidable cause of death worldwide, currently responsible for six million deaths per annum and costing the world more than \$1 trillion a year in health care expenses and lost productivity. According to the latest edition of the Tobacco Atlas (6<sup>th</sup> edition, 2018)<sup>1</sup>, low- and middle-income countries represent over 80% of tobacco users and tobacco-related deaths, placing an increased share of tobacco-related costs on those who can least afford it. Sub-Saharan African consumption of tobacco products increased by 52% between 1980 and 2016 (from 164 billion cigarettes to 250 billion). This is attributed to aggressive marketing by tobacco companies. The use of, and exposure to, tobacco is a public health concern, affecting both physical and mental wellbeing of individuals<sup>2</sup>, increasing the risk of developing cancer (larynx, trachea, lung, stomach, pancreas, kidney, colon, cervix and bladder), ischaemic heart disease, respiratory infections, including pneumonia, emphysema, chronic obstructive pulmonary disease and asthma, as well as stroke and aortic aneurysm.<sup>3</sup> It increases medical costs, decreases productivity, and on average smokers die 10 years earlier than non-smokers.<sup>3</sup> Smoking of tobacco- and related products are also harmful to non-smokers and the environment. Exposure to second hand smoke has been shown to be harmful, and many institutions have therefore moved towards becoming tobacco-free in order to protect the health of its staff and visitors. In so doing, the health of all persons working, studying and visiting at the institution is respected and protected, thereby encouraging improved productivity and overall health and performance. Implementing tobacco-free policies have been shown to decrease smoking behaviour, improve air quality, decrease pollution (especially linked to cigarette butts) and to create a healthier and more attractive workplace, saving on cleaning costs.<sup>3</sup>

The Faculty of Medicine and Health Sciences (FMHS) of Stellenbosch University (the Faculty), recognises a responsibility to both its staff and students to provide a healthy and safe environment on campus. Goal 1 of the Faculty's Strategic Plan 2013-18 determines that "*The Faculty of Medicine and Health Sciences (FMHS) is committed to fostering a people-centred institutional culture that advances personal development, **health and wellness**, diversity, inclusivity, equality and other human rights.*" It is clear that the Faculty views health and wellness of its staff and students as an important part of its goal to people-centeredness. In addition, in its very essence and nature, the work done in the FMHS (health sciences) is aimed at maintaining and promoting health, wellness and quality of life of all people. This includes the promotion of good life habits such as not smoking or using tobacco or other drugs. The Faculty also prides itself in setting an example, and its staff and students becoming the change agents in and to society.

With this in mind, the Dean's Management Team (DMT) has made the decision, after consultation with the Faculty Board, to embark on a process to move the Faculty towards becoming a smoke- and tobacco-free campus. A Tobacco-Free Campus Committee was established in 2015 with the view to investigate the issue and to draft Smoke- and Tobacco-free Campus Regulations for approval. These regulations was approved by the Rector's Management Team on 27 March 2018. This move was not

done in isolation. The University of Stellenbosch as a whole is currently revising its tobacco use and smoking policy and the national draft 'Control of Tobacco Products and Electronic Delivery Systems Bill, 2018' is currently open for comments. International developments such as the Tobacco-Free Campus Initiative in the USA (<http://tobaccofreecampus.org>), which was started in 2012, has led to more than 2 082 US university campuses becoming 100% smoke-free campuses by November 2017, of which 1 743 (83.7%) are totally tobacco-free, 1 658 (79.6%) prohibit the use of e-cigarettes, or vaping, anywhere on campus, 854 (41%) of these campuses also explicitly prohibit hookah use (colloquially known in SA as a hubbly bubbly or an okka pipe), and 109 now prohibit smoking/vaping of marijuana. These global developments provide strong support to show that this is a move in the right direction and in line with international standards.

## 2. LEGAL FRAMEWORK

Currently in South Africa, any institution or workplace has a legal right and authority to prohibit smoking or provide designated smoking areas, as per the current Tobacco Products Control Act, 83 of 1993 Notice published in the Regulation (GN R975 of 2000) relating to smoking of tobacco products in public places, which provides as follows:<sup>4</sup>

*An employer, owner, licensee, lessee or person in control of a public place must ensure that no person smokes anywhere other than in the designated smoking area in that public place.*

*An employer must ensure that-*

- (a) employees who do not want to be exposed to tobacco smoke in the workplace are protected from tobacco smoke in that workplace; and*
- (b) employees may object to tobacco smoke in the workplace without retaliation of any kind,*

*Employers must have a written policy on smoking in the workplace, and the policy must be applied within three months from the date of coming into operation of the Tobacco Products Control Amendment Act, 1999 (Act No. 12 of 1999).*

And, most important:

***9) Any employer, owner, licensee, lessee or person in control of any public place or part of a public place may totally prohibit smoking in that place.***

The Tobacco Products Control Act provides for the protection of non-smokers - it does not provide any benefit or protection for smokers. In 2012 the Constitutional Court found that the hazards of smoking far outweigh the interests of smokers, and that South Africa is obliged to observe the WHO Framework Convention on Tobacco Control. Smoking in the workplace is not regulated by Labour Law but only by the Act. According to the Act, the University is entitled to ban smoking completely in the workplace if it wishes to and is under no obligation to provide smoke breaks to staff or set aside an alternative smoking area. The employer, in this case the University, is under no obligation to facilitate the addiction of the smoker to the drug nicotine, just as it is under no obligation to facilitate the addiction of any employee who may be addicted to alcohol, narcotics etc. (see <http://www.labourguide.co.za/general/606-smoking-in-the-workplace>).

The Stellenbosch University Smoking Policy, as published in the 2016 Calendar, declares that, for reasons of safety, health and convenience, smoking is prohibited at all times in, amongst a list of other places, **any specific area which the University in its discretion has formally designated a no-smoking zone** (section 7.2.14).

The FMHS Smoke- and Tobacco-free Campus Regulations (2018) contained in this document aim to send an all-inclusive, clear message regarding implementation and sustainability of a smoke- and tobacco-free campus at the FMHS, setting social norms for being role models as current and future healthcare professionals.

### 3. FMHS SMOKE- AND TOBACCO-FREE REGULATIONS

Effective from **01 January 2019**, both

- 1) smoking (defined as in 4 below) and
- 2) the use of tobacco-products (defined as in 4 below)

are prohibited on the property of the Faculty of Medicine and Health Sciences of Stellenbosch University.

### 4. DEFINITIONS

- **"Smoke"** means to inhale, exhale, hold or otherwise have control over an ignited tobacco product (as defined below) or a heated, but not ignited, tobacco product that produces an emission of any sort, or operate or otherwise have control over an electronic delivery system (both nicotine and non-nicotine, as defined below) that produces an emission of any sort.
- **"Tobacco product"** means a product containing tobacco or an extract of tobacco leaves (such as nicotine) that is intended for human consumption. This includes, but is not limited to, cigarettes, cigarettos, cigars, pipes, water pipes (hookas , colloquially known as hubbly bubbly or okka pipes), bidis, kreteks, smokeless tobacco, chewing tobacco, snus, snuff, and electronic nicotine delivery systems (e-cigarettes or vaping systems) or any other nicotine delivery device, but does not include any food, drug or device that contains nicotine to which the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965) applies (this therefore excludes for example nicotine patches).
- **"Electronic delivery system/E-cigarette/vaping system"** means either an electronic nicotine delivery system or an electronic non-nicotine delivery system; where an "electronic nicotine delivery system" is defined as an electronically operated product designed to deliver an aerosol to users by heating a solution comprised of nicotine and typically, but not necessarily, propylene glycol, glycerol or both, and often flavouring and any other solution intended for use with or in the product, while an "electronic non-nicotine delivery system" is defined as an electronically operated product designed to deliver an aerosol to users by heating a solution of substances that does not contain nicotine and any other solution intended for use with or in the product.

### 5. SCOPE OF THE REGULATIONS

These regulations apply to all staff members (permanent, temporary or ad hoc), students, contractors, sub-contractors and their employees, vendors operating on the campus grounds, consultants, visiting workers, volunteers, patients, leaseholders, members of the public and visitors to the FMHS who physically enter the Tygerberg Campus of Stellenbosch University, regardless of the purpose of their visit. All of the above-mentioned parties have a responsibility to comply with the regulations.

## 6. SMOKE- AND TOBACCO-FREE AREAS

As per these regulations, smoking and the use of tobacco products are prohibited on the property of the Faculty of Medicine and Health Sciences of Stellenbosch University. All property belonging to, leased by or controlled by the Faculty of Medicine and Health Sciences, Stellenbosch University is hereby covered by these regulations. This means that the Tygerberg Campus of the Faculty of Medicine and Health Sciences is considered fully smoke- and tobacco-free as from the effective date of these regulations. Smoke- and tobacco-free areas include - but are not limited to – the following:

- Workplaces, offices, lecture halls, access corridors, stairwells, laboratories
- Residences/hostels
- Restaurant and cafeteria facilities (TSS)
- Toilets and changing rooms
- Any vehicle located on FMHS property (including private vehicles)
- Outdoor areas, including lawns, footpaths, gardens, sports fields/facilities and swimming pools
- Outdoor walkways
- Outside entrance and exit points
- Open windows or air handling units
- Partially enclosed areas (e.g. balconies, terraces etc.) and
- Parking areas

**In accordance with legislation and as part of the University's desire to promote a healthier working and study environment, the Faculty has chosen not to promote/support smoking and tobacco use and has therefore opted not to allocate any designated smoking rooms/cubicles or areas inside the Tygerberg campus grounds.**

## 7. COMPLIANCE AND ENFORCEMENT

Signs and notices, clearly indicating to all staff, students and visitors that the FMHS is a smoke- and tobacco-free campus, will be posted around the campus in clearly visible and strategic areas (according to specifications in SA law and as per Faculty requirements), including at the front entrance and all other entrances to the campus, entrances to all buildings, walkways, parking areas, residences and outdoor facilities. In accordance with Regulation No R. 975 of 2000, signs indicating that smoking is not permitted must carry the warning: "ANY PERSON WHO FAILS TO COMPLY WITH THIS NOTICE SHALL BE PROSECUTED AND MAY BE LIABLE TO A FINE". Any person found not complying with these regulations will be asked to refrain from smoking and reminded of the smoke- and tobacco-free campus regulations. If the instruction to stop is refused, or the action repeated, a second verbal warning will be issued and the matter will be reported to the relevant line management or student structures. A repeat offence will lead to a written reprimand, with any further offences leading to disciplinary action in terms of staff and student disciplinary processes, or escorting off the premises by campus security for visitors. A campus contact number and email address will be provided to allow concerned parties to report any misdemeanours or to provide feedback.

## **8. ADVERTISING, PROMOTION, SPONSORSHIP AND SALE OF TOBACCO PRODUCTS**

The FMHS will not permit any advertising, promotion or sales of any tobacco products (in any form – refer to “2. *Scope of Regulations*”). This encompasses both sales on the FMHS premises as well as events linked to the institution. All affiliated campus personnel (including officials, staff, advisors or other representatives of the FMHS) will be prohibited from accepting free gifts or be directly or indirectly involved with tobacco industry representatives on campus. Tobacco manufacturing or sales companies are prohibited from attending university or campus open days or student recruitment activities.

## **9. SMOKING CESSATION MATERIALS AND PROGRAMS**

The Faculty acknowledges that smoking and tobacco-use is addictive and that smokers might find it difficult to stop smoking. However, counseling and medication can more than double the chance that a smoker who tries to quit will succeed. The annual Discovery Wellness Day reports from 2010-2015 showed that among staff participating in the Wellness Day ( $\pm n=150$  per year), on average 10-20% of staff members smoke. A survey conducted by the Division of Human Nutrition, FMHS in 2016 showed that among 300 staff members, 10% ( $n=31$ ) smoke on average 7.5 cigarettes per day. It is therefore important to ensure that these individuals have access to proper support. Campus Health Services, in conjunction with the Wellness Committee of the FMHS, will provide staff and students with the appropriate support in order to promote smoking cessation. The Dean’s Management Team has made available funding to support staff and students who would like to stop smoking to ensure that they have access to the proper smoking cessation resources through SU Campus Health Service, on a first come first served basis. This opportunity is available from 03 August 2018, for individuals who would like to begin with the process immediately with the 01 January 2019 implementation date of the Regulations in mind.

Support in this manner include, but is not limited to:

1. Consultations and follow-up with Campus Health Service – Tygerberg Student Centre
2. Counselling provided to parties expressing a desire to quit smoking
3. Smoking cessation medication and materials, as well as nicotine replacement therapy

The campus offers a wide array of smoking/tobacco cessation options for students and employees. Students and staff can contact the SU Campus Health Service (Tygerberg) practice number at 021 - 938 9590 for details on the Campus Health Service Smoking Cessation Program and its different cessation options.

## **10. SUMMARY**

No staff member or student will be compelled to stop smoking or be victimised if they would like to continue to smoke or use tobacco. However, as is the case with all official University policies and regulations, everyone will be expected to comply with the smoke- and tobacco-free regulations. . This means that no employees, students and visitors to the Faculty will be allowed to smoke or use tobacco products on campus property as from 01 January 2019. Normal disciplinary procedures for failure to comply with official university policies will apply to those individuals who contravene the regulations.

## 11. DATE OF IMPLEMENTATION

The FMHS Tobacco-free Campus Regulations will be effective from 01 January 2019

## 12. REGULATIONS REVIEW

<b>REGULATIONS NUMBER:</b>	FMHS-STFCR01/2018
<b>TITLE:</b>	FMHS Smoke and Tobacco-free Campus Regulations Faculty of Medicine and Health Sciences, Stellenbosch University
<b>STATUS OF DOCUMENT:</b>	Final
<b>DATE OF DOCUMENT:</b>	03 August 2018
<b>EFFECTIVE DATE:</b>	01 January 2019
<b>REVIEW DATE:</b>	3 yearly
<b>RESPONSIBLE PERSON/S:</b>	Prof Nico Gey van Pittius (Vice-dean Research, FMHS) Dean's Management Team Dr Sunita Potgieter (Chair, Wellness Committee, FMHS)

### References:

1. Tobacco Atlas (6<sup>th</sup> edition), 2018, Jeffrey Drope and Neil W. Schluger (editors), [Online], Accessed [2018, March 14], Available: [http://tobaccoatlas.org/wp-content/uploads/2018/03/TobaccoAtlas\\_6thEdition\\_LoRes.pdf](http://tobaccoatlas.org/wp-content/uploads/2018/03/TobaccoAtlas_6thEdition_LoRes.pdf)
2. International Union against Tuberculosis and Lung Disease. Tobacco-free Educational Campuses. A tobacco-free futures action guide. 2008. [Online], Accessed [2016, December 2], Available: [http://www.theunion.org/what-we-do/publications/english/pubtc\\_campus-factsheet-en.pdf](http://www.theunion.org/what-we-do/publications/english/pubtc_campus-factsheet-en.pdf)
3. Sparks M, Bell R, Sparks A, et al. Creating a healthier college campus: A comprehensive manual for implementing tobacco-free policies. 2012. [Online], Accessed [2016, December 2], Available: [http://www.wakehealth.edu/uploadedFiles/User\\_Content/Research/Departments/Public\\_Health\\_Sciences/Tobacco\\_Free\\_Colleges/Tobacco-Free%20Manual\\_Web7.pdf](http://www.wakehealth.edu/uploadedFiles/User_Content/Research/Departments/Public_Health_Sciences/Tobacco_Free_Colleges/Tobacco-Free%20Manual_Web7.pdf)
4. Tobacco control laws. Notice relating to smoking of tobacco products in public places (No. R. 975, 2000). [Online], Accessed [2016, December 2], Available: <http://www.tobaccocontrolaws.org/files/live/South%20Africa/South%20Africa%20-%20Notice%20No.%20R.%20975%20-%20national.pdf>