



POLICY: NO SMOKING POLICY

CODE : MR-1

Origin: Material Resources Department

Authority: Resolution # 16-09-28-12

References: Refer to the Legal Framework on page 2

NOTE: The masculine gender, when used in this document, refers to both women and men. No discrimination is intended.

RATIONALE

Since September 1st 2006, all schoolyards in the province of Quebec have become smoke-free environment. Since that day, it is strictly forbidden during school hours to smoke or to provide tobacco to students while on the premises of a primary school or a high school.

In 2016 and 2017, the smoking ban in the schools will be extended to any period of time and will also target the post-secondary schools.

POLICY STATEMENT

By putting into force a no smoking policy, the EMSB intends to provide a smoke-free environment in all of its Schools and Adult Education and Vocational Centres, and to further restrict tobacco in the Administration Building.

FIELD OF APPLICATION

1. This policy applies to all students, parents, visitors of any EMSB establishments;
2. This policy also applies to every person working for the EMSB as well as any elected representative, volunteer and person responsible for supervising or monitoring the activities of the EMSB;
3. This policy applies at all times, including during any activity organized by the EMSB or its departments, representatives, schools or centres, on EMSB premises.

LEGAL FRAMEWORK

All Canadian and Quebec laws, EMSB governance policies and bylaws and collective agreements will be applied, more particularly but not limited to:

1. *The Tobacco control Act*, chap. L.6-2.(sections 1 to 5, 32, 34, 41 and subsequent)
2. *Charter of Human Rights and Freedoms*, chap. C-12 (sections 1, 6, 9.1, 46)
3. *Civil Code of Quebec* (section 2087)
4. *An Act respecting occupational health and safety*, chap. S.2-1 (section 51)

POLICY OBJECTIVES

The main objectives of this policy are the following:

- a) to provide a smoke-free environment to students, employees and all users of any EMSB facilities;
- b) to establish the respective responsibilities of every person involved in the application of this policy;
- c) as a deterrent measure, to make known the consequences that may be associated with the disrespect of the present policy.

DEFINITION OF TOBACCO

1. In the present policy, the term “tobacco” includes any product containing tobacco, electronic cigarettes and any other devices of that nature that are put to one’s mouth to inhale any substance that may or may not contain nicotine, including their components and accessories, and any other product or class of product considered to be tobacco under a government regulation.

DISCIPLINARY MEASURES

The EMSB may take disciplinary measures and/or other measures against any employee and/or individual who does not respect the terms and prescriptions of the present policy.

APPLICATION OF THIS POLICY

1. The Director of Material Resources is responsible for the application of this Policy;
2. This Policy replaces any other no smoking policy previously adopted by the EMSB;
3. This Policy will be reviewed on an “as need” basis.



PROCEDURE: NO SMOKING POLICY

CODE : MR-1.P

Origin: Material Resources Department

Authority: Director of the Material Resources Department

NOTE: The masculine gender, when used in this document, refers to both women and men. No discrimination is intended.

PURPOSE

The following procedures shall be followed in order to ensure the application of the present policy:

1. Schools and Adult Education and Vocational Centres

- a. Smoking is prohibited in all EMSB schools as well as in all Adult Education and Vocational Centres as well as on the grounds placed at their disposals;
- b. At all times, the Principal shall prohibit smoking in the school or centre as well as on the grounds placed at their disposals;
- c. The Principal shall, on an ongoing basis, ensure that all building users are made aware that the school or centre and grounds placed at their disposals have been designated as “smoke-free”;
- d. The Principal, in collaboration with the Real Estate Department of the EMSB, as well as any outside organization, must ensure that any person(s) renting a school or a centre must be made aware of the Board’s No Smoking Policy and must be bound by it.

2. Administration Building

- a. Smoking in the Administration building and its satellites is strictly prohibited.
- b. In accordance with the *Tobacco Control Act* (L.R.Q. c. L-6.2), a smoking section can be designated and identified on the grounds of the Administration Building if:
 - i. it is used only for tobacco smoking;
 - ii. no other activities take place in it;
 - iii. it is outside a nine-metre radius from any door, air vent or openable window communicating with the Administration Building;
- c. The three (3) smoking sections identified on the grounds of the Administration Building are described in the Appendix A of the present procedure ;

- d. Smoking outside of the three (3) identified smoking sections is strictly prohibited;
- e. The Director of the Material Resources Department shall, on an ongoing basis, ensure that all building users are made aware of the EMSB's No Smoking Policy and must be bound by it.

4. **Signs**

"No Smoking" signs should be prominently displayed in all Schools and Adult Education and Vocational Centres as well as in all other establishments of the EMSB, including the Administration Building.

APPENDIX A

