

# Northwestern Health Unit



## Series 4: TOBACCO-FREE LIVING

### Part A

Title: Smoke-free Ontario Act (SFOA)

Date: September 2008



# Introductions

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# **Audio and PPT**



**This presentation is part A of a series about Tobacco-Free Living by the Northwestern Health Unit.**

**Should you choose, an audio presentation accompanies these slides. Please follow along.**



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# Smoke-free Ontario Act

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- ◆ Came into effect on May 31, 2006
- ◆ Prohibits smoking or holding lighted tobacco in all indoor public places and workplaces
- ◆ Ban is in effect at all times, even during off-hours when people are not working



# Definitions

## ◆ Workplace

- Place, building, structure or vehicle covered by a roof
- Employees work in or frequent in the course of their employment

## ◆ Public Place

- Place, building, structure or vehicle covered by a roof
- Public is ordinarily invited or permitted access



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# Other Prohibited Areas

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Smoking is also prohibited

- ◆ On all school property
- ◆ On the grounds of a daycare
- ◆ In designated (reserved) outdoor seating in entertainment venues
- ◆ In the area 9 metres from an exit or entrance of a health facility, including long-term care homes

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# Other Prohibited Areas

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Smoking is also prohibited

- ◆ On the patio of bars/restaurants where food and drink are served, sold or offered for consumption when the patio is covered by a roof
- ◆ In a private dwelling that is also a licensed home daycare
- ◆ In private dwellings while a home health care worker is visiting

Cont'd



# Other Prohibited Areas



Smoking is also prohibited

- ◆ In vehicles that are used for business and are accessible by the public (i.e., taxi cab, delivery vans)
- ◆ In a private vehicle that is used by an employee for employment



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# Smoking NOT Prohibited

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Smoking is not prohibited

- ◆ In outdoor smoking shelters provided for employees that have a roof but no more than 2 walls
- ◆ On patios of bars/restaurants that are not covered by a roof

# Signage

- ◆ Signs must be posted at entrances, exits and washrooms, work vehicles and other appropriate locations in sufficient numbers to ensure that employees and the public are aware that smoking is prohibited.
- ◆ Signs are available free from the NWHU by calling 1-888-404-4231





# Employer Responsibility

- ◆ Proprietor/employer must ensure compliance with the Smoke-Free Ontario Act
- ◆ In the event of a complaint and infraction both the smoker and the employer can be charged if the employer hasn't shown due diligence in ensuring compliance.



# Protection for Employees



Employees may not be penalized for complying with or seeking compliance with the Smoke-Free Ontario Act.



# Inspections



- ◆ The NWHU is mandated to enforce the Smoke-Free Ontario Act (SFOA)
- ◆ All premises that are required to be smoke-free under the SFOA may be inspected by a Tobacco Enforcement Officer (TEO)
- ◆ All complaints under the SFOA will be investigated



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# Traditional Use of Tobacco

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- ◆ Cultural/spiritual use of tobacco by aboriginal persons is permitted i.e., smudging
- ◆ Hospitals and long-term care homes are required to provide a room for this purpose



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## SFOA – also covers

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- ◆ Tobacco vendors cannot sell tobacco products to anyone under the age of 19
- ◆ Private vehicles where children under the age of 16 are present must be smoke-free – amendment to SFOA goes into effect January 31, 2009



# References

Sources used to complete this presentation include:

- Ministry of Health Promotion: The Smoke-Free Ontario Act



Questions?



**NWHU Tobacco Information Line**  
**1-888-404-4231**