



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

UNIVERSITY OF PRETORIA
Department of Human Resources

SMOKING, ALCOHOL AND SUBSTANCE ABUSE POLICY

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1. Purpose

- 1.1 The University of Pretoria (“the University”) regards it as a priority to create and maintain a healthy learning, teaching and working environment and to ensure that the health and safety of the University’s students, employees, contractors and visitors are not adversely affected by smoking, alcohol abuse and/or drug and substance abuse.
- 1.2 The consumption of alcohol and drugs, as well as smoking, has the potential to create an unsafe environment, and may result in a lack of productivity and efficiency.
- 1.3 This Policy seeks to ensure that the University, its students, employees, contractors and visitors comply with all the legislative requirements in relation to the safety and health of its workforce and students, as well as with any other legislation concerning smoking and the use of alcohol and drugs.
 - 1.3.1 Therefore, the purpose of this Policy is to implement the provisions of the Occupational Health and Safety Act 85 of 1993, the Tobacco Products Control Act 83 of 1993, the Prevention of and Treatment for Substance Abuse Act 70 of 2008, the Drug Trafficking Act 140 of 1992, and the Regulations promulgated in terms of these Acts, as well as section 24 of the Constitution of the Republic of South Africa.
- 1.4 Against the background of the above and the necessity to comply with the applicable legislation, the Policy aims to:
 - create a safe, healthy and drug-free environment at all University premises;
 - restrict the exposure to the injurious effects of smoking, alcohol consumption and drug and substance abuse;
 - regulate smoking, alcohol consumption as well as drug and substance use at the University; and
 - make provision for the consequences of non-compliance with the Policy.

2. Scope

This Policy is applicable to all University students and employees, as well as vendors operating on University grounds, visiting workers, contractors, sub-contractors and their employees, and all visitors, regardless of the purpose of their visits.

3. Consequences of non-compliance

- 3.1. Employees of the University who fail to comply with the provisions of this Policy will be subject to corrective action in terms of the Disciplinary Code and Procedure for Employees, and may be required to participate satisfactorily in a suitable employee assistance programme.

- 3.2. Students of the University who fail to comply with the provisions of this Policy will be subject to corrective action in terms of the Disciplinary Code for Students, which may result in a suspension and/or expulsion, and may be required to participate satisfactorily in a suitable student assistance programme.
- 3.3. Non-compliance with this Policy by contractors and tenants of the University may lead to the termination of the respective contractual relationships between the University and said contractor or tenant.
- 3.4. Non-compliance of this Policy by visitors may result in the blacklisting of the visitor on the visitor management system governing access for visitors to University Premises.

4. Policy statement

4.1. Smoking

- 4.1.1. With regard to smoking, this Policy complies with the Tobacco Products Control Act 83 of 1993, as amended, in terms of which employers are compelled to have a written smoking policy.
- 4.1.2. The University accepts that there is sufficient medical evidence proving that smoking is harmful to the health of smokers, non-smokers and other users of tobacco products, and has caused widespread addiction in society.
- 4.1.3. The University is not obliged to provide either smoke breaks, however in the event that provision is made for such smoke breaks outside of the designated work rest break, the University has a discretion to manage the duration and frequency of these smoke breaks.
- 4.1.4. In terms of this University Policy, no person may smoke:
 - in any enclosed public place, or in or on a public conveyance;
 - in any enclosed space that is not a public place and that is within ten metres from an operable window or ventilation inlet or entrance and exit out of a place where smoking is prohibited;
 - in any motor vehicle with a passenger under the age of 18 years;
 - in enclosed common areas of student residences;
 - in all indoor areas on University premises where employees and/or contractors perform their duties and where students study, attend classes or write examinations. These areas include but are not limited to corridors, lobbies, staircases, elevators, cafeterias, ablution or other common areas,

areas where food and beverages are prepared/purchased/consumed and within five metres of these areas;

- within ten metres of any entrance/exit to buildings, air-conditioning intake, or operable windows;
- in any outdoor area during a gathering organised for the purpose of presenting a musical, dance, theatre, or drama performance, or other similar entertainment, for educational, or sport events, as well as a fair, parade or market;
- in any vehicle owned by the University;
- on any premises where food is stacked, processed, prepared, handled, sold or served; and
- in any outdoor public place or workplace, or such portion of an outdoor public place or workplace, where smoking may pose a health, fire or other hazard.

4.1.5. Smoking on University premises is only permitted in the designated smoking areas which are labelled as such by way of a “Smoking Area” sign.

4.1.6. The smoking and/or consumption of dagga and other cannabis plants on University premises is expressly prohibited.

4.1.7. Designated smoking areas and ashtrays are provided outside the University’s buildings. No ashtrays shall be provided at any of the University premises where smoking is prohibited.

4.1.8. Line managers are responsible for managing employees’ smoke breaks in a fair, consistent and reasonable manner.

4.1.9. Employees, students, contractors, visitors and tenants of the University who smoke, should ensure that all cigarette butts, ash, matches or any by-product of their smoking activities are discarded in the ashtrays and not in the refuse bins provided on University premises.

4.1.10. The following shall apply to all vendors operating on University premises, staff, contractors/sub-contractors and their employees, students, and visitors, regardless of the purpose of their visits:

4.1.10.1. Cigarettes, including e-cigarettes, cigars and pipes, including hookah pipes, shall not be sold or distributed as samples on University premises, or in vending machines at student residences or in any area on Campus.

4.1.10.2. No tobacco-related advertising or sponsorship shall be permitted on University Premises, at University sporting events, or in publications produced by the University, with the exception of advertising in a

newspaper or magazine that is not produced by the University and which is lawfully sold, bought, or distributed on University premises. For the purpose of this Policy, “tobacco related” applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or slogan, selling message, recognizable pattern or colours, or any other distinctive signs related to a product that are identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

4.2. Alcohol consumption

- 4.2.1. The University recognises the negative effects of being under the influence of alcohol and/or alcohol abuse and the associated dangers it holds for both consumers and non-consumers of alcohol, as well as broader society.
- 4.2.2. Being under the influence of alcohol has the potential to seriously impair an individual’s judgement and reactions, which may lead to an increased risk of accidents and injuries.
- 4.2.3. The University discourages alcohol abuse and is committed to the prevention of drinking and driving, violence and unruly behaviour which is commonly associated with alcohol abuse.
- 4.2.4. All employees, contractors and sub-contractors of the University and their employees are expected and required to report to work each day in an appropriate mental and physical condition, and capable of fulfilling their duties. Alcohol intoxication would, however, have an impact on this expectation. Whether an employee is capable of fulfilling his/her duties is subject to the reasonable opinion of the management of the University.
- 4.2.5. In respect of alcohol consumption, this Policy aims to regulate the consumption of alcohol, and limits the availability of alcohol on University premises.
- 4.2.6. In terms of this University Policy:
 - No person may bring any substance containing alcohol onto University premises, without the prior written approval of the Registrar.
 - Alcohol consumption is expressly prohibited on University premises, except in the designated areas including campus bars/canteens and residence club-houses, which are authorised to sell and/or distribute alcohol as may be permitted by the relevant liquor licences,
 - No alcoholic drinks may be consumed, distributed, or otherwise removed from the designated consumption areas.

- Employees, students, contractors, sub-contractors and their employees, visitors and tenants of the University who consume alcoholic beverages in the designated consumption areas should ensure that containers and any by-product of their drinking activities are discarded in the refuse bins provided on University premises.
- No employee, contractor, sub-contractor or their employees may be allowed into the workplace while under the influence of alcohol, and the University reserves its rights to subject the mentioned parties to a breathalyser test.

4.3. Drug and substance abuse

4.3.1. The University acknowledges the destructive and harmful effects of drugs and Substance Abuse, and is committed to the fight against drug and Substance Abuse, the treatment and rehabilitation of users, as well as the creation of a drug-free environment on University premises in line with the objectives of the Prevention of and Treatment for Substance Abuse Act, 70 of 2008.

4.3.2. The University does not tolerate or condone the use of drugs and Substance Abuse.

4.3.3. The use of drugs includes the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance.

4.3.4. All University employees, contractors, sub-contractors and their employees, are expected and required to report to work each day in an appropriate mental and physical condition, and capable of fulfilling their employment duties. Substance intoxication of any kind would, however, have an impact on this expectation. Whether an employee is capable of fulfilling his/her duties is subject to the reasonable opinion of the management of the University.

4.3.5. In terms of this University Policy:

- No person may use or have in his/her possession any dependence-producing substance, or any dangerous dependence-producing substance unless he/she has acquired such substances from a medical practitioner or pharmacist in terms of a prescription issued in writing by a medical practitioner, and uses that substance only for medicinal purposes under the care and treatment of the said medical practitioner.
- With the exception of the above, no person may use, consume, purchase, sell, or distribute any drugs as provided for in the Drugs and Drug Trafficking Act 140 of 1992, including any illicit, illegal and unlawful substances.
- The cultivation, consumption, distribution, purchasing, selling or the possession of dagga and other cannabis plants on University premises is expressly prohibited.

- No person may be permitted to enter any University premises while intoxicated as a result of the use of drugs and/or unlawful substances. The University reserves its right of admission to University premises in such cases.
- 4.3.6. Where any person to which this Policy applies appears to be under the influence of drugs or substances, or otherwise intoxicated from any such drug or substance (i.e. bloodshot eyes, slurred speech, suspicious breath smell, unsteadiness on his/her feet, dishevelled appearance, aggressive, abusive, arrogant or any out of character behaviour), the University reserves its right to subject such a person to an appropriate drug test, including a urine drug test, which will be conducted in accordance with the applicable legislation and the University's policies and guidelines relating to medical and drug testing.
- 4.3.7. University employees must ensure that they are aware of the side effect of any prescription drugs and advise their line managers immediately of any signs that such prescription drugs may have an effect on their work and performance as well as that of others.

5. Definitions

Unless the context indicates otherwise, the terms used in this Policy shall have the following meaning:

Abuse	means the sustained or sporadic excessive use of substances and includes any use of illicit substances and the unlawful use of substances.
E-cigarette	means any electronic, oral device such as one composed of a heating element, battery and/or electronic circuit, which provides a vapour of nicotine or any other substances, and the use and inhalation of which simulates smoking. The terms shall include any such device, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.
Public place	means all public areas at University premises, including student residences, but excludes any private dwelling and any portion of an area mentioned above that is specifically designated by the University as a smoking area and which complies with the prescribed requirements for such an area.

Smoking	means – <ul style="list-style-type: none"> • Inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, or pipe, including a hookah pipe, or any other lighted or heated tobacco or plant product, including marijuana, intended for inhalation in any manner or in any form; and • includes the use of an e-cigarette which creates a vapour, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking as set out in this Policy.
Student residences	means all buildings of the University that contain sleeping and living quarters for its registered students.
Substances	means chemical, psychoactive substances/stimulants that are prone to abuse, including tobacco, alcohol, over the counter drugs, prescription drugs and substances defined in the Drugs and Drug Trafficking Act, 140 of 1992.
University premises	means all campuses, facilities, buildings and vehicles of the University, whether they are owned or leased, and regardless of the location, including student residences.
Workplace	means – <ul style="list-style-type: none"> • Any indoor or enclosed area in which employees perform their contractual duties; and • includes any corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by such employees during the course of their employment; but • excludes any private dwelling and any portion of an area specifically designated by the University as a smoking area, which complies with the prescribed requirements.

6. Roles and responsibilities

Line management	Where applicable (for example in the case of staff, contractors and tenants), line management has the responsibility to ensure that this Policy is communicated and consistently enforced.
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**Staff, students,
visitors,
contractors and
tenants**

Each individual as defined in paragraph 2 above, has the responsibility to comply with this Policy.

The Registrar

The **Registrar** has overall accountability and responsibility for ensuring that all institutional policies are managed responsibly within the University.

7. Implementation and compliance

- 7.1. The successful implementation of this Policy depends on the co-operation of all individuals to whom the Policy applies.
- 7.2. Line managers and members of the Health and Safety committees of the University will be responsible for the implementation of this Policy.
- 7.3. Employees and students who become aware of instances of non-compliance with this Policy are required to report these to their line managers or at the security desk on the various University premises.
- 7.4. The contents of this policy will be made known to all members of staff, contractors, registered students and visitors to the campus.
- 7.5. Any queries regarding or problems experienced with respect to the implementation of this Policy must be handled through the existing departmental administrative channels and administrative procedures.

8. Associated documents

Code of conduct for employees	HRCC 6/17
Disciplinary code and procedure	Rt 157/06
Disciplinary code for university-controlled residences	Rt 62/06
Disciplinary code for students	
Escalation policy	Rt 292/19
Grievance procedure	Rt 278/08
Occupational Health and Safety policy	Rt168/20 (final)
Student complaints protocol	Rt 462/10

Tobacco Products Control Act 83 of 1993 (as amended)

Occupational Health and Safety Act 85 of 1993 (as amended)

Prevention of and Treatment for Substance Abuse Act 70 of 2008

9. Policy life cycle

- 9.1. This Policy must be revised every three to five years, or whenever amendments to the applicable legislation requires it.

10. Document metadata

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