



NSS MONTHLY NEWSLETTER

February 2019

Smoking and Vaping By-Law Changes

Public Health has recently made some changes to the Smoke Free Ontario Act which came into effect on October 17, 2018. Public Health Sudbury & Districts are bringing this information to your attention as it applies to your sector. As it was before, all enclosed public places, enclosed workplaces and work vehicles are required to be smoke-free. As of October 17, 2018, in addition to tobacco products, the restrictions have been expanded to include vapour products and cannabis either smoked or vaped. Smoking of tobacco, cannabis or the use of vapour products are prohibited within enclosed public places, enclosed workplaces, including work vehicles.

No Smoking Signs

- NEW *Updated* - Standardized “No Smoking” and “No Vaping” or combined no smoking/no vaping signs are required at all enclosed workplaces
- At minimum, signs must be posted at each entrance and exit of the enclosed workplace or area in appropriate locations and in sufficient numbers to ensure employees and the public are aware that smoking and the use of electronic cigarettes are prohibited.

Responsibilities of Employers:

- Give notice to the public that smoking and vaping is not allowed in the place
- Post “No Smoking” and “No Vaping” signs or dual (as shown) at entrances, exits, washrooms and in all appropriate locations
- Ensure that no ash trays or similar items remain in the place
- Ensure that no one smokes or vapes in the place
- Ensure that someone who refuses to comply with Ontario’s smoking and vaping laws does not remain in the place

Penalties:

An individual who violates the prohibition on smoking or vaping in an enclosed workplace may be charged with an offence, and on conviction could be subject to a maximum fine of \$1000 (for the first offence or \$5000 (for any further offence).

An employer that fails to fulfil their responsibility under the law may be charged with an offence, and if convicted, could face a maximum fine:

Signage Responsibilities:

- For individuals: \$2000 (for first offence) and \$5000 (for second offence), \$10,000 (for third offence, and \$50,000 (four or more offences)
- For Corporations: \$5000 (for first offence), \$10,000 (for second offence), \$25,000 (for third offence, and \$75,000 (for four or more offences)

Other Responsibilities:

- For Individuals: \$1000 (for first offence), \$5000 (two or more offences)
- Corporations: \$100,000 (for first offence) and \$300,000 (for two or more offences)



NO SMOKING



NO VAPING

(e-cigarettes)



Ministry of Labour Update: There is a New Version 8.0 Poster for the Employment Standards Act that was released. Please update your Health and Safety Board with the most recent version.



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