



Labour

THE *NON-SMOKERS' HEALTH REGULATIONS* HAVE BEEN AMENDED, AND YOU SHOULD KNOW WHAT HAS CHANGED

The *Non-smokers' Health Regulations* (NSHR) have been amended to repeal the provisions permitting the designation of smoking rooms and smoking areas in work places under federal jurisdiction. The amended Regulations came into force on October 25, 2007.

This information affects employees and employers under federal jurisdiction such as banking, communications, transportation, shipping, grain handling and the federal public service.

WHAT IMPACT WILL THE AMENDMENTS HAVE?

The most significant economic advantage that the amended Regulations are expected to have stems from their impact on the health of affected employees. The improved health outcomes anticipated as a result of these amendments will lead to direct economic benefits owing to improved productivity, decreased absenteeism, insurance-cost savings and lower health-care costs.

The costs to employers pursuant to the amendments are minimal compared with the expected economic benefits. The costs are associated with the closing and modifying of the smoking rooms.

HOW DID THE AMENDMENTS COME ABOUT?

The *Non-smokers' Health Act* (NSHA) came into force on December 30, 1989. Since the NSHA and NSHR were introduced, views on smoking and second-hand smoke have changed immensely. Public pressure for the abolition of smoking rooms had become increasingly insistent.

Recent tests conducted by the Labour Program inside smoking rooms showed that the air quality was very poor. It deteriorated to dangerous levels when people were smoking in them.

In light of the public pressure and in line with the new scientific studies and reports on second-hand smoke, the decision was made to amend the NSHR.

HOW HAVE THE REGULATIONS CHANGED?

Sections 3, 14 and 15 of the NSHR, which explicitly permitted the designation of smoking rooms and smoking areas, have been repealed. Therefore, smoking rooms and smoking areas are prohibited in federal work places including any enclosed space under the control of the employer whether or not the space is attached to a building.

It should, however, be noted that transitional provisions are in place for work places where smoking rooms are designated in accordance with the terms of a collective agreement or any other contractual agreement signed before the NSHR came into force. In addition, section 4 was amended in correlation with the repeal of section 3. Section 5 of the NSHR was not amended. Sections 4 and 5 permit the employer to designate as smoking rooms or smoking areas living quarters or certain other places under its authority.

HOW CAN YOU LEARN MORE?

Contact a Labour Program office of Human Resources and Social Development.

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Publications Services
Human Resources and
Social Development Canada
140 Promenade du Portage,
Phase IV, 12th Floor
Gatineau, Quebec
K1A 0J9

Fax: (819) 953-7260
E-mail: publications@hrsdc-rhdsc.gc.ca

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Cat. No.: HS24-44/2008
ISBN: 978-0-662-05511-2

Printed in Canada