1. Purpose
The purpose of this policy is to provide a smoke-free learning and working environment for the College community in accordance with the Smoke-Free Ontario Act, 2017 and other applicable legislation.

This policy:
- Provides protection from second-hand smoke & vapour;
- Communicates smoking, smokeless products, and cannabis use restrictions;
- Outlines tobacco and smoking cessation support to members of the College community;
- Prevents smoking uptake and promotes smoke-free lifestyles;
- Reduces fire risk; and
- Provides a clean and environmentally friendly campus.

2. Application and Scope
This policy applies to all individuals, including but not limited to, Mohawk College employees, students, visitors, contractors, independent operators and student government representatives on all College owned, rented or leased property or vehicles, including parking lots and personal vehicles while on College property. This policy also applies to any persons or groups renting or making use of College facilities.

Mohawk College is partnered with several other Ontario colleges and universities (i.e. McMaster University). The smoking policy of the main institution will override this policy.

This policy does not apply to nicotine-replacement products or treatments or use of medical cannabis. Use of medical cannabis will be dealt with on a case-by-case basis and accommodated according to the Ontario Human Rights Code. Consumption and use of recreational cannabis (hereinafter referred to as “cannabis”) and related cannabis products is prohibited on Mohawk College property.
3. Definitions

“College Community” refers to all students, employees, independent contractors, any individual or group carrying out College business and visitors to the College.

“College Property” includes any real property including grounds and buildings, structures and facilities which are owned or leased, or under the aegis of Mohawk College. This includes all College residences.

“College Vehicle” means any vehicle or conveyance operated by the College, including any vehicle owned by the College, rented, leased and/or licensed on a short-term or long-term basis by the College and/or any other consignment/assignment of such vehicle to the College.

“Vaping (Vapes)” means inhaling or exhaling vapour from an electronic cigarette (e-cigarette) or holding an activated e-cigarette, whether or not the vapour contains nicotine.

“Four Sacred Medicines” include tobacco, sage, sweet-grass and cedar. Such medicines are used for Indigenous traditional ceremony and spiritual use.

“Nicotine-Replacement Products or Treatments” are products that allow for the remedial administration of nicotine to the body by means other than tobacco, usually as part of smoking cessation. Common forms are nicotine patches and gum which prevent cravings in smokers while allowing the individual to abstain from tobacco.

“Smoking” is defined as inhaling, exhaling, burning or holding lighted tobacco or cannabis.

“Smokeless Products” products where substance is not smoked but used in another form such as chewing, snus, snuff, water-pipe or heated tobacco products.

4. Principles
The College is committed to the prevention of illness and injury through the provision and maintenance of healthy and safe conditions on its premises and due diligence in its activities. The College is devoted to promoting a healthier learning and working environment and to take steps towards reducing personal discomfort and health risks on College property. Smoke-free campuses will protect non-smokers from exposure to second-hand smoke and support employees and students who wish to quit or reduce smoking by providing access to cessation programs and services.

5. Accountability and Compliance
5.1 Accountability Framework
This policy has been approved by the Senior Leadership Team.

5.2 Compliance
The Chief Building & Facilities Officer is responsible for monitoring the effectiveness of this policy and is also responsible for ensuring compliance with municipal, provincial and federal smoking legislation and bylaws.

6. Rules

6.1 Prohibited Areas
Smoking and use of smokeless products, including vapes and cannabis, is not permitted anywhere on Mohawk College property, including parking lots and personal vehicles while on College property, residences, College owned vehicles, sports fields and pathways.

6.2 Signage
The College will ensure that a sufficient number of signs are conspicuously posted around the College clearly identifying that smoking is prohibited.

6.3 Education
- Security Services will patrol the campus informing those using prohibited products of this policy and ask them to relocate.
- Campus tours, orientation events and resource packages for employees and students will include information regarding this policy.
- Resources will be made available online for the College community that will support tobacco cessation awareness and campus specific smoke-free information.

6.4 Enforcement
- Security Services will endeavor to encourage compliance with this policy.
- Members of the College community who do not comply with this policy may be subject to disciplinary actions. Such disciplinary action will be progressive in the case of repeated violations. Offences may be tracked and documentation copied to employee and student files as appropriate.
- All members of the College community should take responsibility for a safe and healthy campus environment. Thus, College employees and students are responsible for aiding in the compliance of this policy where appropriate.

6.5 Smoking Cessation
- The College is committed to delivering programs and education aimed at providing protection from second-hand tobacco smoke.
- All members of the College community can access the Smoke-Free Campus website for supports and resources for smoking cessation.
• All employees of the College have access to an Employee Assistance Program which provides smoking cessation support.
• Students and employees have access to physician and nurse services. Resources which support smoking cessation will be made available through The Health Centre.
• Students can also access resources from ‘Leave the Pack Behind (LTPB)’ which is a tobacco control program on campus that offers young adults between the ages of 18 and 29 a range of services including self-help booklets, free nicotine cessation products and email support.

6.6 Sale and Promotion of Tobacco Products
• The sale of tobacco or smokeless products (including vapes and cannabis) is prohibited on College property.
• The College prohibits the promotion and/or advertising of any tobacco or smokeless products (including vapes and cannabis) or related paraphernalia.
• In accordance with the federal Tobacco Act and Cannabis Act, corporate tobacco and cannabis sponsorship of Mohawk events or groups is prohibited. All organizations and their employees that operate their business on College owned or controlled properties are prohibited from entering into contractual agreements with tobacco and cannabis companies.

6.7 Indigenous Traditional Use Exemption
• The College recognizes and supports that traditional Indigenous events and ceremonies may involve smudging or other materials as provided under the Smoke-Free Ontario Act. The College will permit the on-campus use of the four sacred medicines in connection with Indigenous holistic practices at cultural and educational events, meetings and other events as appropriate.
• The use of tobacco or tobacco products, or products from Indigenous cultures for other significant cultural, ethnic or spiritual purposes will also be permitted on a case-by-case basis.

7. Policy Revision Date

7.1 Revision Date
November 2023

7.2 Responsibility
The Chief Building & Facilities Officer is responsible for reviewing this policy every five years or earlier where required in order to reflect legislative or College strategic direction changes.

8. Attachments
Appendix A- Smoke-Free Campus Procedure
9. Specific Links
SS-3200-2006 Student Behaviour Policy
CS-1401-1979 Health and Safety Policy
Smoke-Free Campus Website
Smoke-Free Mohawk Q&A
Cannabis FAQ for Students and Employees
Smoke-Free Ontario Act, 2017
Cannabis Act, 2017
Tobacco Act, 1997
City of Hamilton By-Law No. 02-054
Employee Code of Conduct
Appendix A
Smoke-Free Campus Procedure

Violation(s)
A violation includes:

- Promotion or advertisement of tobacco, smokeless products (including vapes) or related accessories on any College property or event;
- Smoking or holding lighted tobacco;
- Smoking or holding lighted tobacco inside of College owned or leased vehicles;
- Use of smokeless products (including vapes) in enclosed public spaces, enclosed workplaces and vehicles; and/or
- Failing to use external waste receptacles (ashtrays).

Enforcement
P1. Any member of the College community who discovers someone smoking on Mohawk College property should educate the person on this policy.

P2. A member of Security Services may initiate a trespassing process against any individual where the officer considers a violator to be hostile, verbally abusive, causing a disturbance or where a violator fails to identify themselves. Such offenders will be asked to leave the property.

P3. Violations of this policy by employees or contractors may be reported to their Manager.

P4. Violations of this policy by students should be reported to Security Services and/or the Dean of Students Office.

P5. When requested by Security Services or another College employee, all Mohawk employees and students are to identify themselves by showing official College or government identification.

P6. Visitors and members of the general public will be required to identify themselves using a government-issued piece of identification. Those who refuse to produce identification or comply with this policy may be removed from Mohawk College premises.

Ashtrays/Receptacles
P7. An individual who does not comply with the proper use of external waste receptacles (ashtrays) may be subject to additional fines for littering.

Signage
P8. The College will post and maintain appropriate signage. Each entrance will also display a by-law “No-Smoking” sign at each entrance as required.