

## No Smoking Policy Enforcement

Despite the Head of College becoming actively involved in enforcing the No Smoking policy, some CLS personnel are still ignoring it. Any suggestions from the Committee members as to how the University should tackle this problem in the long term?

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### Latest Complaint relating to tobacco smoke coming into the building

**From:** [REDACTED]  
**To:** Lisa Grayson  
**Date:** 3/5/2011 10:06  
**Subject:** Smell of smoke

I'd like to report smelling a strong smell of cigarette smoke on JBC2 south side on Tuesday morning about 9.15 as I walked through the lab. I noticed a number of windows on the south side lab offices were open so assume it is coming from outside rather than circulated through the air vents.

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### Email trail relating to one case of tobacco smoke coming into an office

>>> [REDACTED] 6/12/2010 11:04 >>>

By law the University is required to protect its employees from tobacco smoke. I hereby want to report that I am seriously concerned about being repeatedly and continuously exposed to tobacco smoke in my office, [REDACTED]. I gather, tobacco smoke from people smoking along Dow Street, gets into ventilation shafts supplying the MSI with fresh air. The problem has been apparent on occasions and noticed by others working in this office. Due the occasional nature the issue of tobacco smoke has been widely ignored. However in the recent days the situation has become unbearable: With the winter weather apparently more people seem to try finding shelter in the arcades of Dow Street, thereby feeding tobacco smoke into the ventilation intakes. I have tried to document when tobacco smoke was noticeable in the office to make you aware of the severeness of the problem. Please keep in mind:

- \* these was only on the occasions I was present in the office (not elsewhere, e.g. lab area)
- \* these were particularly quiet days of the snow chaos, when many people did not make it to work.

I want to express my concern being exposed to carcinogenic fumes during working hours, which clearly leaves me seriously worried. Moreover this is highly disruptive to my work performance, as each time I detect tobacco smoke in the office, I am getting serious concerned being knowingly exposed to a carcinogen. I would be happy to learn, how the University is taking action to protect its employees from the carcinogenic effects of tobacco smoke and legal liabilities.

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>>> Lisa Grayson 06/12/10 11:29 AM >>>

The University/College policy on this is very clear (please see attached documents). In keeping with the guidance in the official policy, I will forward your complaint to CLS senior management and suggest that all staff are reminded of the policy and the penalties for failing to comply with it.

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>>> [REDACTED] 19/12/2010 8:11 AM >>>

However I can not see from your mail any specific action you or the University has taken to eliminate exposure. In case any steps been take to improve this highly unacceptable situation, these have

proved most useless.

Moreover daily exposure to tobacco smoke has persisted and I am having ever growing serious concerns about my personal health at this point.

Please find also attached the log for tobacco exposure for Dec.2010, again keeping in mind that only times, when actually present in room [REDACTED] (and not busy elsewhere) could be logged and therefore can only partly represent the true extent of exposure to tobacco smoke.

I am disparately for looking improvement to this persisting curtailment of my personal health and well-being.

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**From:** Lisa Grayson  
**To:** Doreen Cantrell  
**CC:** Ian Leith; Ian Scragg; Irene Blair; Michael Ferguson; Robert Ford  
**Date:** 20/12/2010 11:48  
**Subject:** Fwd: Re: tobacco smoke

Uni policy and Jim McGeorge's latest email on the subject were attached to my original reply to [REDACTED] - see below. The important points are highlighted. I can give you hard copies if you can't open the files.

In terms of distance from the building, the policy states that "smoking is permitted a reasonable distance (i.e. 6m) away from a building to ensure that tobacco smoke does not enter into the building by any means". CLS management agreed at the H&S Management Committee meeting on 8/6/2007 to enforce a 6m smoke free zone around its buildings and this was widely communicated via email and signage, but we never came up with a mechanism for achieving this goal.

Ultimately, I don't think it's up to Life Sciences to come up with a solution to this long standing problem. I think the University policy falls short in certain respects and leaves us with some unanswered questions. In section 4 it's made clear that "Deans/ Directors are responsible for ensuring that staff, students, visitors and contractors are made aware of this Policy, and that they comply with its requirements" but there's no guidance on how to achieve compliance. In section 6 - Complaints Procedure - there's no guidance on what Deans/Directors/Safety Services/Safety Representatives are expected to do when they receive a complaint. Also, in relation to Jim's email, relying on Dundee City Council Smoking Prohibition Enforcement Officers to catch people 'in the act' is clearly not an effective method of monitoring and enforcing the policy.

I cannot think of a remedy for the smoking problem, other than having regular patrols by Security around the perimeter of the building, but I doubt if Campus Security have the resources to do this. Any proposals would have to be debated and agreed at University level. In the mean time, all we can do is email all CLS personnel and make it very clear to them that smoking within, or within 6m of the perimeter of, CLS buildings is a disciplinary offence.

I very much appreciate you taking the time to contact [REDACTED] directly and offering to chat to him. I hope he realises that it's not down to me to singlehandedly take specific action to eliminate his exposure to cigarette smoke. I think he's venting at me because I'm an easy target. This comes with the job, unfortunately.

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**From:** [REDACTED]  
**To:** Lisa Grayson  
**CC:** Ian Scragg; Ian Leith; Robert Ford; Doreen Cantrell; Michael Ferguson [REDACTED]  
**Date:** 14/3/2011 17:03  
**Subject:** Re: tobacco smoke  
**Attachments:** tabacco smoke\_feb11.xls

On the occasion of the start of a new calendar month, I am – in fact not so - happy to present you with an updated list of tobacco smoke exposure to my office at [REDACTED] for the months January and February 2011.

This spreadsheet demonstrates, that office [REDACTED] persists to be exposed to tobacco smoke on a daily basis.

You might understand the mental stress I am suffering from the experience of being helplessly exposed to the health hazard of tobacco smoke on several occasion a day. Furthermore these worries of being exposed to this carcinogen have negative impact on my concentration, work performance and

eventually overall health.

Looking on the spreadsheet you will agree that any measures – of which I am oblivious – taken by the University to restrict smoking in the arcades of MSI, Dow Street have so far been useless.

Ever since reporting from mid Nov. 2010 I have been exposed to tobacco smoke on several occasions a day, the fluctuation in report being only loosely linked to the weather conditions. So with spring weather one might – in the best case – expect a decline in the tobacco smoke incidents only.

As this intolerable situation has been persisting and I have not seen any improvement to this situation, I want come forward with some proactive suggestion.

I have noticed that at least one No Smoking sign in the MSI Dow Street arcades has been defaced or gone missing. People smoking in the Dow Street arcades – legally or not – are clearly not aware that any tobacco smoke will be taken into MSI by air vents located with the arcades.

Can I therefore suggest and request signs, reminding smokers of air vents taking air into MSI are located in the MSI arcades, being posted in the arcades. Importantly, these signs would have to be repeated a number of times along the full length of the arcades. Estates and Buildings might also be helpful in particularly identify the location of the air vent for [REDACTED] and make sure a reminder sign I posted there.

I will meanwhile continue to document the health risks and damage I am being exposed to and carry on providing you with this data.

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**From:** Lisa Grayson  
**To:** Doreen Cantrell; Ian Leith; Ian Scragg; [REDACTED]; Michael Ferguson; Robert Ford [REDACTED]  
**CC:** Irene Blair  
**Date:** 15/3/2011 09:44  
**Subject:** tobacco smoke

I made my views on this clear in the email I sent to Doreen/Ian L/Ian S/Rob/Mike in December after the last communication from [REDACTED] I **cannot** singly-handedly implement and enforce the University No Smoking Policy. I know some of the people who routinely breach it but I have absolutely no management control over them and they will not take any warning from me seriously. I was in exactly the same position as [REDACTED] when my office was off the MSI foyer and I understand completely how worrying and distressing it is. I had to put up my own 'no smoking' signs (note: the signs do not work!) and even suffer verbal abuse on one occasion when I asked a smoker to move away from my office window. Understandably, this put me off challenging anyone face to face from then on. The College and University appeared to be powerless to do anything about my predicament, so I resorted to contacting Dundee Council directly in the hope that they could help, but was told that they could not. My health and sanity were only saved when, fortunately, I had to move office to allow CAHId to take over the space.

I now continue to suffer distress because others who are subject to second hand exposure to tobacco smoke contact me, thinking I can actually solve the problem. It upsets me to think they are going through what I had to endure and there's is nothing I can do to be of real help. I would hate to think anyone is personally blaming me for their situation and the lack of action when I am powerless to remedy this long standing problem.

Rob Ford raised the issue of enforcement of the No Smoking policy at University Safety Sub Committee earlier this year but I don't know the outcome of this.

I have, **once again**, tabled the smoking issue on our H&S Management Committee meeting agenda (meeting to be held on 25th April) but it has been discussed at this forum many times before and no solution found.

Where we go from here, I do not know. If I'm instructed by my line managers to patrol the perimeter of the building all day for however long it takes, I will, but I'll need the power to issue on the spot fines (has to be some deterrent) and, more importantly, a bodyguard.

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**From:** Irene Blair  
**To:** Doreen Cantrell; Ian Leith; Ian Scragg; [REDACTED] Lisa Grayson; [REDACTED] [REDACTED] Michael Ferguson; Robert Ford; [REDACTED]  
**Date:** 15/3/2011 13:30  
**Subject:** Re: tobacco smoke

I totally agree with everything Lisa says. I've also been on the receiving end of verbal abuse from

smokers when I've asked them politely if they know they are violating University Policy.  
We have had the signs on the south side of MSI replaced numerous times, they are removed by persons unknown!!!  
I no longer accost smokers who stand at doors or air intakes as there appears to be no sanctions taken against them anyway.  
I even regularly see core staff smoking beside combustible material outside the solvent store!!!!  
I don't have an answer.

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