

Igniting a new Debate: E-cigarettes in the Workplace

E-cigarettes are experiencing a surge in popularity amongst Canadians; the revenue for these devices has reached the billions! E-cigarettes, which electronically vaporizes liquid nicotine, are being used by many tobacco smokers to cut down or kick their smoking habit altogether. As Health Canada contemplates how to regulate the use of e-cigarettes, employers have been left to grapple with how to handle an employee's use of this device in the workplace.

Legally, e-cigarettes with nicotine fall under the *Food and Drugs Act*. As a result, they cannot be legally imported, marketed or sold in Canada before they have undergone rigorous testing and received approval as a drug device. Health Canada has issued a warning to Canadians about the purchase and use of these devices. Despite this fact, an increasing number of Canadians are buying into this new trend.

Where does this leave employers? Many retail organizations in the United States, such as Wal-Mart and Home Depot, have banned the use of e-cigarettes from its stores altogether. Similarly, Canadian employers are implementing policies on their use in the workplace.

If your organization has not turned its mind to creating guidelines on the use of e-cigarettes in the workplace, consider the following:

- The use of e-cigarettes in the workplace can be banned by relying on your current 'scent sensitivity' or 'scent-free' workplace policy.
- Characterize e-cigarettes as tobacco cigarettes and ban them in accordance with your smoke-free work environment policy.

Please contact e2r Solutions® if you would like to discuss the use of e-cigarettes in your workplace.