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Prop 5*

Union Leader Urges 'No' Vote On Prop. 5 in Nov. 7 Election

Proposition 5, the smoking restrictions initiative on the November 7 ballot "creates another class of lawbreakers and subjects free citizens to harassment and prosecution and imposes upon them the status of social outcasts," John DeConcini, president of the Bakery, Confectionery and Tobacco Workers International Union said this week.

Asserting that Prop 5 is "purely vindictive and punitive legislation which can only serve to polarize intolerance and prejudice," DeConcini said:

"We trust that Californians will see this poorly veiled attempt at prohibition for what it is and overwhelmingly reject it when they cast their ballots in November."

Delegates to the California Labor Federation's biennial conven-

tion in San Francisco last July overwhelmingly approved a move to recommend a "No" vote on Prop. 5.

The measure would declare that, subject to certain exceptions, "smoking is unlawful in any enclosed public place" and "in any enclosed place of employment."

It would exempt bars, retail

tobacco stores, hotel and motel restrooms and halls when used for private social functions as well as an arena, auditorium or theater being used for a rock concert, a professional boxing contest, a professional wrestling exhibition or a professional roller derby.

But smoking would be against the law in the same facilities if they were used for jazz concerts, amateur matches, college wrestling or an amateur rolling derby.

Production areas in factories would be exempt only if the State Department of Industrial Welfare authorized an exemption on grounds that because of the distance between workers and the adequacy of ventilation, smoking in such areas is not detrimental to the health, comfort and enviro-

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ment of non-smoking employees.

The violations provision of the initiative states that "any person who violates any provision of this chapter is guilty of an infraction and shall be fined fifty dollars (\$50) per violation."

It also states that "each day on which a violation . . . occurs is a separate and distinct offense and shall be punishable as such."

Refusal to pay such fines would

come under the contempt provisions of the California Code of Civil Procedure and offenders could be sent to jail.

Among other major objections raised by opponents of Prop. 5 are that it would divert the state's law enforcement resources from chasing real criminals and require both large and small businesses throughout the state to spend upwards of \$250 million or more to erect partitions in their work places to separate smokers from non-smokers.

The initiative's requirement that "no smoking" signs be posted at every entrance to every governmental facility in the state along with enforcement, prosecution and court time have been estimated to cost another \$43 million.

In addition Prop. 5 would require all restaurants in the state to post signs showing the percentage of available seats in the non-smoking section of its dining area, a provision opposed by many restaurant operators.

VOTE NO on PROPOSITION 5

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