

Chron

June 14, 1989

MEMORANDUM

To: John Lyons
Kay Thomas

From: Susan Stunt *sm*

Attached for your information is a copy of a letter sent earlier this week by the Massachusetts AFL-CIO to legislators in the Bay State, noting labor opposition to a workplace smoking restriction bill currently under consideration in the Massachusetts legislature.

The reasons for opposition are concise, well thought out, are applied directly to the legislation in question, and make a neat transition to the IAQ and ventilation issues.

Please make sure the consultants who have responsibility for labor issues also see this.

Attachment

cc: Martin Gleason
Walter Woodsn

TI17682485

The Massachusetts State AFL-CIO is OPPOSED to H5315, An Act Regarding the Establishment of Smoking Policies in Workplaces. The proposed legislation works against the interests of organized labor in a number of significant ways.

In 1986 the AFL-CIO expressed organized labor's opposition to workplace smoking restrictions like those proposed in H5315 that circumvent the collective bargaining process. At that time they stated: "Issues related to smoking on the job can best be worked out voluntarily in individual workplaces between labor and management in a manner that respects the interests and rights of all workers, and not by legislative mandate."

In Section 2, H5315 would allow an employer or a single employee to abrogate hard fought and won conditions of employment. Those working conditions, whether collectively bargained or part of a traditional work scheme are important regardless of the issue or its perceived popularity.

The perceived protection of union contracts and employee relationships by reference of disputes, to the Office of Arbitration and Conciliation of the Department of Labor is illusory. As soon as the protection is given it is taken away by providing the Department of Public Health with the authority to establish any policy that it sees fit.

The question of worker health on the job is a primary concern of the AFL-CIO. The problems suggested by this legislation are not limited to environmental tobacco smoke. In fact, tobacco smoke is, according to a number of reputable sources like NIOSH and the National Energy Management Institute, a small part of the problem

known as indoor air pollution. This general problem is one recognized by the AFL-CIO.

Currently the Joint Commerce and Labor Committee is considering H2771, an AFL-CIO bill addressing the broad worker health problem -- indoor air pollution. It is possible that the proposal currently before you will undermine the efforts of organized labor to clean up the indoor air of hundreds of thousands of working men and women in the state.

For the above reasons concerning abrogation of the collective bargaining process and undermining our efforts to clean up all workplace pollutants, we ask you to OPPOSE this bill.