

**Waltham/West Suburban  
Chamber of Commerce  
Massachusetts Restaurant Association**

**TICT 0015401**

# I

## INTRODUCTION

The Waltham/West Suburban Chamber of Commerce and the Massachusetts Restaurant Association, in a cooperative effort with the Waltham City Council, offer this brochure to the business community as a practical guide to smoking in the workplace. These associations represent more than 700 employers in the Waltham area. The brochure offers specific guidelines on how to handle problems concerning smoking in the workplace and how to develop and implement a smoking policy.

Businesses are encouraged to develop and implement workable smoking policies that meet the needs of employers and employees alike. A well-considered response is good sense and good business.

# II

## SOME PRACTICAL GUIDELINES TO HELP YOU ACCOMMODATE SMOKERS AND NONSMOKERS IN THE WORKPLACE

Don't ignore legitimate complaints.

Always encourage employees to work out problems for themselves.

If this fails, the appropriate supervisor should meet with the employees involved to attempt to work out a mutually acceptable arrangement.

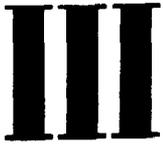
Consider minor workplace alterations:

- Rearrange desks
- Use partitions
- Relocate employees with similar responsibilities
- Separate smokers from nonsmokers
- Place smokers near exhaust intake, and place nonsmokers next to fresh air vents
- Provide portable smoke removal devices to those requesting them

Check the ventilation system. Abnormal persistence of tobacco smoke in the air may be linked to inadequate or faulty ventilation. In 1983, the National Institute for Occupational Safety and Health (NIOSH) analyzed 203 major indoor air quality complaints and found that just four, or 2%, were attributable to cigarette smoke. Most were attributed to inadequate or faulty ventilation. See "Ventilation Maintenance Guidelines."

Install an air cleaner to reduce tobacco smoke as well as dust, pollen and other airborne particles. See "About Air Cleaners."

Consider establishing a workplace smoking policy. See "Policy Development Guidelines."



## DRAFTING A SMOKING POLICY

If you decide to implement a smoking policy, you may want to consider the following guidelines.

1. Include employees in the planning process. You may want to appoint a committee of smokers and nonsmokers.
2. Survey employees to determine if there are any problems and the type of policy they want (see sample survey).
3. Review state and local laws to assure that your policy complies with legal requirements.
4. Specify areas where smoking is prohibited because of potential safety hazards.
5. Specify where smoking and nonsmoking areas will be designated, i.e., auditoriums, cafeterias, conference rooms and employee lounges.
6. Attempt to accommodate the preferences of smokers and nonsmokers to the degree practicable. Make a reasonable effort to accommodate employee requests to work in smoking or nonsmoking areas.
7. Consider allowing employees to designate their immediate work area as a smoking or nonsmoking area.
8. Establish guidelines for enforcement.
9. Recognize labor concerns. Labor law recognizes smoking as a negotiable term and condition of employment.

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# IV

## SURVEY YOUR EMPLOYEES

Before you draft a smoking policy for your workplace, survey employees to determine their preferences. You should take into account the number of smokers and nonsmokers in developing your policy. Following is a sample survey.

# V

## SAMPLE EMPLOYEE SURVEY

### *Sample Instructions*

We are considering developing a policy regarding smoking in our workplace and we would like to receive your thoughts and participation. Please take a few moments to answer the following questions. Your answers are confidential. When you have completed the survey, please fold the form in half so your answers are inside.

Return the completed form to \_\_\_\_\_

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### *Sample Questions*

1. What is your work area like? (check appropriate line)

- Private office
- Open bay area
- Assembly line
- Cubicles or partitions
- Service counter

2. How many employees in your immediate work area smoke?

- None                       6-10  
 1-5                          11-50

3. Which of the following best expresses your thoughts regarding smoking at work?

- Employers should encourage individual employees to work out any problems among themselves.  
 Employers should designate smoking and nonsmoking areas.  
 Other (please specify)

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4. How should our smoking policy cover the following areas?

(Check appropriate column at right)

	No Restrictions	Designated Areas	No Smoking
Work Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conference Rooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cafeteria	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employee Lounges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Customer Service Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. How would you classify your current smoking status?

- Current cigarette smoker  
 Current pipe or cigar smoker  
 Ex-smoker  
 Never smoked

6. Additional comments:

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# VI

## EVALUATING THE EMPLOYEE SURVEY

- ✘ Determine overall survey response rate. Make sure you have a good percentage of responses from all employees.
- ✘ Determine if and where problems exist. Any policy should address problem areas.
- ✘ Attempt to balance the concerns of smokers and nonsmokers. No policy should ignore the concerns of those in the minority.

# VII

## IMPLEMENTING YOUR POLICY

- ✘ Assign responsibility for administering and enforcing the policy to a staff person or department.
- ✘ Publish and distribute the policy to all employees and establish an effective date. Allow at least one month for employees to become familiar with the policy.
- ✘ Include the policy in the personnel manual or handbook.

# VIII

## SAMPLE POLICIES

These sample policies are presented as examples of responsible policies that have been developed by other companies.

# SAMPLE POLICY 1

It is the policy of this company to promote and maintain a productive and therefore cooperative working environment.

Some of our employees choose to smoke, others do not. For the most part, smoking and nonsmoking employees work well together. However, on occasion, smoking by some employees has annoyed others. In most of these instances, the employees involved have worked out solutions among themselves.

As a matter of policy, we encourage our employees to seek cooperative solutions to private differences.

But, in the event that such cooperative solutions can not be reached, the following policy guidelines will be involved:

## GENERAL POLICY

1. This company does not discriminate unfairly against employees and therefore no special rights are accorded to either smokers or nonsmokers by this policy.
2. This policy may not interfere with the policies and procedures set forth under any or all of the following:
  - ▶ EEOC laws including Affirmative Action
  - ▶ Equal Access for the Handicapped
  - ▶ Collective Bargaining Agreements
  - ▶ Local building codes and OSHA regulations
  - ▶ All other applicable federal, state and local laws
3. This company is responsible to its investors and customers to perform in as efficient and effective a manner as possible. Great effort has been made to create, maintain and refine suitable production and service procedures.

However, this company will not restrict the flow of work, add unnecessary expense or negatively affect morale.

4. This policy should be implemented in a spirit of cooperation, courtesy and mutual respect. That means that harassment of any employees can not be tolerated.

## PROCEDURES

### *For places of assembly*

1. The company cafeteria has been designed to provide adequate ventilation and comfort for all employees.

As a rule, employees using this facility choose to sit together. Therefore, employees using a cafeteria table may choose to designate it as a "smoking" or "nonsmoking" table. The company provides ashtrays to smokers. The presence of an ashtray on a table shall designate it a "smokers" table.

2. Smoking is permitted at all meetings of employees unless otherwise directed by the management person responsible for the conduct of the meeting. All participants in the meeting shall be informed, before the session begins, if smoking is to be restricted and how it is to be restricted.
3. Smoking is not permitted on elevators but smoking is permitted in lounges and rest rooms.

### *In shared work places*

1. Individual employees are encouraged to resolve their differences privately. If that is unsuccessful, the employees concerned will seek assistance from their direct supervisor.
2. Supervisors will provide each of the employees with a copy of this policy and will schedule a meeting to discuss solutions.

At the meeting, each employee may, in good faith, offer a recommended solution. These recommendations may include but are not limited to suggesting:

- a) the rotation of desks
- b) repositioning of desks relative to office ventilation
- c) moving employees with similar or identical responsibilities
- d) the use of desk-top air purifying devices

3. Upon obtaining the recommendations, the supervisor may choose to:
  - a) select the recommendation which appears to best resolve the difference, within this policy, and which least disrupts the workplace.
  - b) modify the various recommendations, by combining aspects of some or each, and/or by adding new concepts, within this policy.
  - c) take no action.
4. If the action taken by the supervisor is not acceptable to both parties, the matter may be brought to the second level supervisor in consultation with the personnel department.

*In private offices*

1. The occupant of the office shall determine whether smoking is permitted or not.
2. The presence of an ashtray in a private office shall identify that office as a place where individuals may smoke.

## SAMPLE POLICY 2

This company announces additional changes have been made to the corporate smoking guidelines. These include the following:

- ▶ Smoking will not be permitted in confined areas such as elevators, copier rooms, small terminal rooms, closed stairwells, shuttle buses, medical waiting and examination rooms, waiting lines and food service areas.
- ▶ Smoking will generally not be permitted in meetings or classes on or off company property. Offices will be considered nonsmoking areas when a meeting is being conducted. Exceptions to permit smoking can be made by senior location management for those rooms which meet the new minimum ventilation standards for smoking, established by the engineering division.
- ▶ In common working areas and in offices occupied by two or more people, the manager will make reasonable accommodations if one of the occupants objects to smoking. If this cannot be done, smoking will be banned in these offices.

The objective of the change is to continue to provide a comfortable work environment.

The percentage of nonsmokers in this company has increased steadily over the past few years, as it has in the U.S. overall. Presently, less than one-third of the company population smokes. Of the nonsmokers in this company a number are physically irritated by smoke in the air.

When the preferences of a smoker and nonsmoker conflict, managers should attempt to find a reasonable solution to accommodate the preferences of both.

# IX

## ESTABLISHING RESTAURANT SMOKING AND NONSMOKING AREAS

In establishing smoking and nonsmoking sections in your restaurant, you may want to consider the following guidelines.

- ✘ Select areas that can expand or contract depending on demand.
- ✘ Ask customers if they have a preference when reservations are made and prior to seating.
- ✘ Smoking and nonsmoking tables may be designated by table tent cards, by hostess seating or other appropriate means. If there is sufficient demand and you have several rooms, you may wish to designate smoking and nonsmoking rooms.
- ✘ Smoking and nonsmoking areas each should include preferred seating.
- ✘ Review and evaluate the effectiveness of the program on an ongoing basis.
- ✘ Always provide good ventilation. If possible, smoking areas should be located adjacent to exhaust vents. See "Ventilation Maintenance Guidelines."
- ✘ Consider installation of an air cleaner. See "About Air Cleaners."

# X

## MAINTAINING A QUALITY INDOOR AIR ENVIRONMENT

Good indoor air quality can be as important to a pleasurable dining experience as a restaurant's cuisine or service.

### **Restaurant Air Quality Checklist**

The following self-quiz is a broad guide to help you determine the general status of the air quality of your operation.

Check "Yes" or "No" to each of the following:

	Yes	No
1. Is your restaurant without windows?	_____	_____
2. If you have windows, are they sealed shut?	_____	_____
3. Is your restaurant more than 10 years old?	_____	_____
4. Are strong, odorous chemicals used to clean the carpeting or draperies in your restaurant?	_____	_____
5. Are dirt stains noticeable around air conditioning, air supply, or return ducts?	_____	_____
6. Does tobacco smoke linger in the air in your restaurant?	_____	_____
7. Do burner flames on cooking or gas-heating appliances appear yellow instead of blue?	_____	_____
8. Do your customers or employees ever complain of burning or watery eyes?	_____	_____
9. Does your restaurant have an air cleaner?	_____	_____
10. Do designated smoking areas contain separate air filtration systems or air cleaners?	_____	_____
11. Is the heating and ventilating system periodically inspected and maintained?	_____	_____

If you answered "YES" to 5 of the first 8 questions and "NO" to the last 3 questions, you should have a local indoor air quality expert conduct an inspection of your HVAC system to ensure you provide the best indoor air environment for your customers.

# XI

## VENTILATION MAINTENANCE GUIDELINES

- ✘ Make sure fresh air intakes are open and clean.
- ✘ Make sure filters are well installed to prevent air bypass around filter edges.
- ✘ Filters should have a minimum filtration efficiency of 40 percent, according to American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) ventilation efficiency standard 52-76. Most ventilation experts will recommend a filter efficiency of higher than 60 percent.
- ✘ ASHRAE also recommends a minimum of 15 to 20 cubic feet per minute (CFM) per person of fresh air.
- ✘ Any moisture source such as humidifiers or condensate trays located under chiller coils should be scrupulously cleaned and properly drained.
- ✘ Ventilation ductwork should be checked every five years by a professional ventilation/industrial hygienist with expertise in examining internal ventilation ductwork to assure that it is free of dirt, dust and microbes.

### ***HVAC Maintenance Checklist Heating and AC Systems***

- ✘ Assign one person to make adjustments to the thermostat setting.
- ✘ Ensure that the fresh-air intake dampers in your system are never completely closed. Fresh air is essential for good indoor air quality.
- ✘ Check the air filters for proper fit. Gaps that allow air to bypass the filters indicate poor fit. Replace filters when they become heavily soiled. Consult an expert about upgrading to more efficient filters.
- ✘ Vacuum the chamber that contains the filters to remove all debris.
- ✘ Vacuum the return-air grilles, usually located in the ceiling or walls.

✘ Inspect the exterior units for leaks of water, oil or refrigerant. As the units run, listen for any unusual noises.

✘ Ensure that condensate drains are clear and water drains away properly.

✘ Remove any debris from around exterior units that could block air flows

✘ Clean and paint exterior units as needed.

### ***Kitchen Exhaust and Make-up Air Fans***

✘ Wash or replace grease filters based on usage and build up.

✘ Clean outside-air intake screens, wall or ceiling mounted intake grilles, and outside exhaust grilles.

✘ Clean and paint external surfaces as needed.

✘ Use qualified personnel to perform more complicated maintenance procedures.

# XIII

## ABOUT AIR CLEANERS

There are a number of commercial air cleaners currently available that effectively reduce dust, pollen and other airborne particles, including tobacco smoke. The range of designs and prices among air cleaners is wide. Check your telephone directory under air cleaning and purifying equipment for local distributors or check with your local association for assistance.

A major consideration in selecting an air cleaner is air flow capacity. Air flow capacity is measured in cubic feet per minute (CFM). The higher the CFM rating, the larger the area a system can treat effectively.

The various types of systems available include:

### ***Fan/filter Systems***

Most air cleaners use a fan to draw air through various types of filters. Granular materials, i.e., activated carbon, silica gel, usually are part of the filter cartridge in an inexpensive air cleaner.

Another type of filter is a web of synthetic or glass fiber. It works like a strainer, catching particles that pass through it. Manufacturers can make these filters more efficient by increasing their surface area—typically, by folding them into accordionlike pleats.

Another way to increase the efficiency of a fibrous filter is to include fibers that have an electrical charge. These filters utilize static electricity to catch small electrically charged particles. Many particles in the air have a weak electrical charge—especially when the air is full of static electricity.

### ***Electrostatic Precipitators***

Air cleaners using this technology use a fan to draw in air past an electrode that gives airborne particles an electrical charge. The air passes a collector plate that has the opposite electrical charge, to which the charged particles will adhere. (An electrostatic precipitator also can be installed as a component to a forced-air heating system.)

### ***Negative-ion Generators***

These air cleaners emit a stream of electrons into the air, transforming air molecules into negative ions. The ions give airborne particles a negative charge. The charged particles then drift to grounded surfaces.

# XIII

## A FINAL NOTE

We encourage you to develop and implement a smoking policy for your business that meets your specific needs. If you have any questions, please contact:

- ✘ Waltham/West Suburban Chamber of Commerce  
500 Main Street  
Waltham, MA 02154-5521  
(617) 894-4700
  
- ✘ Massachusetts Restaurant Association  
11 Lakeside Office Park  
607 North Avenue  
Wakefield, MA 01880  
(617) 245-8411

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# XIV

## REPLY CARD AND REQUEST FOR MORE INFORMATION

- We have received "Workplace Smoking: A Guide for Waltham Area Employers."
- Please send \_\_\_\_\_ additional copies.
- We already have a policy in effect.
- We will develop a policy by \_\_\_\_\_ (date).
- We need more information. Please contact us.

Company Name: \_\_\_\_\_

Contact Person, Phone: \_\_\_\_\_

Address: \_\_\_\_\_

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