

Smokers' Advocate

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Employee Privacy Rates High On Legislative Agendas

Legislation is now pending in fourteen states that would prohibit employers from dictating off-the-job behavior of employees.

The fact that more than twenty five percent of the nation's state legislatures may address the issue of employee privacy highlights just how serious the problem has become. Last month Smokers' Advocate reported on a national survey that found almost eighty percent of the more than 1,000 adults in the sample thought their employers had no right inquiring about their personal lifestyles.

Employees and job applicants are increasingly frustrated by employer "nosiness," and are looking to their elected officials to enact legislation to protect personal privacy.

Legislation to remedy "boss busybodies" has been introduced in Alabama, Colorado, Delaware, Illinois, Kentucky, Maryland, Missouri, New Jersey, New York, Oklahoma, Rhode Island, Tennessee, Vermont and Virginia. While no two legislative proposals are identical, all would make it

illegal for an employer to fire or refuse to hire a worker because of legal activity off the job of which the employer may not approve. Such behavior includes certain sports, eating habits, the choice to smoke and a variety of other activities.

The Colorado House of Representatives passed a measure to prohibit employers from preventing workers from engaging in any legal activity after hours. According to The Rocky Mountain News, many legislators felt that if smoking could be banned by employers today, anything someone else found offensive would be fair game tomorrow. House majority leader Chris Paulson said. "Next they will get to jelly doughnuts. Then we'll get to potatoes."

If you believe employers should not be allowed to tell employees how to behave off the job, write your local newspapers and say so. If you need more information on the subject, send us a postcard with the word "privacy" written on it along with your name and address. We will send you information on how you can help protect your right to privacy. □

HOTLINE

Let us know what's happening in your area.
Call the Hotline toll-free weekdays
between 9 a.m. and 5 p.m. EST.

1-800-343-0975

Smokers Pay Their Share

In the State of Texas, tobacco excise taxes take ten times more, as a percentage of income, from residents with incomes below \$9,000 than from those with earnings in excess of \$60,000.



NORTHEAST

New York. Excise tax hikes are only part of Governor Cuomo's anti-tobacco agenda. Backed by a group of antis in the legislature, he'd like to restrict vending machines to tobacco and liquor stores and require state-issued permits, similar to liquor licenses, for the retail sale of cigarettes.

SOUTHWEST

Oklahoma. Smokers won't be stuck with an unfair share of a proposed public defender program. The Oklahoma Bar Association has dropped its plan to ask the legislature for a 50 cent per carton consumer excise tax increase to pay for the program. The Bar Association now recommends funding from existing revenues.

New Mexico. Legislators read more than lips. They read mail, especially from voters. Letters from angry smokers led to the defeat in the House of a proposed cigarette excise tax increase of 60 cents a carton. The margin of victory was decisive: 46-20. Thanks for writing.

SOUTHEAST

Florida. Governor Martinez forgot smokers when he pledged no new taxes. He's after \$1.90 per carton more in cigarette excise taxes to pay for indigent health care, which would bring the total per carton state excise tax to \$4.30. Legislators don't like the tax increase. They say it would cause even more buttlegging from Georgia, where the tax is a lower \$1.20 per carton. But lawmakers need your support to defeat Martinez's new cigarette tax.

South Carolina. The House Ways and Means Committee included a 50 cent per carton cigarette excise tax increase in its omnibus budget bill. Tell your legislators to vote it down when it gets to the House floor.

FAR WEST

Hawaii. Anti-tobacco bills hit the Aloha State! The Senate has a bill that would boost to 50 percent a consumer excise tax that already adds 40 percent to the wholesale cost of tobacco products.

Meanwhile in the House, a bill to raise taxes to a rate necessary to cover the alleged "social costs of smoking," put at \$170 million. That would amount to a state excise tax on cigarettes of \$39.60 per carton.

California. Your tax dollars at work. Those anti-smoking ads that started in March are being paid for by Proposition 99 consumer excise tax revenues. The cost? \$28.6 million of California taxpayers' money. Based on standard media commission structures, at least \$4.3 million of that amount goes to LA ad agency Keye/Donna/Pearlstein.

MIDWEST

Wisconsin. An assembly bill would increase the consumer excise tax on cigarettes by \$1 per carton to finance health care for the uninsured. The old earmarking charade again — making smokers pay an unfair portion of social programs.

Nebraska. Good news. The Legislature rejected a bill to restrict smoking in the workplace, 23-16.

Illinois. After getting a \$1 per carton rise in cigarette excise taxes last year, Governor Thompson is asking for another 80 cents this year to bolster his 1991 budget. A tax-weary legislature would welcome your support in its fight against the new tax.

MOUNTAIN STATES

Montana. It's on again, off again for an initiative calling for a \$2.50 per carton increase in consumer excise taxes on cigarettes. Right now, it's off, but supporters of the tax are working hard to gather enough signatures to get it turned back on. Don't sign their petitions and keep it off!

Keep Amtrak On Track For Smokers' Rights

Now that anti-smoking members of the U.S. Congress have succeeded in banning smoking from just about all domestic airline flights, it appears that the Amtrak rail system will be the anti-smoking next target.

According to a report in The Bergen Record, Senator Frank Lautenberg (D-NJ), a vocal advocate of the airline ban, intends to further his anti-smoking agenda by attacking Amtrak. "I think smoking ought to be done in the privacy of one's home or one's business, where it doesn't affect others," he said.

Amtrak currently maintains a policy that accommodates smoking as well as non-smoking passengers. But some members of Congress, and the anti-smoking interest groups who support them, claim that Amtrak's smoking policy is not working and restrictions should be strengthened. In fact, these individuals would like to see smoking banned



from all public transportation.

These arguments ignore a survey conducted by Amtrak last year which found that 88 percent of Amtrak's non-smoking passengers were pleased with the railroad's policy of accommodating smokers and non-smokers. According to The Wall Street Journal, Amtrak sets aside about 15 to 20 percent of its seats for smokers.

But unless smokers remind Amtrak officials that the accommodations made for smokers are appreciated, the growing pressure on Amtrak officials to reevaluate their smoking policy could result in the elimination of on-board smoking areas.

Smokers who want to let Amtrak know that they support the current policy of smoking and non-smoking sections should call the Smokers' Hotline at 1-800-343-0975. You will be provided with up-to-date information as well as instructions on how to contact Amtrak officials. □

Air Quality Expert Predicts End Of ETS Debate

Smokers who have grown tired of the debate about the alleged effects of environmental tobacco smoke (ETS) on indoor air quality will be relieved to know that the end is in sight. At least according to one air quality expert.

Dr. David A. Weeks, a physician from Boise, Idaho said recently that he expects the controversy to fizzle out within the next few years. "I guarantee you that within five years, environmental tobacco smoke will not even be discussed." Weeks told The Richmond News Leader.

Weeks, who serves as a consultant to the Washington-based Tobacco Institute, said that current scientific research efforts and legislative attempts to regulate indoor air quality are misguided.

"Right now we're spending far too much time, energy and effort on an issue that is social, not health-related."

Weeks said the controversy over environmental tobacco smoke has diverted attention away from finding the real causes of indoor air problems.

"What needs to be studied," Weeks said, "is the effect on the body of all the other toxins found in indoor air." □



Five Bucks, No Butts, No Buts

Executives at U-Haul International want to haul their workers — kicking and screaming — into adopting what they believe is a more “healthful” lifestyle. Beginning this year, U-Haul plans to deduct \$5 every other week from the paychecks of employees who smoke. Employees who are overweight or underweight will also be fined.

According to U-Haul executive vice-president Harry DeShong, the plan will be “an incentive for employees to improve their state of wellness.” Other executives of U-Haul believe that their own newly-acquired “wellness” will prove an example to workers.

Parent company Amerco's Chairman Joe Shoen bragged to workers in a company newspaper that he recently lost 23 pounds. Company treasurer Gary Horton said that a heart attack last year turned him into “sort of a health nut.”

Indeed, the sentiment in the executive boardrooms of U-Haul seems to be that if company bigwigs can't indulge in the pleasures of eating and smoking, no one else should be allowed to either.

DeShong admits not all of U-Haul's employees are grateful for this sudden concern. “We've



had a little dissent from overweight smokers. “People walking around here with too much flab will be chided, but that's a positive thing.” □

Sun And Stars Newest Targets Of Frequent Fliers

During last summer's Congressional debate over airline smoking, supporters of a total ban were quick to cite the alleged effects of tobacco smoke as the cause of all sorts of maladies to non-smokers.

Now recent information suggests that anti-smokers may have been too hasty in pointing the finger at cigarette smoke. A report recently released by the Department of Transportation states that passengers and crew members face risks from increased radiation from the sun and stars.

The report also reaffirmed the central point made by those who argued against restricting airline smoking, that levels of environmental tobacco smoke (ETS) found in non-smoking sections of aircraft are minimal. While this is not new information, it does shed light on the extent to which anti-smoking sentiment was allowed to dominate last summer's debate on airline smoking. □

National Edition

Smokers' Advocate

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