



1833 E. Fourth Street, #238, Santa Ana, CA 92701 • 714/558-8100

TO: Jack Kelly  
Joseph Greer  
Stan Scott  
Art Stevens  
Ernest Pepples ✓  
Gene Ainsworth

FROM: Eileen E. Padberg, Campaign Manager

DATE: 10/10/80

*Rec'd 10/12/80*

**M**

California Against Regulatory Excess, 1833 E. Fourth St. #238, Santa Ana, Ca 92701

11

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CALIFORNIANS AGAINST REGULATORY EXCESS  
LEGAL CLEARANCE REQUEST

Legal Clearance Request No. 74 Draft # 1 Date 10/3/80

Transmitted via: teletype No. of Pages 3  
(exclusive of cover page)

TO:	Date	Time	** CLEARANCE **		
			Date	Time	By
Barry Faden	<u>10-3</u>	<u>3:45</u>	<u>10/8/80</u>	<u>3:20 pm</u>	<u>BF/ep</u>
John Rupp	<u>10-3</u>	<u>Exp MAIL</u>	_____	_____	_____
Bob Northrup	<u>10-3</u>	<u>Exp MAIL</u>	_____	_____	_____
Jack Kelly	<u>10-3</u>	<u>3:10</u>	_____	_____	_____
Stu Spencer	<u>10-3</u>	<u>VIA MAIL</u>	_____	_____	_____
J. McKinstry	<u>10-4</u>	<u>HAND DEL</u>	_____	_____	_____

ITEM TRANSMITTED: Corporations Follow-Up Letter

NEEDED BY: Date: 10/7/80 Time: 3:00 PM pst

DOBBS & NIELSEN RESPONSE TO ROBERT NELSON & ASSOCIATES:

To: \_\_\_\_\_ Transmitted via: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Approved as Submitted     
  Approved with Changes Noted     
  Returned for Resubmittal

COMMENTS:

**M**

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Date

Dear:

Thank you for your quick response to the questionnaire we sent you regarding Proposition 10.

Proposition 10, the measure that would require "no-smoking" sections in virtually every enclosed place of employment including office buildings, factories and employee lounges, is an unnecessary and costly intrusion into the operations of California's businesses.

Your questionnaire indicated that your company would have difficulty with the ramifications of Proposition 10. It is urgent that your company examine the effects Proposition 10 would have in terms of cost, employee morale and customer relations, and endorse **NO ON PROPOSITION 10**.

How could companies be impacted by Proposition 10?

**Reorganization of Work Areas** -- Your company would be responsible for organizing separate "smoking" and "no-smoking" sections resulting in costly and possibly damaging effects to productivity. Consider if it is practical to "section" such areas as:

1. offices
2. secretarial pools
3. production centers
4. cafeterias
5. lounges
6. rooms with fixed equipment

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Page 2

It has been estimated that the cost of purchasing and installing No-Smoking signs in the private sector could run between \$2.6 and \$13.2 million. And what about the costs of moving equipment? Companies may not be able to move equipment to its most productive location. You may be forced to make costly, unwanted and unproductive reorganizations because of Proposition 10.

**Employee Morale** -- Something as simple as taking a cigarette break could become another hassle in the lives of workers. If a State Department of Health Services employee feels a workplace is "impractical" to divide into "smoking" and "no-smoking" sections, the entire work area could become off-limits to smokers--even if nine out of 10 of the workers are smokers!

Proposition 10 may inconvenience workers in reaching designated "smoking areas." Proposition 10 could not only limit where an employee smokes, but where he works, too. An employee may feel that his advancement could be hampered because he smokes. The personal decision of smoking could become a source of conflict between management and employees. Proposition 10 could add a new -- and harmful -- dimension to labor negotiations.

**Customer Relations** -- The real and hidden costs of the Initiative for employers could be enormous. Who would bear these costs? While citizens face a \$15 fine every time they are ticketed by a police officer, employers face even costlier penalties. They can be fined \$15 every day their workplace is not in compliance with bureaucratic standards. In addition the measure allows anyone to make a citizen's arrest, and to use "reasonable force" to restrain a suspected illegal smoker until the police arrive. This is an invitation for violence companies just do not need.

According to the California Manufacturers Association, Proposition 10 would be costly for proprietors, and will create problems for managers who must comply with the confusing provisions of this law. Proposition 10 will create a "managerial nightmare" for California business owners.

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Page 3

Many organizations from business and labor are endorsing **NO ON PROPOSITION 10**. Recent endorsements of NO ON 10 include the California Manufacturers Association, the California Federation of Labor -- AFL-CIO (COPE), the Hotel and Motel Association of California, the National Federation of Independent Business, the Peace Officers Research Association of California (PORAC), the California State Chamber of Commerce, the California Association of Realtors, the Los Angeles Chamber of Commerce, the San Diego Chamber of Commerce, and the Anaheim Chamber of Commerce.

The time to act is now. I am strongly urging that your company adopt a position of **NO ON 10**. Proposition 10 is a costly, misleading and unfair statewide initiative and must be defeated on November 4. I would appreciate if you could take the time to notify us of your endorsement either by letter or by returning the enclosed endorsement postcard as soon as you can. Looking forward to hearing from you soon.

Sincerely,

Robert Monagan, President  
California Manufacturers Association

Enclosures

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