

WORKPLACE SMOKING RESTRICTIONS

Sample Labor Article

All of labor knows these are not good times for negotiations. The bargaining climate is particularly difficult for unions with freezes and givebacks being introduced in many industries.

Making matters worse, some managers are using this uncertain environment to divide rank and file union members in any number of ways.

One such approach involves injecting as many controversial items as possible into the bargaining process.

Workplace smoking restrictions are typical of this management tactic. They seem harmless at first glance, but a closer look shows how management can use such details to block anything resembling a strong, cohesive union.

Once smoking restrictions become a serious bargaining matter union members choose sides.

Not only will the introduction of smoking restrictions divide the workers, it will also greatly expand the arbitrary power of employers. Since the local police are not likely to enforce these nuisance regulations, it is obvious that management will.

Local unions often have to face the problem of supervisors selectively interpreting and enforcing "company policy" and contractual work rules. A smoking restriction policy will appeal to employers interested in harrassing workers they don't like.

Besides, these kinds of restrictions give management another tool to use against union activists--especially if contract negotiations are breaking down and a potential strike threatens both parties.

If these smoking restrictions were put into place, how would arguments over violations and enforcement be resolved? All union members know the answer--the grievance procedure.

The adoption of unnecessary workplace smoking restrictions and other unnecessary workrules will impact on an already overloaded grievance procedure. Management's policing of smoking restrictions will not only increase the number of grievances filed, but will also make it more difficult to

resolve many fundamental workplace problems.

Finally, consider the "fairness" issue. Smoking restrictions in the workplace will undoubtedly create resentment and unfair treatment of certain employees. It's unlikely that businesses will restrict smoking among their managers and highly paid professionals who work in private office settings. Even if the restrictions apply to these employees, they will not be enforced.

Management's eagerness to exploit divisive issues such as smoking restrictions is easy to understand, when we examine the potential effect on the workers - particularly those blue-collar, clerical and technical employees who comprise the labor union membership in most workplaces.