

# U.S. to Propose Smoking Ban at All Work Sites

*Labor Secretary Reich to Unveil Planned Rule Change Today*

By Frank Swoboda  
Washington Post Staff Writer

The Clinton administration will propose a ban on smoking in open areas at every workplace in the nation, Labor Department sources said yesterday.

Labor Secretary Robert B. Reich will hold a news conference this morning to announce proposed regulations under federal occupational safety and health laws that would require all employers either to ban smoking or provide properly ventilated separate smoking areas.

If adopted, the proposal would be the broadest regulation to date dealing with the increasing health problems resulting from so-called second-hand smoke.

Last year, the Environmental Protection Agency released a study showing the dangers of exposure to second-hand smoke, but the Occupational Safety and Health Administration (OSHA) is the only federal agency that has the authority to regulate smoking at work.

Administration sources said that while employers with 10 or fewer workers normally are exempt from OSHA standards, the proposed smoking restrictions would apply to all indoor work sites.

Department officials confirmed that the effort to govern smoking in the workplace would be part of a broader plan to improve the overall quality of air at work sites in response to the so-called "sick building syndrome," which refers to a variety of substances that have made workers ill. Like the smoking standard, the broader proposal would not allow exemptions for the smallest businesses.

Twenty states have adopted regulations governing smoking, but Washington is the only state with a workplace ban in effect, according to the Tobacco Institute.

The District has banned smoking in most work sites except in designated areas, and Maryland is considering tough regulations that would ban smoking almost everywhere, including bars, restaurants and private hot rooms, as well as workplaces. Many communities have banned smoking in public places, but not work sites.

"There's a patchwork quilt of regulatory actions," said Peg Seminario of the AFL-CIO. Although labor applauds efforts to control smoking in the workplace, the union is afraid that the job of regulating smokers will be

See SMOKING, B4, Col. 1

## Ban on Workplace Smoking to Be Proposed

SMOKING, From B1

great that OSHA inspectors will become "cigarette cops" at the expense of other health and safety needs.

Seminario predicted the administration "will take a lot of heat" for its proposal.

The OSHA proposal will be the first step in what could be a lengthy process that has already been more than a year in the making. One of the final acts of former labor secretary Lynn Martin, just days before the Clinton in-

auguration, was to order OSHA to begin the federal rule-making process for possible regulation of workplace smoking.

The Labor Department plans to take a somewhat different regulatory approach to the smoking issue. Rather than asking for comment before drafting the proposed regulations, which is the usual procedure, the department will issue specific regulatory proposals, including various options for dealing with the problem, and then ask for

comment before issuing a final proposal.

It was unclear last night how much time the department thought would be required before final regulations are proposed.

One option included in today's proposal, according to sources, would allow smoking in designated areas rather than simply banning all smoking.

Another option would allow employers to designate areas for smoking, but require them to install a separate ventilation system for those areas.

3/2/5218 18  
Washington Post

2046187592