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Public Smoking Issue

I. Assumptions

A. Recent surveys indicate that most large businesses do not regulate smoking, and ^{most of} those that do regulate do so for safety reasons. However, the public as a whole, the business community, and the news media perceive a growing trend toward workplace restrictions.

B. Through the first six months of 1985, 22 states had considered 38 workplace smoking bills, compared to only 15 states considering 22 bills in 1984. Although only one state has enacted workplace legislation, activity at the local level is increasing; local legislation has a greater likelihood of passage.

C. Most of this legislation has as its basis the perceived health effects of tobacco smoke on the nonsmoker. To date, there has been no attempt to address the broader issue of indoor air quality at the state or local level.

D. There is a potential -- at the state and local level -- to promote voluntary business response in lieu of legislative fiat. Many localities and states are leaning toward legislation calling for voluntary

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implementation of nonspecific policies.

E. Despite the increase in legislative activity, most major corporations appear to be resisting pressure to establish restrictions to satisfy anti-smoker demands. ~~Rather,~~ those businesses that feel they must deal with ^{the question} ~~a~~ ~~problem~~ have done so, ~~for others it's business as usual.~~

F. Pressure will ~~continue to~~ increase on private business to deal with smoking. Increased visibility and publicity will be given companies that restrict or ban. But as most businesses are unwilling to institute a complete ban, they will continue to be receptive to ways to make reasonable accommodation, ~~for both sides.~~

G. The Institute can call upon a number of resources to broaden the issue to the larger question of indoor air quality, and to assist businesses in implementing reasonable accommodation. Yet, most businesses are ^{not yet} ~~unaware~~ of these resources or the Institute's willingness to help.

II. Objective

To discourage legislators, businesses, institutions and public agencies from unfairly discriminating against employees and others who smoke.

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III. Strategies, Goals and Tactics

Strategy I: Move the debate to and position the industry as concerned about the broader issue of indoor air quality.

Goals:

1. Have air quality briefing papers available for use by March 1986.
2. Utilize ACVA expertise to conduct air quality studies in buildings in at least ³⁰~~50~~ cities and/or states considering smoking restrictions by the end of 1986.
3. Conduct at least 35 briefings on the broader issue with officials from labor, industry and trade groups throughout 1986.

Tactics:

1. Continue to ^{support opposition to}~~oppose~~ smoking restriction legislation, emphasizing the need to examine the broader issue of indoor air quality. ^{Provide}~~Utilize~~ scientific

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consultants, economic and demographic arguments, and legal and labor materials ~~for~~ briefings with legislators, other public officials, and private industry.

2. Encourage scientific consultants to prepare and seek publication of issue papers that position smoking as ^{objectively} ~~one~~ ^{one of many} indoor air quality issues. ~~of many~~ ^{and one of many}
3. Privately brief labor and industry personnel on the broader issue, utilizing the issue papers prepared by scientific consultants.
4. Provide funding to enable city/state legislatures to have an air quality study organization such as ACVA analyze the air in a building of their choice.
5. Encourage broader participation by scientific consultants on committees of organizations studying indoor air quality issues.

Strategy II: Work with organizations of human

resource professionals and private industry to increase awareness of the Institute's workplace smoking program.

Goals:

1. To have completed by the end of 1986 at least 120 workplace smoking issue briefings (utilizing at least three Institute briefing teams) in companies identified below.
 - A. Those companies among the Fortune 500, Fortune Service 500 and Inc. 100 which do not now have policies, but which reported in Lew Solmon's 1985 survey that they were considering restrictions.
 - B. Major employers in states and localities in which smoking restriction legislation is under consideration.
 - C. Major employers identified from client lists of Institute consultants and lobbyists.

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D. Member company subsidiary and
supplier lists.

A briefing shall consist of an on-site visit by at least one Institute representative and at least one specialty consultant. The briefing shall include visits with human resource personnel, corporate facility planners, legal personnel ~~and~~ ^{or} other corporate management, will

~~To be complete, each briefing should encompass all facets of the workplace issue, will involve a face-to-face meeting and will include follow-up.~~

2. Make workplace smoking presentations before 20 meetings of professional associations during 1986.
3. Respond -- via letter or telephone call -- to all requests for assistance. Follow up all responses until final disposition is made of the problem.

Tactics:

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1. Have all workplace products listed in "resources" below available for use by January 1, 1986.

2. Organize "teams" of workplace experts to conduct briefings. A team shall consist of one TI employee, plus at least one consultant who will be available to assist corporations with specific problems, or who may serve as back-up to the TI staffer. To accomplish the goal of 120 private briefings by the end of 1986, at least three trained teams will need to be utilized.

3. Introduce new materials by October 1986:
 - a. Response Analysis replication of Minnesota productivity survey, for use by employers.

 - b. "How to" kit to assist human resource personnel in dealing with problem employees and situations, including anecdotes of best-example problem solving by employers.

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4. Select opportunities for briefings as follows:
 - a. From Lew Solmon's survey of the 1100 largest and fastest growing companies, identify those which are considering policies.
 - b. Use the Solmon survey to identify companies in states/cities in which restrictions have been considered.
 - c. Seek client lists from lobbyists and other consultants; seek introductions.
 - d. Seek names of appropriate contacts from among member company subsidiary and supplier lists. Ask human and labor relations personnel from member companies to make the necessary introductions.
 - e. Prepare and implement direct mail promotion to alert human resource professionals to the availability

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of TI assistance.

- f. Follow up on all requests for assistance from companies and individuals considering restrictions.
 - g. As appropriate, field staff and/or TI lobbyists may identify speaking forums.
5. As briefing teams are successful in helping organizations with resolution of problems, incorporate "success stories" into future workplace presentations.

Strategy III: Encourage responsible corporate decision making with regard to workplace smoking restrictions.

Goals: See Strategy II.

Tactics:

- 1. Follow up with field staff on use of voluntary "fair" policies in state and

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local chambers of commerce. Collect copies of all such policies adopted and incorporate into workplace presentation materials.

Compile examples of additional "fair" policies for use in presentations.

2. Aggressively promote implementation of fair policies in areas in which voluntary business response has been encouraged. Aggressive promotion may include briefings by the Institute workplace teams, assistance with printing and promotional materials, provision of consultants.
3. Refer to these "fair" policies as examples of responsible corporate decision making in articles prepared for publication by the Institute or its consultants.
4. Encourage officials of organizations that have adopted such policies to oppose legislated restrictions via testimony and letters to legislators

in states and localities facing
legislation.

5. Institute external relations team will identify opportunities to address organizations of businessmen (Rotary, Kiwanis, etc.) as a part of previously scheduled media relations visits.

6. Where appropriate, Institute spokesmen may assist in implementation of voluntary restaurant programs in states and localities identified by field staff.

Strategy IV: Establish a broader political and professional relationship with organizations and individuals more heavily affected by and/or concerned with restrictions; characterize the issue of lifestyle restrictions as one which diverts attention from issues of greater importance to these populations.

Goals:

1. Obtain statements of opposition to smoking and lifestyle restrictions from

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police and fire unions, Hispanic organizations, veterans' and affirmative action groups.

2. Appear on the programs of at least one conference sponsored by groups in each of the above categories in 1986.
3. Conduct briefings with at least 20 officials from organizations in each of the above categories in 1986. Place the issue in proper context.

Tactics:

1. Commission white papers that describe appropriate organizations' positions toward smoking restrictions.
2. Draft and/or assist appropriate organizations in drafting statements opposing smoking restriction legislation, using the white papers described above as background.
3. Encourage appropriate organizations to publicize these statements in their

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newsletters, in letters to the editor,
and in testimony before legislative
bodies.

4. Maintain and improve relations with organizations such as LULAC, International Union of Police Associations, International Association of Fire Fighters, and American Association of Affirmative Action Officers.

§ 4. Conduct individual briefings on the issue with individuals responsible for planning conferences.

IV. Resources

A. Staff

1. Public Relations: Stuntz, Ross, *Spokesman TBD*
2. State Activities: Appropriate field staff
3. Federal Relations: Wiedemeier

*How can
they
write?
+ 2000*

4. Administration: Information Services and
Production Services departments

B. Consultants

1. Covington & Burling
2. Savarese & Associates
3. Ogilvy & Mather
4. Paul, Hastings, Janofsky & Walker
5. Environetics
6. Sorell Schwartz and other scientific consultants
7. ACVA
8. Response Analysis
9. Lew Solmon
10. Tri-Data
11. Police consultant — ?

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12. Labor relations expert — ?
13. Labor Management Committee
14. Local polling firms
15. Appropriate legislative consultants
16. Local economists
17. Personnel consultants for workplace briefings and to assist in development of "how to" manual described in Strategy II • — ?

C. Materials

1. Backgrounders on air quality and other issues of concern to third parties
2. "Fair" workplace policy and other examples of reasonable policies
3. "Fair" restaurant policy and tent cards
4. "Some Considerations" workplace kit and

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economic, productivity, legal, design,
health and other publications

- 5. Environetics videotape and checklist for designers
- 6. Legal backgrounders and law journal article
- 7. Summaries of economic, voter, police and other surveys and research
- 8. Chase Econometric studies

to be created -
listed in
publications?
?