

**PRO-ACTIVE PROPOSAL  
INDOOR AIR QUALITY**

**MASSACHUSETTS**

**LEGISLATIVE ACTION:** September 27, 1990

**STATE/LOCALITY:** Massachusetts

**ISSUE:** IAQ (Workplace - ASHRAE Standards)

**SUMMARY:** Establish state-wide IAQ standards for workplaces. Potential for preempting anticipated local action on this issue.

**SPONSOR:** Massachusetts State Federation AFL-CIO, supported directly by the Massachusetts State Employees Union, International Brotherhood of Sheetmetal Workers and others (potential sponsors include Rep. Fran Alexander).

**INTRO DATE:** As required by adverse legislation.

**COMMITTEE:** Joint Committee on Commerce and Labor

**LEGISLATIVE STATUS:** 1990 legislation will be amended and approved by the Committee prior to adjournment, with possible House approval during this session. 1991 bill will have to start over in Joint Committee.

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**INDUSTRY ACTION**

The purpose of the legislation is to reduce or eliminate the potential for adoption of a state-wide workplace smoking restriction law. Other potential benefits might include preempting localities from enacting more restrictive ordinances in the future. As with most types of positive legislation introduced in the Northeast, identification of the tobacco industry as the primary sponsor would be of no value to the effort. The plan is to reintroduce the 1990 legislation that is the result of an AFL-CIO resolution. As in previous IAQ legislative activities our role would be supportive, but not overt. The preliminary requirement of the effort is the adoption of appropriate resolutions reiterating support for the legislation by the AFL-CIO during the up-coming legislative convention. This is being prepared through the offices of local labor counsel.

<b>RESOURCES NEEDED</b>	<b>YES/NO</b>	<b>DATE</b>
<b>ECONOMIC ANALYSIS/FACTSHEET?</b>	YES	10/17/90

The industry and its allies need to be able to respond to the various cost-related opposition arguments. A comprehensive analysis of the economic impact of the effects

**TIOR 0019601**

of the proper maintenance of indoor air quality standards must be developed. This analysis should include the cost of proper maintenance and the effects on both worker productivity and health care costs. To provide for maximum opportunity for utilization of this analysis, it should be developed in two forms: (1) for presentation by labor interests; and, (2) for presentation to business interests by the industry and for subsequent presentation by those identified business interests to legislators.

**LEGAL MEMORANDUM?**

YES

10/1/90

Two separate legal analyses are needed to address the different concerns of business and labor. To mitigate anticipated business sector opposition to the proposal, the business memorandum should address (and allay) the potential fear that any positive action taken by business is a suggestion of past errors, thus exposing them to possible employee legal action. The labor memorandum should provide a clear legal analysis of the impact of the proposal on the employee/employer relationship. These analyses should be prepared for ultimate use by business and labor and not by the industry.

**EXPERT WITNESSES?**

YES

4th Qtr 1990  
1st Qtr 1991

NEMI, HBI, and other scientific witnesses for individual and committee presentations will be needed. Ideally, these witnesses will be sponsored by other organizations when they make their presentations. NEMI will present the labor perspective. Other witnesses could be brought in by business interests, including local chambers of commerce. However, if necessary, these other witnesses could be sponsored by the industry and conduct "background briefings" with friendly or moderate legislators.

**COALITION ALLIES?**

YES

4th Qtr 1990  
1st & 2nd Qtrs 1991

If successfully developed, the entire effort will be sponsored by the AFL-CIO. The support of other unions including the SEIU, Sheetmetal Workers and BC&T will be developed. The support of the business community would be ideal, but difficult to develop. At the very least, there is a need to neutralize the largest organizations representing the business community. Help from the resident tobacco industry could be helpful but of limited impact because of its size and political experience.

**TI GRASSROOTS MOBILIZATION?**

YES

1st & 2nd Qtrs 1991  
4th Qtr 1991

It is likely that we will use our resources to mobilize the members of other organizations, including union members and individual local chambers of commerce. Support from the member companies' computer-based grassroots program may be of help, but only if the requests for support come from non-tobacco sources.

**COMPANY RESOURCES?**

YES

4th Qtr 1990  
1st & 2nd Qtrs 1991

Access to member company lobbyists to meet periodically with the TI lobbyist to coordinate the industry's support for the efforts of labor and other allied groups. The industry's lobbying support will be conducted in a very targeted format that reduces the potential for industry exposure on this issue.

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**PUBLIC AFFAIRS/MEDIA RESOURCES? YES**

4th Qtr 1990

1st & 2nd Qtrs 1991

It may be necessary to provide local union officials with local public and media relations assistance in order to encourage their development of a plan regarding media support for their legislative effort. This may include the retention of local public relations counsel, but will initially be limited to the expertise of "in-house" resources.

**ADDITIONAL NEEDS?**

**YES**

4th Qtr 1990

1st & 2nd Qtrs 1991

Labor/management committee presentations on IAQ to selected unions, legislators and media representatives.