

**PRO-ACTIVE PROPOSAL  
DISCRIMINATION**

**MISSISSIPPI**

**CONFIDENTIAL:  
MISSISSIPPI TOBACCO LITIGATION**

**LEGISLATIVE ACTION:** October 3, 1990  
**STATE/LOCALITY:** Mississippi  
**ISSUE:** Anti-discrimination  
**SUMMARY:** Introduce legislation providing for fair and equal treatment of employees who smoke off the job.  
**SPONSOR:** To be determined  
**INTRO DATE:** To be determined  
**COMMITTEE:** To be determined

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**INDUSTRY ACTION** 10/3/90

Several years ago the Mississippi Supreme Court ruled that an employee could be discharged for any reason; this particular case dealt with an employee who was fired for filing a worker's compensation claim. For this reason, the legislature refuses to enact any legislation which would tamper with the "employ at will" statutes. Walmart and other businesses are currently discriminating against smokers in the state of Mississippi.

Our only chance of getting the legislature to enact a bill is to deal only with the issues of punishing employees or refusing to hire persons who smoke at home.

<b>RESOURCES NEEDED</b>	<b>YES/NO</b>	<b>DATE NEEDED</b>
<b>ECONOMIC ANALYSIS/FACTSHEET?</b>	No	
<b>LEGAL MEMORANDUM?</b>	Yes	December, 1990

Legal memoranda will be needed supporting this type of anti-discrimination statute. It should be sensitive to the interests and concerns of those pro-business legislators.

<b>EXPERT WITNESSES?</b>	No	
<b>COALITION ALLIES?</b>	Yes	Ongoing

We will attempt to develop allies among business groups favorable to our industry.

**TI GRASSROOTS MOBILIZATION?**

Yes

January, 1991

Smokers will be mobilized through the consumer lists of the cigarette manufacturers.

**COMPANY RESOURCES?**

Yes

Ongoing

Access to company legislative counsel for periodic meetings with TI counsel to coordinate the industry's support for this legislation.

**PUBLIC AFFAIRS/MEDIA RESOURCES?**

Yes

January, 1991

Develop favorable op-ed pieces by workplace smoking experts.

**ADDITIONAL NEEDS?**

Not at this time

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