

THE TOBACCO INSTITUTE

1875 I STREET, NORTHWEST
WASHINGTON, DC 20006
202/457-4800 • 800/424-9876

~~1 TOM - FYE~~
2 *file*
SAMUEL D. CHILCOTE, JR.
President

February 5, 1987

MEMORANDUM

To: The Executive Committee

From: Samuel D. Chilcote, Jr. *Sam*

Re: GSA Smoking Regulations

Last month, The Institute began to implement a three part plan to deal with the new General Services Administration (GSA) federal workplace smoking regulations.

All of the planned activities are under way. Although this is a difficult situation, we are beginning to see some good results.

By way of a reminder, there were three major strategies:

1. Work with federal unions and agencies as the regulations are put into effect.
2. Persuade Congress that nothing more needs to be done.
3. Demonstrate that federal workers are unhappy with the new regulations.

By way of a report, we have seen the following progress:

Federal Relations staff and consultants are in the process of contacting officials at all federal agencies under GSA's reach (see attachment). This team was briefed in mid-December and has been equipped with materials for use in these sessions.

Reports on each agency contact are being made to me and an in-depth report will be filed this week. A few highlights from contacts to date:

- With reports back from over one half of the agencies, the vast majority report that the agency head is trying to allow smoking in as much area as possible and still comply with the GSA rule.

50661 7049

- The "Workplace Smoking Policy" we have given out has been well received as a document to help in wording policies.

- In one regulatory agency the early draft of the rule obtained before our meeting had smoking banned in private offices. We feel that after the meeting a more reasonable approach will be implemented.

- The meeting at the Department of Defense produced the statement that "...some departments, such as the Department of the Army, have already implemented their policies and that such policies will have to be modified because they are too restrictive and violate fire, safety and other regulations."

- All agencies are being reminded of the need to bargain with their unions and the suggestion that they contact GSA to let them know that the rule will be completed without force from GSA.

- Following our meeting in California with Senator Helms, he sent the enclosed letter to GSA Administrator Terence Golden urging restraint by federal officials. This letter is also going to be given to other administration officials to illustrate the potential for abuse by GSA.

Public Affairs has succeeded in encouraging the American Federation of Government Employees (AFGE) to insist on the collective bargaining provisions of the new regulations.

- AFGE reports that, to date, there have been no negotiations anywhere related to the regulation. It is AFGE's position that until negotiations occur locally, AFGE will vigorously protest any attempt to enforce the GSA rule.

It is also AFGE's position that negotiations must proceed simultaneously with a promised indoor air quality study. So far, GSA has not fulfilled that promise either.

- Additional highlights:

- Our consultants have met with AFGE attorneys who were excluded from the initial discussions with GSA. They have concerns about the GSA regulations and are attempting to persuade AFGE President Kenneth Blalock to reopen discussions with GSA.

February 5, 1987
The Executive Committee
Page Three

- Labor counsel has produced a legal memorandum outlining the negative collective bargaining implications of the GSA rule. That memo, under the signature of Machinist President Bill Winpsinger, will go to the presidents of all public employee unions. This should have a positive effect on the state and local, as well as federal situation.

- The Winpsinger memo will be followed immediately by personal calls to each of the public employee unions. In line with these contacts, AFL-CIO Public Employee Division President John Leyden has agreed to counsel his member unions to insist that GSA adhere to its promises of local negotiations and simultaneous air quality studies.

SDC/msr

Attachments

cc: Senior staff

50661 7051

Agency Contact List for GSA Regulation

(Prioritized)

I. The Departments

- . Agriculture
- . Commerce
- . Defense
- . Education
- . Energy
- . HUD (Housing and Urban Development)
- . Interior
- . Justice
- . Labor
- . State
- . Transportation
- . Treasury

II. Independent Agencies and Regulatory Agencies Employing over 500.

- . EPA (Environmental Protection Agency)
- . Action
- . FED (Federal Reserve Board)
- . GSA (General Services Administration)
- . NASA (National Aeronautics & Space Administration)
- . NSF (National Science Foundation)
- . OPM (Office of Personnel Management)
- . Peace Corps
- . SBA (Small Business Administration)
- . TVA (Tennessee Valley Authority)
- . USIA (United States Information Agency)
- . VA (Veterans Administration)
- . CFTC (Commodity Futures Trading Commission)
- . CPSC (Consumer Product Safety Commission)
- . EEOC (Equal Employment Opportunity Commission)
- . FCC (Federal Communications Commission)
- . FDIC (Federal Deposit Insurance Corp.)
- . FHLBB (Federal Home Loan Bank Board)
- . FTC (Federal Trade Commission)
- . ICC (Interstate Commerce Commission)
- . NLRB (National Labor Relations Board)
- . NRC (Nuclear Regulatory Commission)
- . SEC (Securities and Exchange Commission)

III. Independent and Regulatory Agencies Employing under 500.

- . ACDA (Arms Control and Disarmament Agency)
- . Civil Rights Commission
- . Eximbank
- . Legal Services Corporation
- . FEC (Federal Election Commission)
- . FMC (Federal Maritime Commission)
- . ITC (International Trade Commission)
- . PBGC (Pension Benefit Guaranty Corp.)