

1298T 24/2

Draft 2

COPY FOR INSIDE FRONT COVER OF FOLDER

In the late 1970s, the anti-smokers declared their intention to create a smoke-free world by the year 2000. They would achieve this in a number of ways, most important of which was to make smoking a socially unacceptable habit.

They did not get very far; they called for bans on smoking in public places, but their efforts generally foundered on the rock of commonsense and mutual tolerance which remains the backbone of our free society.

However, armed with their one-sided interpretation of the research done to date on "passive smoking" they have returned to the fray. And they could be coming your way.

They have decided that the workplace - your workplace - is the best ground for the furtherance of their aims. They believe this because the workplace is organised, disciplined and has established channels of communication among large numbers of people. In short, they can make their greatest impact with the minimum of effort by imposing themselves and their highly questionable ideas on you and your employees.

The anti-smokers are trying very hard to create an issue in the workplace which otherwise would not exist, they are doing it for their benefit and not yours.

This pack, we hope, will help you to put into proper perspective what the anti-smokers would have you believe.

2501456293

1056T 24/2

Draft 9, incorporating second round of PRC comments

SMOKING AT WORK

Summary

- o Nine out of ten British companies do not find they need a policy on smoking at work that goes beyond the usual specific restrictions for safety, hygiene or legal reasons.
- o There is no clear consensus of medical opinion on the effects of environmental tobacco smoke on health.
- o Smokers and non-smokers are equally productive, and restrictions on either group may damage morale and be counter-productive.
- o The discomfort and irritation often blamed on tobacco smoke may be caused by "sick building syndrome", a condition now recognised by doctors.
- o Visible smoke is a sure sign that ventilation is inadequate.
- o The majority of Trades Unions advise that discretion be used at each location, taking account of local circumstances.
- o Most problems can be resolved without recourse to hard and fast rules, if employees are encouraged to exercise mutual respect and courtesy.

2501456294

Introduction

Smoking at work is not an issue needing formal regulation by managers in business or the public sector. Demands that they should do so are encouraged by pressure groups, which may attempt to change society "for its own good". Often the aims of these pressure groups overstep commonsense, they seek to impose their "solution" on society, disregarding any other views.

Much is made by anti-smoking pressure groups of the idea that second-hand smoke (or "passive smoke") is harmful. Yet, on the evidence available there appears to be no scientific justification for this. The accompanying booklet "Tobacco Smoke and the Non-Smoker" gives scientific references relevant to the debate. There is no consensus.

Forty per cent of the adult population are smokers (18 million in total). The balance of the population who do not smoke are not necessarily "anti-smokers", most people do not mind whether those around them smoke or not. * It cannot be wise management practice to allow the views of a minority, albeit a vocal one, to override the preferences and freedoms of everyone else.

* NB We should quantify this proportion if possible.

2501456295

Attitudes and Policy in British Industry

Nine out of ten companies do not find a need for a smoking policy that goes beyond the usual, specific restrictions for safety, hygiene or legal reasons. This was the main finding of a survey carried out for the Tobacco Advisory Council amongst the companies of "The Times Top 1000".*

Almost one in five companies had seriously considered the need for a smoking policy. Most of them had rejected it, preferring that any complaints should be settled by employees coming to their own agreements based on common sense and courtesy. In fact, complaints are rare, only 10% of companies receiving them "fairly frequently" or "very frequently". When complaints are made, most companies find that differences are best settled informally between individuals.

*Survey Research Associates Ltd, September 1986.

The Science of Passive Smoking

Anti-smokers want to restrict or ban smoking at work to further their aim of making smoking a socially unacceptable habit. They claim that studies have shown that smoke in the air is a hazard to the health of nonsmokers. In fact there have been very many studies made, and there is no clear consensus view. The booklet "Tobacco Smoke and the Nonsmoker" gives the references of relevant studies up to January 1987 - whatever their findings - and a commentary upon them.

Do smokers cost more to employ?

Those who argue for controls on smoking at work say that smokers are less productive: that they produce less, have higher absenteeism and cost more in insurance than their non-smoking colleagues. These assertions conflict with the opinions of the personnel managers of "The Times Top 1000" companies.

About one half of all companies believe that a ban on smoking would not improve productivity, and over one third believe that such a ban would actually decrease it. Virtually none (only two out of the 454 surveyed) have introduced a smoking policy in an attempt to improve productivity.

This balance of opinion may be because morale is a significant factor in productivity, and two thirds of personnel managers thought that morale would be decreased if a ban on smoking was introduced.

This may be a reflection of the generally high level of satisfaction with current arrangements, with smoking restricted only when appropriate (near food, sensitive equipment or dangerous chemicals, for example). Over two thirds of employees, whether managerial, clerical or manual workers are thought to be happy with the current level of restriction. Amongst the higher grades, a minority would like additional rules, but the manual workers would actually prefer fewer.

2501456297

In those companies with Trade Union representation in areas where smoking is controlled, 90% of them want no change in the degree of control.

To compromise or not?

While there are no unequivocal scientific or economic reasons to justify smoking bans or restrictions, there is still a potential difference between those who smoke and those who do not like other people's smoke. Both may press for their own "right" and finding an acceptable compromise may be difficult.

But for years opposing views at work have been sorted out by sensible thoughtfulness between colleagues. People simply get on with each other and make allowances for each other's behaviour. There was not, until recently, any thought for enforced segregation or bans: the ground rule then, as now, is that neither group has any absolute right to dictate to the other. We do not generally have segregation or restrictions for other personal habits.

There is increasing pressure from anti-smoking groups to drive a wedge between smokers and nonsmokers. But should this be a management issue? Surely not. The best approach must be to go on encouraging smoking and nonsmoking employees to resolve any problems as informally and effectively as possible, without unnecessary rules or restrictions. Additionally, management should look at the quality of the workplace itself.

The building may be sick

Some medical experts lay a lot of the blame for an irritating atmosphere on "Building Illness" or the "Sick Building Syndrome".

Evidence has been mounting for many years on the as yet unexplained effects on office workers of building illness. Symptoms can range from general tiredness to headaches, sore eyes, blocked noses and sore throats to, in some cases, chest trouble. They are thought to be worse in air conditioned buildings or where it is impossible to open the windows.

The quality of the air indoors is obviously the major factor for those annoyed by smoke. However, visible smoke is only one of many atmospheric contaminants - any one of which may be the annoying factor. Under certain circumstances, for example, traffic fumes may be more of a problem. Research into ambient air quality has shown that microbes (fungal spores and bacteria), chemicals (ozone - from copiers - and formaldehyde), solvents and irritants such as fibreglass are all commonplace. Better ventilation will remove all of these, along with the visible smoke, and improve general working conditions.

An alternative is to have smoking and nonsmoking areas, or limit smoking to various times.

Imposing restrictions can be difficult, as one group may feel that it has been discriminated against. Typically, payrolls with a greater proportion of manual workers include more smokers than workforces where clerical workers predominate.

There are some circumstances where restrictions on smoking are accepted as justified without grievance. Smoking is prohibited by law in food preparation areas and near stores of flammable chemicals. Many companies also limit smoking in the vicinity of sensitive equipment or computers.

A formal or an informal approach

In some companies codes of conduct and management procedures, perhaps from negotiation with employee representatives, are most appropriate, because other aspects of working life are also regulated: standards of dress or safety practices.

However, company rules on smoking may be seen by one or other group as unfair or discriminatory, and an unwelcome example of management interference. Institutionalised codes may give useful guidance on smoking at work, but this is a complex and often difficult issue to resolve fairly so it may escalate out of proportion. A better answer is mutual respect, tolerance and understanding.

For most companies, there is not a smoking "problem" - nor is one likely to come into being.

In the few others, the informal approach - with differences handled at the lowest appropriate level of management - allows for individual attention and effective answers while avoiding major management policy steps.

An alternative strategy would be to have company guidelines, set after consultation with all concerned to take account of all interests - including those of the company itself. The rights of both smokers and nonsmokers must be accommodated to ensure a productive and co-operative working environment.

Conclusion

Smoking at work should not become an issue. Mutual courtesy and commonsense have long been the best approach to solving the occasional difference of opinion between smoking and nonsmoking employees.

Obviously, whatever a company's choice, it should be one that is in the best interests of the organisation as a whole - one that promotes a productive and happy working environment. But above all, it should recognise and respect the wishes of all employees - both smokers and nonsmokers alike.

2501456301

1113T 24/2

Draft 6

SMOKING AT WORK

COPY FOR FACT SHEET ON RESEARCH RESULTS

In mid 1986, a questionnaire was sent to the Personnel Directors of The Times Top Thousand companies, asking them for their opinions about smoking in their workplace, and about any policies that may be in operation in their companies. Over 450 companies replied to the questionnaire, a response rate of 45%, which is sufficient for a representative sample. This fact sheet presents the results of that research together with other information about smoking at work.

Smoking Statistics

The enjoyment of tobacco products is widespread; about 40% of adults smoke. The majority - 15.4 SUBJECT TO CONFIRMATION million out of a total of 18 million - smoke manufactured cigarettes. The others smoke cigars, pipes and hand-rolled cigarettes.

Manual workers are 50% more likely to smoke than managers. This means that a restrictive smoking policy will bear more heavily upon the shop floor, for example, than in managers' offices, where there is anyway often more freedom to exercise personal choice.

The proportion of smokers in each category is different too, and suggests that restrictions could be considered discriminatory.

NUMBERS OF SMOKERS

SUBJECT TO CONFIRMATION

<u>Socio-economic Group</u>		<u>No. of cigarette smokers</u>	<u>Propn. in each group who smoke cigarettes</u>
		millions	%
AB	Management	1.8	23
C1	Clerical	3.0	30
C2	Skilled manual	4.7	37
DE	Manual & unemployed	5.4	36

Source: Industry statistics or OPCS

2501456302

Attitudes and Policy in British Industry

Nine out of ten companies do not find a need for a smoking policy that goes beyond the usual, specific restrictions for safety, hygiene or legal reasons. This was the main finding of the survey carried out for the Tobacco Advisory Council amongst the companies of the "Times Top 1000".

Of the few companies that do have a general policy, most are quite large, with over 500 employees.

GENERAL SMOKING POLICIES IN BRITISH INDUSTRY

Proportion of companies reporting any policy

No general 91%
restrictions

Policy in place 8%

No response 1%

Source: SRA *

SRA Survey Research Associates surveyed the companies of The Times Top Thousand by postal questionnaire, Senior personnel managers from 454 companies responded.

2501456303

Almost one in five companies (17% of those who do not have a general policy) had given some thought to introducing a general smoking policy. Most of them gave the subject serious consideration (61%), but rejected the option as unnecessary, preferring that any complaints should be settled by employees coming to their own agreements based on common sense and courtesy.

REASONS FOR REJECTING A GENERAL SMOKING POLICY?

Proportion of managers giving each reason
(Multiple answers given)

Not necessary, individuals settle their own differences
53% .

Not necessary, no complaints
31% .

Would not be well accepted
23% .

No other answer received a response from more than 10% of managers.

Source: SRA. Sample base 414 companies without a general smoking policy.

2501456304

Attitudes of Workforce and Trade Unions

A separate telephone survey revealed that the majority of Trade Unions do not have a formal position on smoking at work, other than in relation to the normal restrictions. They prefer that local negotiation between individuals should settle any problems that may arise.

Formal policies require that grievance and disciplinary procedures be used, and these mechanisms are more appropriately reserved for more serious matters.

There is a generally high level of satisfaction amongst the workforce with current arrangements with smoking regulated only in defined circumstances. Managers consider that over two-thirds of employees in managerial, clerical and manual grades are happy with present practice. Amongst office workers, a minority would like additional rules (smoking is less common amongst managers), but manual workers would actually prefer fewer.

EMPLOYEE ATTITUDES TO RESTRICTIONS ON SMOKING

	<u>More Rules</u>	<u>Satisfied</u>	<u>Fewer Rules</u>
Managers	24	76	1
Clerical	30	69	2
Manual	2	86	12

Source: SRA Sample base 386 companies with areas where smoking is restricted.

In those companies with Trade Union representation in areas where smoking is controlled, 90% of them want no change in the degree of control.

Specific Regulations

Many companies have some degree of regulation of smoking. Just over half of all companies prevent some employees from smoking while working, and 85% have designated areas where smoking is limited or banned. These restrictions occur more frequently in manufacturing and engineering companies than in service organisations. This is hardly surprising, since the main reasons are hygiene, safety and law.

2501456306

REASONS FOR RESTRICTING SMOKING IN SPECIFIC AREAS
Proportion of managers naming any reason for restrictions

SENSITIVE CHEMICALS

Hygiene	13
Safety	56
Law	30
Other	3

SENSITIVE SUPPLIES

Hygiene	11
Safety	42
Law	18
Other	6

COMPUTERS

Hygiene	3
Safety	40
Law	6
Other	30

OTHER SENSITIVE EQUIPMENT

Hygiene	3
Safety	25
Law	6
Other	8

GARAGE AREA

Hygiene	6
Safety	46
Law	16
Other	3

FOOD PROCESSING AREAS

Hygiene	57
Safety	32
Law	36
Other	5

EATING AREAS

Hygiene	25
Safety	5
Law	3
Other	11

LIFTS

Hygiene	7
Safety	18
Law	2
Other	5

Source: SRA Sample base 386 companies with any form of restriction on smoking.

SEPARATION POLICIES

A few companies (8%) have some arrangements to separate smokers and non-smokers in the workplace. Interestingly, the managers who have opted for separation have to deal more frequently with complaints about smoking than those who have no such arrangements.

COMPANIES SEPARATING SMOKERS AND NON-SMOKERS

<u>No separation</u>	<u>Some separation</u>	<u>Total separation</u>
415 companies	37 companies	1 company
91%	8%	negligible

Source: SRA

Where there is separation of smokers and non-smokers, complaints are almost twice as likely. The separation may be optional or mandatory. A quarter of those companies reporting any degree of separation of non-smokers from smokers make this mandatory.

Management of Complaints

Smoking is not a substantial source of complaints to management, almost half (46%) of the companies responding do not report any. Of those who do receive complaints, 81% report them as "not very frequently" or "hardly ever". In contrast, only 1% of all companies report complaints as "very frequent".

2501456308

FREQUENCY OF COMPLAINTS

Number of companies and percentage of total

<u>Never</u>	<u>Hardly ever</u>	<u>Not very frequently</u>	<u>Fairly frequently</u>	<u>Very frequently</u>
209	46	152	41	6
46%	10%	33%	9%	1%

MANAGEMENT OF COMPLAINTS

Number of companies and percentage of total

<u>Deal with it at personal level</u>	<u>Improve ventilation</u>	<u>Change offices</u>	<u>No smoking areas</u>
208	65	19	10
85%	27%	8%	4%

Source: SRA

The option of changing working area is used more often by companies reporting frequent complaints, as is introducing no smoking areas.

1265T 24/2

Draft 2

SMOKING AT WORK

REGULATIONS GOVERNING SMOKING IN THE WORKPLACE

Introduction

There is no general legislation covering smoking in the workplace. Where there are regulations, they fall into one of three broad categories:

controlling smoking -

because of fire or explosion hazard,
to protect employees working with toxic substances (in which
case eating and drinking on the job are also prohibited) and
to prevent contamination of products, usually food.

Specific Legislation

The two most well known Statutes regulating an employees working environment are the Factories Acts, and the Health and Safety at Work Act, 1974. These are the enabling Acts for a number of regulations, most of which affect specific industries. The requirements of the regulations vary, some define specific areas where smoking is not permitted because of the presence of highly flammable materials, such as celluloid, others require that tobacco be kept out of designated areas (the Horsehair Regulations, 1907 is one of these) and some require that warning notices be displayed. Generally, the regulations put duties onto both employer and employee.

These regulations are enforced in factories by the Health and Safety Executive, and where they are applicable in offices, shops and other premises by the local authority.

The mining industry has special legislation covering smoking. The Mines and Quarries Act, 1954 defines very rigorous restrictions on smoking, smoking materials and the possession of lighters, matches etc.

2501456310

REGULATIONS IN FORCE UNDER THE FACTORIES ACTS
OR THE HEALTH AND SAFETY AT WORK ACT 1974

RELATING TO FIRE HAZARD OR EXPLOSION RISK

	<u>Regulation number</u>
The Celluloid Regulations, 1921	6, 12
The Chemical Works Regulations, 1922	4(d), 17.2(e)
The Manufacturing of Cinematograph Film Regulations, 1928	10(a)(b), 15
The Cinematograph Film Stripping Regulations, 1939	13(a)(b), 19
The Magnesium (Grinding of Castings and Other Articles) Special Regulations, 1946	13, 14, 15
The Factories (Testing of Aircraft Engines and Accessories) Special Regulations, 1952	20.1, 20.2
The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations, 1972	14.1, 14.2

RELATING TO INHALING OR INGESTING DANGEROUS SUBSTANCES

The Horsehair Regulations, 1907	13, 15
The Pottery (Health and Welfare) Special Regulations, 1950	14(3)
The Control of Lead Regulations, 1980	10.1, 10.2
The Ionising Radiations Regulations, 1985	6.6

2501456311

Other Legislation Relating to Fire and Explosion Hazards

Whilst perhaps not quite so well known, the Petroleum Consolidation Act, 1928 and the Fire Precautions Act, 1971 are also important in controlling the working environment. Both Acts are enforced by the local fire authority. Fire officers can inspect and license premises, and may require restrictions of smoking in areas where there is some special fire risk, or where products such as petrol are stored or dispensed.

Smoking and Food Hygiene

Other legislation that applies to a wide variety of employers is the Food and Drugs Act, 1955. The Food Hygiene (General) Regulations, 1970 concern smoking and food handling, requiring those working with food, or where there is uncovered food, to refrain from smoking. The regulations apply as much in a small office canteen as in a large food factory, and are enforced by the Environmental Health Officers of the local authority.

Special Labelling Regulations

The Classification, Packaging and Labelling of Dangerous Substances Regulations, 1984 - produced in response to legislation issuing from the EEC - refers to smoking in the workplace in a rather different way. The regulation defines an "approved list" of intrinsically hazardous substances which must carry labels. The safety phrases specified for the labels include:

"Keep away from sources of ignition - No Smoking"

(mainly for highly flammable liquids)

"When using, do not smoke"

(mainly for toxic substances)

2501456312

Further information

While every effort has been made to collate all relevant legislation, the information given here is not necessarily exhaustive. The Health and Safety Executive, the local Fire Authority and the Environmental Health Department should all be able to help.

Local addresses are given in the telephone directory. The Health and Safety Executive has a regional structure, the enquiries office at the Headquarters will be able to direct requests for information to the correct department in the appropriate area.

Health and Safety Executive
Headquarters
Saint Hugh's House
Stanley Precinct
Bootle L20 3QZ
Merseyside

Telephone 051 951 4000

2501456313

1238T 24/2

Draft 4

SMOKING AT WORK

COPY FOR BACK COVER OF FOLDER

The Tobacco Advisory Council is the trade association of companies manufacturing tobacco products in the UK. Its members are the major manufacturers: BAT, Gallaher, Imperial Tobacco, Philip Morris and Rothmans, and smaller businesses, predominantly making pipe tobaccos and snuff.

A prime function of the TAC is to provide information to government, the media and the general public on subjects relating to tobacco and the tobacco industry. It does not act in the commercial sphere, neither promoting any particular product nor negotiating trading terms.

The Council plays a major role on behalf of its members in discussions with Government on such matters as tobacco taxation and voluntary agreements concerning the marketing of tobacco products.

The Council's other functions include coordinating arrangements for the security of tobacco products in transit, where they represent a multi-million pound opportunity for thieves. There is also an authoritative technical library for use by members, supplying information to researchers across the world.

2501456314