

**MEMORANDUM**

September 12, 1988

To: Samuel D. Chilcote, Jr.  
From: Walter N. Woodson *W*  
Subject: Washington State - Labor

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We have been working closely for more than two years with labor officials in Washington on the issues of workplace smoking, collective bargaining and indoor air quality. Union officials there have been unyielding in their objections to smoking restrictions mandated without collective bargaining agreements.

Union leaders have fought such moves at the local level for some time. With the governor's new proposal to ban smoking in all state-owned office buildings, union leaders have become even more entrenched in their opposition to unnegotiated smoking bans.

What follows is a review of recent events in Washington. On September 1, 1988, the Washington Federation of State Employees, AFL-CIO, argued in Thurston County Superior Court that a smoking ban similar to the governor's proposal (issued by the Department of Social Health Services) should not be implemented without union approval. This ban is scheduled to go into effect in Social Health Services offices before the governor's call for no-smoking on January 1, 1989.

While the judge did not grant a temporary restraining order for employees in the Social Health Services, the Department of Social Health Services agreed to delay implementation of any ban until after a preliminary injunction hearing scheduled for October 3. At that time the union will argue its right to negotiate employee rules, such as smoking, with management.

Should the unions receive a favorable ruling at that time, it will send a strong message to the governor as he contemplates his total state building smoking ban.

Throughout this process, Paul Jacobson and Bill Fritz have been in close touch with union leaders, offering advice and TI resources as necessary. Union leaders have asked that we remain in the background so as not to call adverse attention to what they view as a serious issue of collective bargaining.

However, Ray Greeley of the Federation of State Employees is aware of our legal resources, and will request assistance in preparing for the October 3 court appearance. Greeley and the Federation have spearheaded efforts for the Social Health Services employees. Jacobson and Fritz believe this issue has become one of labor's most serious concerns in Washington.

In other words, this case against the Department of Social Health Services is central to our chances of success against the broader no-smoking mandate by the governor.

In a more general sense, we have supplied much in the way of indoor air quality information to these and other labor leaders in Washington this year. Tommy Donahue of the Labor Management Committee and Jack Peterson, an ETS specialist, briefed union leaders on indoor air quality and the role, or lack thereof, of ETS.

Further, ACVA has just completed an indoor air quality study of three state buildings (the state capitol and transportation and administration buildings). Washington officials were so impressed that they've contracted with ACVA on their own to inspect additional state buildings.

I will keep you up to date as events unfold.

Attachment

cc: Bill Cannell  
Paul Jacobson