

Chen

August 27, 1987

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MEMORANDUM

To: Peter Sparber

From: Susan Stuntz *JS*

Re: Fallout from GSA Smoking Regulations

The first of what may be many department or agency-wide smoking bans was announced yesterday by the Department of Health and Human Services at, of all places, a mediation/arbitration hearing scheduled to settle a grievance filed by the American Federation of Government Employees over the less onerous GSA smoking regulation.

Two days ago, an AFGE local bargaining unit asked for and received Labor Management Committee help in preparing for a hearing on behalf of HHS employees stationed at the Parklawn Building in Rockville. Tom Donahue Jr. and Simon Turner of ACVA attended yesterday's session, at AFGE request. Before the hearing had a chance to begin, however, management announced that any hearing would be a waste of time. Announcing that the "national consultation process on the smoking issue" had been completed, HHS declared a total ban on smoking at all HHS owned and leased facilities. Although the ban is effective immediately in most areas, a six-month phase-in period is allowed in certain circumstances.

Federal employee unions, as we have noted previously, have few collective bargaining rights. AFGE has said it will file an unfair labor practice charge against HHS -- we will of course continue to provide any assistance we can. HHS has promised a star-filled hearing on the claimed health hazards of ETS. We'll provide rebuttal witnesses to the extent we can.

This marks the third arbitration to which the Labor Management Committee has provided support -- legal and expert witnesses -- in the last three weeks. The first, of course, was to nine unions in Anchorage. Last week, Communications Workers of America asked for our help in opposing Michigan Bell's smoking ban. As additional federal agencies -- having met their consultation requirements -- and private businesses opt to impose smoking bans without meeting their duty to bargain with the union, we can expect many more. These will tax our

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Attached for your information is the HHS smoking ban.
By copy of this memo I've asked Rita Walters for an
update on smoking policy activity at other agencies.

Attachment

cc: Rita Walters

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