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FT. LAUDERDALE METROPOLITAN AREA

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## Smoker hiring ban bill an overkill

**W**hile smoking is a severe health hazard to smokers and nonsmokers alike, government efforts to ban tobacco use sometimes can be carried to extremes.

Such is the case with a bill before the Florida Legislature to block fire departments from hiring new employees who smoke. The bill should be defeated as a case of discriminatory governmental overkill.

The bill, sponsored by Rep. Bob Shelley, R-Pompano Beach, and Sen. Jeanne Malchon, D-St. Petersburg, would make it a job requirement that newly hired firefighters "be a nonuser of tobacco products for at least one year prior to initial employment, as evidenced by an affidavit under oath." It would exempt firefighters already employed.

Surprisingly, the Professional Firefighters of Florida union is supporting this measure, ignoring its Big Brother-style intrusion into individual freedom and privacy. Another supporter is State Treasurer/Insurance Commissioner Tom Gallagher, who also is the state fire marshal.

There is no doubt that tobacco use poses severe risks, especially to firefighters, whose jobs place severe stresses on their hearts and lungs, which can be damaged by smoking.

Exposure to smoke and toxic chemicals from fires, coupled with heavy job stress, makes them prime candidates for heart attacks. Smoking only exacerbates that risk, according to cardiologists. National statistics show that offirefighter deaths in the line of duty, 32 percent are caused by heart attacks, eight times the percentage caused by burns.

Nor is there any doubt that tobacco use by public employees raises costs to taxpayers for health insurance benefits.

Nevertheless, tobacco, while offensive to many nonsmokers and a serious threat to health and life, is still a legal product in America. For any employer to forbid its workers from using a legal product in their private lives is a noxious violation of people's liberties.

It is legitimate for fire departments — or any other government agency or private business — to restrict or even ban on-the-job smoking by employees, because of the health and fire hazards.

It is legitimate for fire departments to refuse to hire people due to smoking-related ailments that interfere with job performance.

It is also legitimate for employers to make employees who do smoke pay higher premiums for company health insurance.

But it is not legitimate for any employer to ban *off-the-job* smoking by its employees.

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