

D R A F T

Letter to Members of Congress who attended part of the 1991
Legislative Conference

Dear

:

Thank you for attending The Tobacco Institute's 1991 legislative conference in La Quinta, California. I know that yours was a difficult decision to make, given the rapidly unfolding events in the Middle East. Please be assured that I very much appreciate your efforts in making our abbreviated program a successful one.

Because your stay was cut short, please accept with my compliments the enclosed gifts that we gave to the guests who were with us at La Quinta.

Sincerely,

Samuel D. Chilcote, Jr.

Enclosures

OK re

~~David Dreier~~

~~Bob Carr~~

~~Charlie Stenholm~~

~~Jim Chapman~~

~~H. I. Callahan~~

~~Tom Delay~~

~~Rick Boucher~~

~~Martin Lancaster~~

D R A F T

Letter to conferees who attended all of the 1991 TI Legislative Conference:

Dear :

Thank you for attending The Tobacco Institute's 1991 legislative conference in La Quinta, California. Although events in the Middle East required a number of changes in our plans, I hope that you found the scheduled events and your stay both informative and enjoyable.

I especially appreciate your understanding and your patience in helping us to make the abbreviated program a successful one. I know you join me in hoping for a rapid conclusion to the conflict in the Gulf.

Sincerely,

Samuel D. Chilcote, Jr.

A handwritten signature in black ink, appearing to be 'SDC', with a long horizontal line extending to the right.

Preston Baldwin
U. S. Tobacco Company, 100 West Putnam Ave., Greenwich, CT 06830

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National Association of Tobacco Distributors - 1199 North Fairfax St.,
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Jacqueline Cohen, Legislative Director
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Bill Condon
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correct → DIBRELL

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VI. INDOOR AIR QUALITY AND ORGANIZED LABOR

Outreach to Organized Labor
A. ~~Labor Presentations~~ Representatives of the Tobacco Industry Labor Management Committee (LMC) conduct indoor air quality presentations before labor groups around the country, targeting states where the industry faces smoking restriction legislation. These presentations often result in the passage of labor resolutions in opposition to workplace smoking restrictions and in support of improved ventilation to clean up the workplace. In Oregon last November, organized labor's opposition was critical in the defeat of ballot measure 6, the statewide smoking ban. In Massachusetts this year, labor introduced an indoor air quality bill advantageous to tobacco. The Service Employees International Union (SEIU) has been very aggressive in New England, pressing the Massachusetts state government to improve indoor air quality in state buildings. The LMC provided a grant to SEIU for a building air quality study by ~~SEIU~~. SEIU will use the study to continue to press for clean indoor air rather than smoking bans.

*From
Rebecca's
file.*

In Washington, D.C. last spring, federal workers formed the Safe Workplace Air Coalition (SWAC) and held a conference to publicize the results of its indoor air quality survey, ~~that~~ *which* demonstrated that GSA smoking bans had not cleaned up the air in federal buildings. SWAC's leader has become a strong ally, whose recent testimony on a federal indoor air bill introduced by Senate Majority Leader Mitchell was supportive of tobacco's position. In addition, SWAC and the LMC unions persuaded the AFL-CIO to develop a formal position on the Mitchell bill that is supportive. ~~of our position.~~

We are also undertaking ~~additional~~ activities to attract the interest of labor groups representing white and pink collar workers by characterizing indoor air quality as a key office -- as opposed to industrial -- workplace health issue. The Coalition of Labor Union Women (CLUW) has agreed to sponsor a monograph on workplace health issues, including indoor air quality, of concern to working women.* We will assist CLUW in publicizing the monograph and in developing a series of fact sheets based on it.

Labor Mangement Committee

Status: ~~LMC~~ representatives conduct presentations and work with national, state and local labor groups on an ongoing basis. The LMC has provided grants to SWAC for building air quality investigations at HUD and the U.S. Information Agency. We are ~~also~~ assisting SWAC in the development of indoor air legislation that will be introduced, perhaps as early as next month, in the D.C. City Council. We will continue to support SWAC and assist in the promotion of its efforts.

With respect to CLUW, We are preparing an outline of the *monograph*
~~book~~ for discussion with CLUW. Research and writing should
be underway in November, and the monograph should be
completed by early next year. *see journal*

B. National Energy Management Institute (NEMI). NEMI's
indoor air program is the focal point of the ~~LMC's~~ *Lab* *management Committee's*
institutional support of labor. Established by the
unionized sheet metal industry, NEMI's indoor air quality
program is designed to raise the sheet metal industry's
awareness of indoor air pollution as a common problem and
potential marketing opportunity. For the Sheet Metal
Workers International Association, indoor air quality is
primarily a "jobs" issue. This year, a NEMI representative
testified before Congress and the Massachusetts legislature
on indoor air quality bills of interest to tobacco. LMC
representatives also assist NEMI in the production of its
quarterly newsletter and other communications material.

with Union Committee
Status: Through the ~~LMC~~, TI recently agreed to support an
extensive 18-month program to train unionized sheet metal
contractors and workers to diagnose and treat sick
buildings. This effort should result in well-educated
experts throughout the country with a vested interest in the
promotion of indoor air quality legislation. Training
sessions are scheduled for Chicago and Boston in November.
Preparations are underway for training additional
instructors and scheduling 30 training sessions in 1990.
The goal is to train 200 contractors and 400 technicians.
The training sessions will be coordinated with NEMI's six
regional offices and TI field staff. Early next year, NEMI
will also begin to develop marketing and government
relations materials to promote indoor air quality issues,
NEMI's expertise in the field and the NEMI training program.

VII. WORKPLACE ASSISTANCE PROGRAMS

A. Corporate Assistance. While we do not encourage *to provide assistance*
employers to develop workplace smoking policies, we ~~advise~~ *to*
employers who are doing so in response to legislation or in
response to a management initiative. We promote our
expertise and availability to employers through ~~large but~~
targeted mailings of a brochure, "Workplace Smoking: A
Resource Guide." We follow up with interested employers by
providing written materials on ETS and indoor air quality
issues, legal issues and management issues. We also discuss
these issues with employers and offer to make on-site
presentations. In addition, we produce and distribute
employers' guides to smoking in the workplace sponsored by

state and local business groups (without tobacco's fingerprints). These guides advise employers how to comply with smoking restriction laws, or serve to preempt legislation by demonstrating that the employer community is addressing the issue.

Status: We have advised more than 3,000 employers since the program began in 1984. This year we have completed resource guide mailings in Illinois, Indiana, Michigan, Ohio, and Louisiana. We are scheduled to complete mailings in Massachusetts, Oregon, and Idaho by the end of the year. We will develop a schedule for 1990 by the end of January. With respect to employers' guides, this year we have produced brochures in Massachusetts, Maine, New Hampshire, Kentucky and New York. A guide for Idaho employers is in development and should be completed by December 1. Future guides will be developed as appropriate.

B. Legal Issues. There is much confusion among employers about their legal liability regarding smoking in the workplace. Legal consultants have published articles on the subject that have appeared in the Employee Relations Law Journal, the California Western Law Review, Commerce Clearing House's Labor Law Journal, and the Campbell Law Review. We distribute these articles to interested employers. Legal consultants also testify when appropriate, conduct briefings before legislators and business, legal and other organizations, and conduct media tours.

Status: ^{articles} Law review articles were published in 1989, and no ~~additional publications~~ ^{new} are anticipated in 1990. Witness appearances have been few, and none are scheduled. Briefings have been conducted in five states this year. Additional briefings have been scheduled for Idaho in November, Minnesota in December and New Hampshire in January. A schedule for the remainder of 1990 will be completed in January. Media activity has ~~tracked~~ ^{coincided with} the briefings and will continue to do so.

C. Smoker Assistance. We attempt to help smokers in two ways. ^{this year} ~~Beginning in 1989~~, we ^{began to press} ~~have pressed~~ for laws to protect smokers from employment discrimination. Bills have been introduced in 18 states and protections have been enacted in Nevada and Virginia. Beyond the legislative activity, we provide materials, including a brochure developed this year entitled "Smokers' Rights in the Workplace: An Employee Guide," ^{to} smokers facing restrictive policies in their workplaces. ~~many of whom~~ ^{many of whom} refer many smokers to us. Legal counsel also reviews ~~smokers' grievances on a case-by-case basis~~ ^{complaint} to determine whether legal action is warranted and appropriate.

Status: Legislative strategies for 1990 are being developed and should be completed early next year. Direct assistance to smokers is ongoing.

D. Collective Bargaining. Through ~~the Tobacco Industry Labor Management Committee (LMC)~~, TI helps union members protect their right to smoke on the job ~~via the collective bargaining process~~. Courts have ruled -- notably in Seattle and Washington, D.C. this year -- that workplace smoking is a condition of employment governed by work rules. Employers whose workers are covered by collective bargaining agreements must negotiate workplace smoking policies with the unions. LMC representatives brief labor groups on this subject and provide materials and advice. LMC legal counsel also assists unions in filing grievances and preparing for arbitration proceedings on the issue.

Status: This program is ongoing. ^{Leg. Man. Committee} ~~LMC~~ representatives are currently assisting unions representing workers at General Dynamics in Fort Worth, Texas, and at Amtrak headquarters in Washington, D.C.

VIII. SMOKERS AS CUSTOMERS

This program is designed to make the hospitality industry -- hotels and restaurants -- sensitive to the preferences of their smoking patrons. Our principal activity at this time is to exhibit and distribute our materials, particularly our brochure entitled "Open Door to Hospitality: Accommodating Smokers and Nonsmokers," at hospitality conventions.

Status: This program is ongoing. In the first quarter of 1990, we will complete new research on smoking and the hospitality industry and develop a list of key contacts in major hospitality companies. In the second quarter, we will produce an updated brochure and promote it to the hospitality industry.