10 REASONS WHY CALIFORNIA NEEDS TO CLOSE THE EXEMPTIONS AND LOOPHOLES IN THE STATE'S SMOKE-FREE WORKPLACE LAW

1. California Has Fallen Behind.

Once the nation's leader in protecting workers from the toxic effects of secondhand smoke, California has fallen behind the national standard set by the Centers for Disease Control and Prevention (CDC). California is not considered a 100% smoke-free state by the CDC. Meanwhile, 24 other states and the District of Columbia provide greater secondhand smoke protection in the workplace than California.

2. Too Many California Workers Are Still Exposed to Secondhand Smoke.

Secondhand smoke contains toxic, cancer-causing chemicals. Repeated exposure can kill you even if you don't smoke. Yet California's Smoke-Free Workplace law (Labor Code Section 6404.5) currently ALLOWS smoking under certain conditions in hotel lobbies, hotel/motel guest rooms, banquet facilities, small businesses, break rooms, owner-operated businesses, tobacco shops and private smokers' lounges, warehouses, company vehicles, long-term health care facilities, volunteer-operated facilities, theatrical productions and medical research or treatment sites. These exemptions and loopholes mean that employees and patrons of certain businesses continue to be exposed to the harmful effects of secondhand smoke.

3. A Smoke-Free Workplace Is the Only Way to Ensure Workers Are Protected From Secondhand Smoke.

The U.S. Surgeon General has found that other approaches, such as smoking rooms or air ventilation systems, do not eliminate exposure to secondhand smoke. The only way to protect people from breathing secondhand smoke indoors is to require all workplaces and public places to be smoke-free.

4. Exposure to Secondhand Smoke Should Not Be A Condition of Employment.

It is not fair that workers reporting secondhand smoke exposure are highly represented among the hospitality, service and blue-collar employment sectors — the same sectors most directly impacted by the gaps in California's smoke-free workplace law. Workers should not have to jeopardize their health in order to make a living.

5. California's Law Does Not Provide All Workers with Equal Protection.

California's Smoke-Free Workplace law provides inadequate and unequal secondhand smoke protection for certain groups, particularly low-income workers making less than $30,000 per year, young adults (ages 18-24) and Hispanics. As a result, these Californians face an unfair health burden of disease and premature death from lung cancer, heart disease and serious respiratory diseases, such as asthma and bronchitis. Reducing health disparities is both a public health priority and a community responsibility. All California workers deserve equal protection from secondhand smoke exposure under California law.

6. There Is A Huge Economic Burden Associated with Secondhand Smoke.

Nationally, the annual direct medical care costs associated with secondhand smoke exposure are estimated to be $5 billion each year, plus another $5 billion for indirect costs.

California's Winnable Battle
Finish the Fight Against Tobacco

California Department of Public Health
California Tobacco Control Program
P.O. Box 997377, MS7206
Sacramento, CA 95899-7377
www. www.cdph.ca.gov/programs/tobacco

California Department of PublicHealth

7. Smoke-Free Workplace Laws Are Good for Business.

Research shows that smoke-free policies and regulations do not have a negative impact on business revenues. Establishing smoke-free workplaces is the simplest and most cost effective way to improve employee and employer health.

8. Smoke-Free Workplaces Create Healthier People.

Strong smoke-free workplace laws not only protect workers and the public from secondhand smoke, they have also been found to reduce the rate of heart attacks by an average of 17% after one year and 26% after three years. They also help smokers quit by decreasing cigarette consumption and increasing rates of quit attempts. Creating smoke-free workplaces will protect all groups of workers and create an environment that increases smokers' chances of successfully quitting.

9. Californians Support Smoke-Free Workplace Laws.

More than 90% of Californians approve of a law to protect workers from secondhand smoke exposure in the workplace.

10. California CAN Win This Battle.

Assembly Bill 1467 (DeSaulnier, 2007) would have removed some of the exemptions in Labor Code Section 6404.5 and increased protection from secondhand smoke for California workers. The legislation had no opposition from business groups including the tobacco industry — yet was vetoed by the Governor.

Isn't it time to protect ALL California workers from secondhand smoke?

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