HEALTH

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Michigan lags on work place smoking policies

Close to half of all U.S. states, as well as Washington, D.C., and Puerto Rico, have passed smoke-free laws that cover workplaces including restaurants and bars. Unfortunately, Michigan is not one of them. If Michigan lawmakers fail to take progressive action, our state runs the risk of becoming among the diminishing number of jurisdictions, both nationally and internationally, that are failing to protect their citizens from an important public health threat.

There is no question that environmental tobacco smoke is a public health threat. Former Surgeon General Richard Carmona eloquently made the case in his 2006 report "The Health Consequences of Involuntary Exposure to Tobacco Smoke."

Among Carmona's points on workplace-associated secondhand smoke exposure: a) the workplace is a major source of secondhand smoke exposure; b) secondhand smoke exposure in the workplace has been linked to an increased risk for heart disease and lung cancer among adult nonsmokers; c) blue collar and service employees are less likely than white collar indoor workers to be covered by smoke-free policies; d) restaurant employees are far less likely than other workers to be protected by smoke-free workplace policies (about 20 percent are teens and the majority are women); and e) smoke-free workplace policies are the

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only (emphasis added) effective way to eliminate secondhand smoke exposure in the workplace.

A recent study from the American Journal of Public Health adds to the public health concern. Oregon health officials compared the levels of tobacco-specific lung carcinogens between two groups of non-smoking bar and restaurant workers — those who worked in environments where smoking was allowed and those who worked in smoke-free environments.

The Oregon study found that participants who were exposed to secondhand smoke in the workplace were more likely to have higher levels of carcinogens than the non-exposed workers; The difference was statistically significant. Their conclusion? "Nonsmoking employees left unprotected from workplace secondhand smoke exposure had elevated levels of a tobacco-specific carcinogen in their bodies. All workers — including bar and restaurant workers — should be protected from indoor workplace exposure to cancer-causing secondhand smoke."

The 2006 surgeon general's report, the Oregon study and multiple other investigations demonstrate that the scientific community is increasingly speaking with one voice about the dangers of secondhand smoke. Non-smoking employees are growing increasingly intolerant of workplaces that will not take action to protect their health. As the science is affirmed, a logical consequence is that employers who allow smoking in their workplace, including restaurants and bars, will place themselves in needless legal jeopardy.

A recent report from the California Public Health Institute warns that employers face significant legal risks from employees who are exposed to secondhand smoke on the job. The report claims that employers have been held liable for employee exposure to secondhand smoke in numerous cases, including those based on workers' compensation, state and federal disability law and the duty to provide a safe workplace. The authors conclude, given this liability risk, that employers should adopt smoke-free workplace policies.

Michigan lawmakers could help eliminate such legal challenges, protect employers from litigation and, most important, promote the health of workers and customers in Michigan businesses by passing legislation that prohibits smoking in workplaces, including restaurants and bars. Legislation has been introduced in both the Senate and the House. Clean air advocates think the legislation has a good chance to pass the House, but they are uncertain about prospects in the Senate.

Opinion polls suggest that Michiganians are behind such legislation. A recent survey of 600 registered Michigan voters by the Campaign for Smokefree Air, an advocacy group in East Lansing, found that nearly two-thirds would "strongly favor" or "somewhat favor" a law creating smoke-free environments in all places of business except for private homes that are used for business purposes, and 80 percent felt it is "very important" or "somewhat important" to work in a smoke-free environment.

Citizens have a right to breathe clean air. It is unconscionable, as underscored by occupational safety laws, to place employees in environments where there is an unambiguous threat to their health.

Moreover, this issue has a moral dimension when those exposed to the health risk are less likely to have employment options and come from the lowest steps of the economic ladder. I wonder how many corporate headquarters, but for tobacco companies, still allow smoking in their offices.

If industry fails to take socially responsible action on its own, then government has an obligation to step in and protect the health of its citizens, especially when the most vulnerable among us faces the greater risk. It's time for Michigan to enact smoke-free laws that include all workplaces and thus take a major step to becoming a comprehensively smoke-free state.

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