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Smoke-Free Workplace Laws and Policies

Most people recognize not only the harm caused by directly inhaling smoke with cancer-causing carcinogens into their lungs, but also the hazards caused by exposure to *secondhand* smoke. Each year, smoking accounts for about 443,000 premature deaths, and about 3,400 nonsmokers die of lung cancer as a result of exposure to secondhand smoke (*American Cancer Society Cancer Facts & Figures, 2014*).

Almost everyone knows someone who has been touched by cancer—either personally, or through a family member, friend or coworker. But there are many things that can be done to prevent cancer, and smoke-free laws and policies play a big part in cancer prevention.

Smoke-free workplace laws and policies are designed to protect employees and the public. They are based on scientific evidence regarding the dangers of disease and death caused by secondhand smoke. The goal of smoke-free workplace laws and policies is to create a heathier workforce by protecting workers and customers from secondhand smoke.

Smoke-free workplace laws and policies send a strong message that smoking is frowned upon in the workplace. Young workers look to supervisors and other adults in the workplace as trainers and mentors, and when they see adults rejecting smoking, they tend to follow suit.

In an 11-year study, smoke-free workplace laws were tied to a decrease in the odds that adolescents and young adults would start to smoke. Smoke-free workplace laws had an effect on smoking initiation equivalent to a $1.57 tax on cigarettes, and these laws have been shown to decrease the odds of smoking initiation by 30%.

Coworkers at Risk

In addition to cancer, one of the most frequently reported occupational lung diseases is asthma. According to the Occupational Safety & Health Administration (OSHA), one in twelve adults has asthma. For employees with this condition, secondhand smoke can worsen their symptoms.

It is unfair and in many cases illegal for workers, especially those who suffer from asthma and who are bothered by smoke, to be exposed to it at work.

Companies without smoke-free policies are subject to increased absenteeism and reduced productivity in the workplace, due to employees who miss work as a result of tobacco related and/or secondhand smoke illnesses.

When an employee misses work due to smoking related sickness, coworkers suffer by having to "take up the slack" and cover for the absent employee. The American Productivity Audit, a national survey of over 29,000 workers, found that tobacco use was a leading cause of worker lost-production time—greater than alcohol abuse or family emergencies. Quitting smoking, or even just cutting back, improves a worker's productivity.

No-Smoking Policies

Most states have laws that limit or prohibit smoking in the workplace, but even where there is an absence of law, many employers have instituted no-smoking policies.

Employers who are concerned about their employees have been able to improve their health and help them become more productive by creating smoke-free workplaces. Making a workplace completely smoke free can have a positive impact on both smokers and non-smokers alike.

No-smoking policies are similar to other policies that protect employees, visitors, and customers from hazardous pollutants in the workplace. Strict no-smoking policies state that no tobacco or nicotine related products will be allowed within the facilities at any time, and there are no designated smoking areas provided—even outside the company's buildings or anywhere on company property. A substantial number of employers feel that there is no way to ensure real health protection without making the entire working environment 100% smoke free.

Many companies also include e-cigarette devices in their no-smoking policy because, as Jay Hux, an attorney with Fischer & Phillips, told the Society of Human Resource Managers (SHRM) recently: "These devices contain nicotine along with detectable levels of known carcinogens and toxic chemicals, and prohibiting their use in the workplace eliminates the risk of any complaints from nonsmoking coworkers, customers, or others annoyed by the vapors." See more at http://www.shrm.org/legalissues/stateandlocalresources/pages/should-employers-ban-e-cigarettes.aspx#sthash.wGC9dCyl.dpuf.

Strict policies on smoking in some companies also state that there will be no smoking in company vehicles, and no smoking even in personal vehicles when they are used for transporting people on company business.

Benefits of a Smoke-Free Workplace

Having a completely smoke-free workplace means that smokers who want to quit will have more of a reason to do so, and employees who are bothered by smoke will not have to be exposed to it at work.

According to the American Cancer Society, healthy nonsmoking and tobacco-free employees live longer, feel better, need fewer sick days, and help keep healthcare costs down. Productivity is also increased when workers are not taking multiple smoke breaks throughout the day.

The majority of adult smokers say that they want to quit, but without help, few succeed. Employers who have enacted smoke-free and drug free workplace policies show that they care about their employees' and customers' health and safety. They provide information and messages to help employees stop smoking, stay well, and reduce their risk of developing cancer.

Much like drug free workplace programs, companies benefit from smoke-free policies because the workplace becomes safer and healthier, thereby reducing liability for the company.

Financial Benefits

Companies with strict no-smoking policies fight against cancer and other smoking related diseases. They help save lives by improving their employees' health and well-being, while benefitting the organization's bottom line at the same time.

Maintenance costs are reduced when smoking related products such as matches and cigarette butts are taken out of work facilities, and it is easier for the company to sell its used vehicles if they are smoke free. Direct healthcare costs for the company are reduced, and the risk of fires is lower.

Many insurance providers offer discounts on health, fire, and disability coverage to companies that maintain completely smoke-free policies. Smoke-free businesses have negotiated for lower fire and property insurance premiums, and have won reductions of 25% to 30%.

According to a study conducted by Ohio State University, for each employee who successfully quits tobacco use, an employer can expect to realize an annual savings of about $5,800.

Legal liability is also reduced for employers. There have been many cases in which non-smokers harmed by secondhand smoke at work have won lawsuits and disability claims against their employers under a variety of legal remedies.

Sending a No-Smoking Message

Many employers inform customers and employees of their smoke-free policy by posting signs in facilities and vehicles. Companies reinforce the no-smoking policy through company newsletters, inserts in pay envelopes, the policy manual, emails, and new employee orientation and training. Caring employers offer to help employees who want to quit smoking by helping them access recommended cessation programs and materials that can be used offsite.

Conclusion

Tobacco use is the single largest preventable cause of death in the Unites States, but there are prevention measures that have been proven to work.

Throughout America, state and local governments have enacted smoke-free workplace laws, and companies have become increasingly sensitive to health and safety practices in the workplace that protect employees. Employers recognize that they are affected by the use of smoked substances, and that they are uniquely positioned to create change by implementing no-smoking policies.

Employers have learned that smoke-free workplace policies are good prevention policies. But employers should consider all of the costs and benefits before implementing a smoke-free workplace requirement. For employees who are trying to quit smoking by cutting down or using nicotine-based products, a policy that prevents them from doing so could cause resentment.