

FAQ

Frequently Asked Questions (FAQ) It's clear that 100% Clean Indoor Air Laws protect the public from toxic pollution in workplaces and public, indoor areas. But many people say that the devil is in the details. How do these laws work? How are they enforced? Isn't this a violation of constitutional rights? Below, we'll play Devil's Advocate on some of the most common and difficult questions about 100% Clean Indoor Air Laws. Isn't this law just like prohibition was for alcohol? Nope, and thank goodness for that. 100% Clean Indoor Air laws don't outlaw tobacco or smoking. They simply restrict where you can smoke, so that you don't put other people in danger. By analogy, you can choose to drink (if you're over 21), but there are laws to keep you from driving drunk. Isn't this law anti-smoker/anti-smoking? Smokers are welcome everywhere. It's only their smoke that isn't. A 100% law ensures clean indoor air for everyone who works and lives in the City — smokers and nonsmokers alike. Don't Clean Indoor Air Laws infringe on smoker's rights? People who smoke in public, indoor areas or at work are infringing on everyone's obligation to breathe. Secondhand tobacco smoke is more potent than directly smoking filtered cigarettes. It contains more than 130 toxins, 53 of which are known to cause cancer. Secondhand smoke is a documented killer at work and in public indoor places. It has no rights in these places. But tobacco is legal. Yes, it is. There isn't a single U.S. city or state that has outlawed tobacco. However, 266 U.S. cities and Maine, New York, Connecticut, Florida, Utah, California and South Dakota have passed laws that restrict its use in public, indoor areas and workplaces. These laws have allowed smokers to continue smoking, and they've dramatically improved the public's health. Aren't you legislating morality? We're regulating toxic pollution in workplaces. If this is a moral issue, surely the morals are on our side. Smoking is a choice... And yet so many people in Cleveland don't have a choice. They have to breathe other peoples' smoke at work or when they visit public indoor areas. For health reasons, Cleveland's 1987 Clean Indoor Air Act gives a fraction of Cleveland's workforce the right to choose a smoke-free workplace, but it denies thousands of others this right. (To learn more, visit the Cleveland Legislation section of this web site.) Why should the law discriminate against worker health? Don't non-smoking sections or ventilation protect nonsmokers? Smoking and nonsmoking sections don't work. Smoke spreads evenly through the air without paying attention to what section it's in. Research from the University of California at Berkeley (PDF) shows that sitting in the non-smoking section of a restaurant for two hours is the equivalent of smoking one and one half cigarettes. Working an 8-hour shift at a bar, a nonsmoker would inhale the equivalent of 16 cigarettes. Ventilation systems do not remove toxins from the air. They only dilute them. Even Philip Morris USA, the largest cigarette company in America, states that ventilation systems do NOT protect your health: "...the use of high-quality ventilation systems to minimize smoke in the air. While not shown to address the health effects of secondhand smoke, ventilation can help improve the air quality of an establishment by reducing the sight and smell of smoke and by controlling smoke drift." (Source: Reasonable Ways to Minimize Secondhand Smoke) Won't smokers stop going to bars and restaurants if they can't light up? Smokers will continue going to bars and restaurants, even if they can't light up. Why? Because people go to bars and restaurants to do more than smoke. The entertainment and dining industry provides quality products such as food, friendly service, shows, camaraderie, and more. Clean Indoor Air makes it easier for everyone to enjoy their experience, nonsmokers and smokers alike. Some smokers may dislike the Clean Indoor Air Law at first. In 266 cities and 5 states, though, smokers have continued patronizing service and entertainment businesses. In the past, naysayers also warned that smoke-free movie theaters would go out of business. That smoke-free airlines would lay off workers and go belly-up. That smoke-free baseball parks would ruin the national pastime. In every case, they've been wrong. And they're wrong about smoke-free bars, restaurants, bowling alleys, bingo halls, night clubs, concert venues, taxis, offices, factories, mechanic shops, and all the other smoky workplaces in the Cleveland area. Won't this law have a negative impact on business? If so, it'll be the first time out of 266 U.S. cities and five states that are already enjoying 100% Clean Indoor Air. As long as the law pertains to all businesses, regardless of size or industry, go smoke-free, business will not suffer. It's called a "level playing field," and it simply makes sense. Don't just take our word for it: Take a look at some economic studies (PDF) that compare sales receipts before and after other cities and states passed 100% Clean Indoor Air Laws. None showed a negative economic impact. In some cities and states, business improved because of clean indoor air! The only long-term negative impact of Clean Indoor Air Laws is on the tobacco industry, which is why they fight so hard with words. We can no longer afford the cost of their rhetoric. Not in lives or dollars. Don't some studies show a negative impact on business? Yes, and none of them were published, because they are not considered accurate. Instead of using hard economic data — like sales tax receipts, income and employment numbers — they selectively used personal testimonials and opinions. Skewed data. And most of these studies were funded by the tobacco industry or its front groups. There's no doubt that a 100% Clean Indoor Air Law will anger some people. In other cities, these people have been vocal and, at times, nasty. If you listen to them, it'll be easy to conclude that these laws hurt business. But that is simply not true. ALL of studies that used hard economic data have concluded that 100% clean indoor air laws have no economic impact, or that they improve the economy (PDF). Can these regulations even be enforced? Most people are law abiding and look forward to the legislation. Experience shows that even in big cities, these laws are mostly self-enforcing. In our city, where 71% of the population doesn't smoke, Clevelanders will see to it that the majority rules. Shouldn't we let the businesses decide? Interesting perspective. But keep in mind that when public health is at issue, the businesses frequently don't get to decide. Can you imagine a city that mandates "rodent" and "rodent-free" sections in all restaurants, unless that restaurant chooses to be rodent-free? Keeping dangerous air pollutants out of businesses should not be voluntary. The fact is, Cleveland's 1987 Clean Indoor Air Act is hopelessly out of date. It's making Clevelanders sick. Aren't these laws controversial? Not as much as you might think. A Triad Research survey found that 81% of Cleveland voters are concerned about the health effects of secondhand smoke. Sixty-three percent said they would support a law that makes all workplaces smoke-free, including private businesses. Check out more survey results in our Public Opinion section. Isn't this really a political and economic issue? No. It's a health issue. And the political

and economic questions it raises are easily answered. Politically speaking, this is a popular issue. Economically speaking, research has repeatedly demonstrated these laws have either no economic effect or, in some cases, improve the economy. We also know that secondhand smoke exposure depletes our community's resources through health care costs, productivity losses, property losses in fires and other costs. Most importantly, secondhand smoke costs our community lives. In 2004 thousands of Ohioans will get sick, and approximately 3,200 people will die from exposure. Many of these people live and work in Cleveland. No one can put a price on a human life. Which brings us back to health: This is about health. And the solution is clear. It's time for a fair, 100% Clean Indoor Air Law in every community in the region. Is there any conclusive evidence that secondhand smoke is a health hazard? Here's a few organizations whose research has confirmed that secondhand smoke is a health hazard: The Centers for Disease Control and Prevention The U.S. Surgeon General The American Lung Association The U.S. EPA The American Cancer Society The American Heart Association The National Cancer Institute The National Institutes of Health The World Health Organization The U.S. Department of Health and Human Services The American Medical Association The above organizations are in addition to researchers in universities from around the world. The evidence that secondhand smoke is a health hazard is simply overwhelming. Every reputable major health organization and government agency agrees that secondhand smoke is dangerous to your health. In April 2004 the U.S. Centers for Disease Control and Prevention made history. In an article published in the British Medical Journal, they advised doctors to warn all patients who are at risk for heart disease to stay out of indoor places that permit smoking. The evidence says exposure is too risky. Don't people have a choice to work in restaurants or bars? No one should have to change careers because of exposure to a dangerous air pollutant. Young people and minorities are disproportionately represented among restaurant and bar workers. For them to have to choose between endangering their health and supporting themselves and their family is unfair, unacceptable and discriminatory. Many would find it very difficult to find another type of job even if they tried. Restaurant and bar workers deserve the same protections that most employees have enjoyed for years. What do we ban next — perfume, fast food? We hope not. While perfume may be an annoyance, secondhand smoke is a health hazard, causing the deaths of tens of thousands of Americans each year. As for fast food, a greasy hamburger won't float into the air and damage the arteries of people nearby. But secondhand smoke will. Shouldn't business owners have voluntary policies? With all the side benefits (PDF), you'd think all business owners would go smoke-free. Smoking in the workplace costs the employer higher medical insurance premiums, more workers' compensation claims, added cleaning costs, lost worker time and productivity due to smoking breaks, and potential legal liability. Smoke-free workplaces reduce or eliminate these costs and can save a business a lot of money. Yet so many businesses won't go smoke-free, because they fear making their smoking employees or customers mad. 100% Clean Indoor Air Laws level the playing field among all businesses, so they don't have to worry about angering their patrons. Let the customers be mad at the folks in City Hall! Besides, studies from those other 266 cities and seven states show the anger doesn't last long. The reality is that Cleveland already has a mandatory Clean Indoor Air Law, and nobody's complaining that it should be repealed. Many people are doing the opposite, actually: 73% of Clevelanders value working in a smoke-free environment. The real issue is that our current law discriminates against thousands of nonsmoking workers in Cleveland. There's no good reason for it. It's simply the status quo. But not for long.