



American Industrial Hygiene Association -- Alberta Section

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Regulating Environmental Tobacco Smoke

-- The BC Experience --

Overview

- History
- Background
 - Partnerships & Role
- Regulation
 - Before/After Court Ruling
- Lessons
- Polling

History

- 1992 Public forums
- 1992 - 94 Occupational Hygiene

Committee

- 1995 All Committee Review
- 1996 Public Hearings
- 1997 - 99 Consult on implementation

Partnerships

- Agreement between
 - Regional Health Authorities and Ministry of Health
 - Union of BC Municipalities
 - WCB
- Support from
 - Clean Air Coalition (BC Lung, Yukon and BC Division, Cancer Society, Heart and Stroke Foundation of BC and Yukon)

Roles and responsibilities

UBCM

- Support from municipalities

Regional Health Authorities / Ministry of Health

- Information & education to public workplaces

WCB

- Education and enforcement of ETS standard

Operations - Jan. to March, 2000

- Information Control Centre
- Educational Letters to Employers
- Correspondence
- Prevention Officer Field Time
- Enforcement

ETS

- s 4.81 -- Intent is to prevent worker exposure to ETS
- s4.82 -- Describes designated smoking areas
- s4.83 -- Intent is to minimize worker exposure to ETS in public workplaces
 - s4.83(3) -- Granted exemption to January 1, 2000 to public areas in bars, pubs, restaurants, long term care facilities

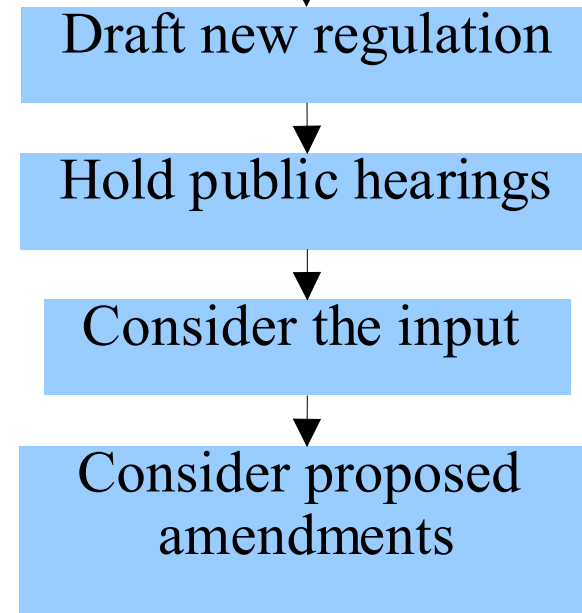
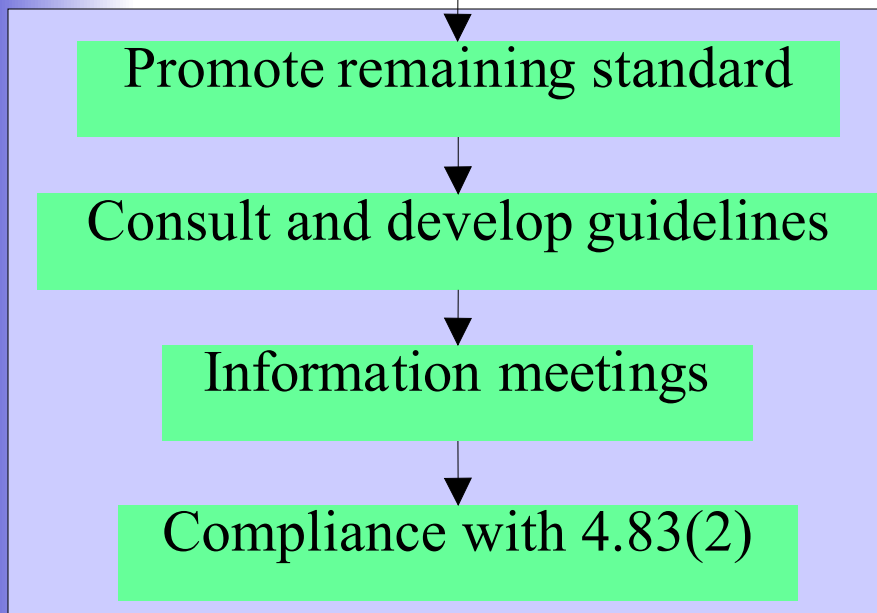
Court Ruling

Court Strikes Down
4.83(3)

Effect of Ruling:

Re-instates section 4.83(2), i.e., exemption from 4.81 for “Public Areas” of restaurants, bars, games rooms, extended care and prison facilities.

Course of action - Post Court Ruling



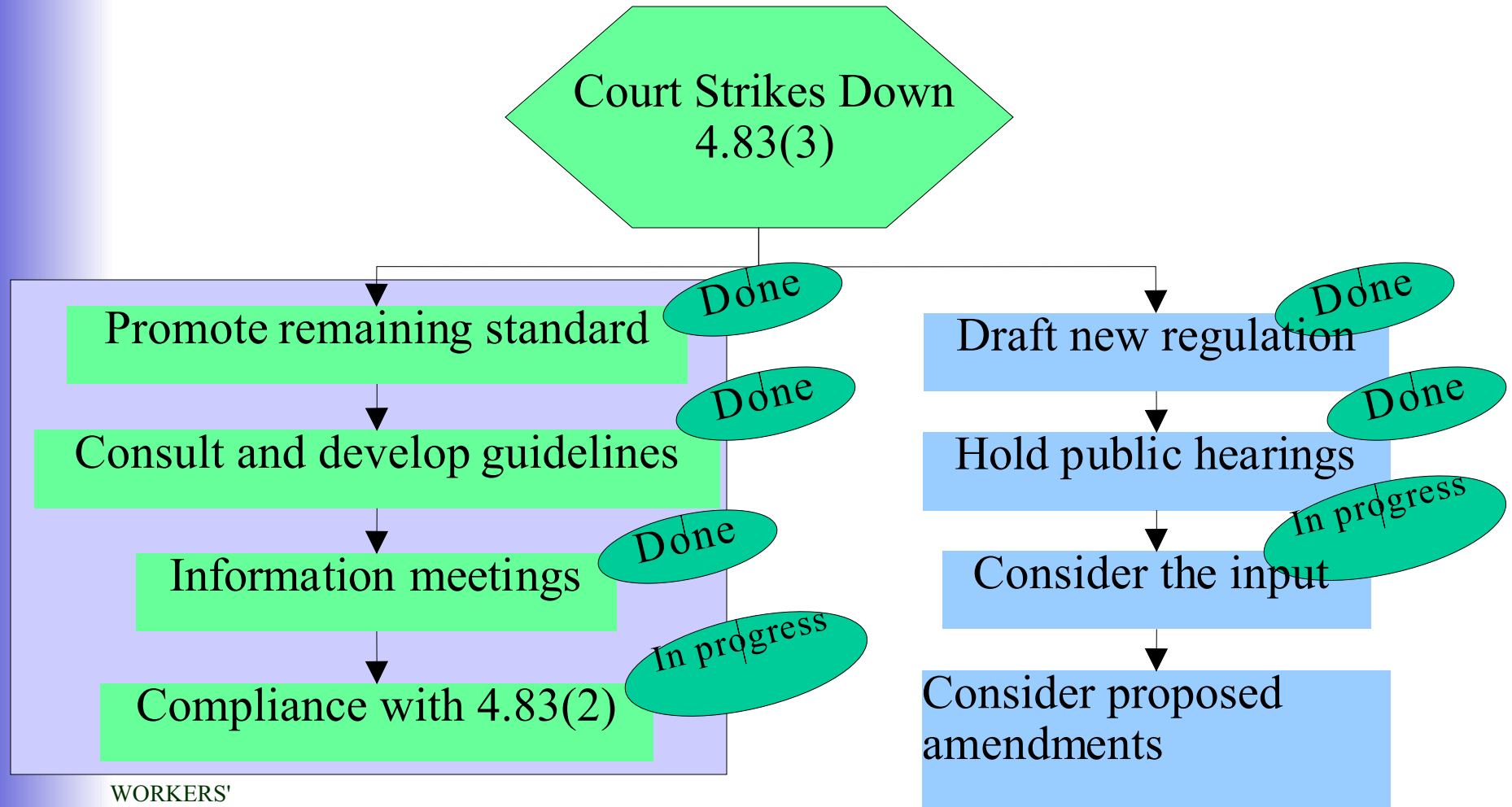
Status -- Effective Requirements

- New Guideline -- minimizing exposure using administrative and engineering controls
- Nothing has changed for “non public” areas in pubs, bars, restaurants, LTC facilities, prisons and games rooms
- Some municipal bylaws more restrictive (Greater Victoria, Greater Vancouver area)

Status - Public Hearing Process

- Public Hearing - June 2000 - four venues
- More than 320 written submissions received
- Approximately 225 individuals made oral presentations
- Policy and Regulation Development Bureau is now reviewing all oral and written submissions
- Panel of Administrators will make a decision on the final regulation in coming months

Course of action - Post Court Ruling



Lessons learned

- Key message - worker health and safety based on sound industrial hygiene and ventilation principles
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 - Opponents argue
 - Ventilation - there are safe exposure levels
 - Choice and rights of smokers
 - Loss of jobs

Lessons learned (cont'd)

- Partnerships are vital to implementation and success
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- Marathon
 - Effort and time
 - Staff require support
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- Strong public support for the standard

The ETS requirements ...

not a ban on smoking

WCB ETS requirements no longer on leading edge

- California
- Court rulings
- ASHRAE

HANDOUTS:


- § OHS Guidelines
- § FAQs




Angus Reid Survey Results

March 2000

High public support for the ETS Standard



Most people are concerned about the
health effects of ETS



Hospitality workers need to be
protected: 77%



Daily smokers: 19%
(Provincially)

Smokers Visit Pubs Slightly More than Non-Smokers



Smoke-free environment main reason for
increased likelihood of Pub and Bar visits