

SMOKING ON THE JOB

SHOULD THE ALBERTA GOVERNMENT BAN BUTTS IN THE WORKPLACE, OR BUTT OUT OF THE ISSUE?

By MIKE BOWERMAN

Steven O'Hearn was an unrepentant smoker for more than 30 years, one of those guys irritated by commercials warning people about the dangers of tobacco. Even losing all of his teeth to smoking-related gum disease didn't make him consider quitting. O'Hearn used to change the channel whenever fellow Edmontonian Barb Tarbox appeared on television. He resented her anti-smoking campaign, which included national ads and speeches to more than 50,000 Canadian teenagers, because it seemed preachy. When Tarbox died in May 2003, O'Hearn continued lighting up. But this past March, he was admitted to hospital with a serious lung infection. It revealed that he too has cancer.

Though only 41, the soft-spoken O'Hearn looks a decade older, with worn skin and thinning grey hair that belie his youthful eyes and body. The shelves along one wall of his modest one-bedroom apartment are lined with videotapes of Hollywood movies. Now that he can't work, O'Hearn spends a lot of time watching films and tv. He hasn't quit smoking outright—the patch, medication and support from family and friends have helped him cut down to four cigarettes a day—and he suffers from anxiety attacks about his future. But O'Hearn understands, finally, just how deadly smoking can be.

"After being diagnosed with cancer, I talked with the minister in the hospital," he recalls. "I was looking out the window and I thought about Barb. I said, 'I have to do something. I'm not going to go out of this world without doing something positive.'" Like Tarbox, O'Hearn started sharing his own story publicly. He also began lobbying the provincial government to do more to convince Albertans to stop smoking.

O'Hearn's voice is part of a growing chorus calling for leadership from the Alberta government. Although all three levels of government in Canada have some authority over where people can smoke, the province pays the bulk of health care costs. What Alberta needs, anti-tobacco activists argue, is a sound smoking cessation plan and a complete ban on smoking in the workplace. This would effectively end smoking in all places open to the public—including bars and restaurants—and supplant the current inadequate patchwork of municipal bylaws.

In the 1960s, no university classroom was complete without ashtrays for professors and students. Passengers puffed on airplanes. Doctors routinely smoked while treating patients. And good luck finding a smoke-free restaurant. More than half of Canadian adults smoked daily. Then, in the late 1960s, acting on evidence that had been accumulating for nearly four decades, the federal government publicly concluded that cigarettes were addictive and linked smoking with many fatal illnesses.

Tobacco smoke, a blend of 4,000 chemicals, is a proven carcinogen. Not only is it a major cause of lung, throat and esophagus cancer, it can also lead to cancers of the bladder, pancreas, liver, kidney, stomach, colon and rectum. Health Canada attributes 20 per cent of all deaths in the country to tobacco. Even nicotine, the addictive substance that gives smokers their buzz, can lead to cancer. Other byproducts of smoking include cardiovascular and respiratory diseases, gum disease, low birth weight and reduced productivity due to increased illness.

Every year, tobacco consumption and secondhand smoke cause an estimated 3,400 premature deaths in Alberta, a total that dwarfs other public health challenges. Even added together, all murders, suicides and deaths caused by alcohol, drug overdoses, AIDS, workplace accidents and car accidents do not match the province's tobacco death toll. Smoking, once the epitome of cowboy cool, now conjures images of chemotherapy.

In March 2002, Alberta's Tory government unveiled an \$11.7-million tobacco reduction strategy and a provincial tax hike on cigarettes—an extra \$2.25 per pack—said to be the largest one-time smoking tax increase anywhere in the world. In the ensuing 12 months, cigarette sales dropped 25 per cent, according to Alberta Revenue. Statistics Canada reported 44,000 fewer smokers in the province. Despite declining sales, tobacco tax revenue jumped to \$618-million in 2002/03, up from \$373-million in the previous fiscal year. In 2003/04, the province raked in \$671-million in tobacco taxes.

With all this money flowing into provincial coffers, it would seem the government has no motivation to restrict tobacco use, but research suggests that there are savings to be realized from tobacco control. A 2003 report produced by the Ontario Tobacco Research Unit estimated that every dollar the Ontario government invested in tobacco reduction would save at least



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\$3 in public health spending. Based on its tobacco control investments, the California government came up with similar numbers.

Alan Shiell, a health economist in the University of Calgary's department of community health sciences, says there is some debate about the economics of tobacco reduction. Smokers pay into pension funds, for instance, but tend to die before they use up all of their contributions. Does the economic burden of their health care costs outweigh the "savings" that result from their early deaths? Regardless of the answer, the investment is worth it. "Whether tobacco use is a net cost or benefit in financial terms is not the issue," Shiell says. "No matter what the financial consequences, tobacco use costs society in terms of forgone health.... Typically, smoking cessation programs come out very cost effective. They are not high cost ways of improving health."

The Alberta government spends about \$4 per citizen on tobacco reduction programs, the highest annual per capita investment in Canada. That totals about \$12.4-million a year—a significant amount, to be sure, but still only 5 per cent of the \$245-million revenue increase Alberta generated in tobacco taxes in one year. It also falls short of spending in several American states, such as the \$10 per resident rate in Massachusetts, or the roughly \$15 spent per resident in Mississippi, which is comparable in size to Alberta. Moreover, some states, such as California, have combined tax increases and increased tobacco control spending with outright bans on smoking in public places. This not only reduces exposure to secondhand smoke, and therefore reduces health care costs, but also limits the number of people who get addicted in the first place. These restrictions "denormalize" the tobacco habit, which subtly alters the permissive culture that perpetuates the cycle of addiction.

To gauge public attitudes toward bans, the Alberta Alcohol and Drug Abuse Commission surveyed 3,000 Albertans in 2003. Support for comprehensive workplace bans was overwhelming at 78 per cent. Even rural respondents, who tend to be more conservative, were 75 per cent in favour of a workplace ban. Survey results weren't entirely consistent, though. Only 46 per cent felt bans should include bars and lounges, which are workplaces for many people in the province's hospitality industry.

Health and Wellness Minister Gary Mar's initial reduction strategy did call for a blanket ban on smoking in all public places. But the initiative was killed by members of the Tory cabinet because, as newspapers reported, it looked like it would step on the toes of businesses and individuals, an intrusion on personal freedom. Even though most Albertans support the intrusion—at

least in this case, as shown by the AADAC poll—the province's usually populist government has opted to ignore the public in favour of its own ideological stance.

In spite of the provincial government's resistance to bans, roughly 50 per cent of Albertans are at least partially protected from secondhand smoke through municipal bylaws. Banff has one of Alberta's tougher bylaws, restricting smoking from bars, restaurants and patios with the exception of separately ventilated smoking rooms or patios where food and drink servers are not permitted to work. Edmonton and Calgary are phasing in similarly comprehensive bans by 2005 and 2008 respectively, ultimately restricting smoking from all public spaces. Unlike Banff, neither city will provide exceptions for smoking rooms or patios. Meanwhile, smaller municipalities such as Airdrie and Cochrane have wrestled with implementing strong smoking bans. Although public support in these communities is high, local hospitality industries are worried about losing business to nearby Calgary, where restrictions won't be comprehensive for more than three years.

Al Browne, a Calgary restaurateur with interests in local Hooters and Cheesecake Cafe outlets, is also a director with the Canadian Restaurant and Foodservices Association. Noting that neither he nor the CRFA are pro-smoking, Browne says the issue should be decided in the marketplace. Rather than force businesses to go smoke-free—because smoke-free clubs have failed in the past in Calgary—he would prefer compromises such as ventilated smoking rooms. In Browne's view, this would preserve freedom of choice for customers who want a place to smoke.

"There's no legislation governing hotel rooms, yet 80 per cent are non-smoking rooms," he says. "Business has a way of evolving and taking care of its customers. There's no one who knows customers' needs better than the businessman." Browne made a similar case in an interview with Calgary's *Fast Forward* last year. Speaking on behalf of a group called Calgaryans for Selective Smoking Alternatives, he said, "I don't disagree smoking is bad for you, but that does not mean health advocates and, particularly, self-serving health advocates, should be able to get in and tell business how to run. I would say mountain climbing is dangerous. Should we ban mountain climbing?"

With municipal bylaws undercutting the role of the market, Browne wants the Alberta government to create uniform laws across the province. "We don't know what the laws are from one

community to the next,” he says. Today’s hodgepodge of municipal bylaws forces businesses in adjacent jurisdictions to compete for customers on an uneven playing field. Provincial leadership could be the key to a solution, but businesspeople want to sit down at the table before any decisions are made.

While business owners debate the financial implications of a workplace smoking ban, the medical community has a different set of priorities. Tim Lambert, the Calgary Regional Health Authority’s environmental health risk manager, looks at curtailing smoking entirely from a public health perspective. “Trying to figure out what is a safe level of tobacco smoke is the wrong question,” he says. “The question is how we can eliminate tobacco smoke from society.” Lambert believes cigarette use should be restricted as much as possible. After all, cigarettes are powerfully addictive and lead to more preventable deaths in Alberta than any other substance or behaviour.

Lambert cites New York City as an example of a successful smoking ban. New York’s ban, implemented in March 2003 in conjunction with a \$1.50 U.S. per pack tax increase on cigarettes, prohibited smoking virtually everywhere: bingo halls, pool halls, restaurants, bowling alleys, office buildings, restaurants and bars (with a few exceptions, such as drug-treatment facilities and grandfathered cigar bars). New York health officials reported that over the first year of the ban, 19 per cent of people in the city smoked, down from 22 per cent the year before. Cigarette sales may have spiked in neighbouring boroughs, but officials concluded that 100,000 New Yorkers had quit smoking, the biggest single decrease in U.S. history.

Similar bans have been instituted by Canadian municipalities. One can no longer smoke in bars and restaurants in Victoria, Vancouver, Toronto, Winnipeg or Ottawa. Tolerance for smoking varies widely, though, from health conscious British Columbia to permissive Quebec. In 2001, 24.9 per cent of Quebecers smoked daily—the highest percentage in Canada—while British Columbians were the least likely to light up, at 16.3 per cent. Saskatchewan, Manitoba, New Brunswick, Nunavut and the Northwest Territories have all passed or enacted legislation that will ban smoking from all workplaces, including bars and restaurants. Ontario Premier Dalton McGuinty even campaigned on the promise of a ban, showing how popular the idea has become in parts of Canada.

Health experts like Lambert strongly support bans and are critical of Alberta’s hesitancy to act. “We should eliminate smoking from the indoor environment so people are not exposed to environmental tobacco smoke,” he stresses. “Unfortunately,

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[the province has] taken this bylaw approach, where city councillors are forced to make decisions on public health rather than having a public health mandate come down from the province and just say that in Alberta we're going to be smoke-free and we're going to create an environment where people are not going to be exposed to these toxic substances."

Others demanding action from the government include labour leaders such as Dan MacLennan, president of the Alberta Union of Public Employees. "The bylaws they are passing in Alberta are eating up and wasting civic time," he says. "All these councillors should be working on bigger issues, but the lack of direction from the province is really a huge problem." MacLennan feels a workplace ban is overdue and that employers are wasting money paying for sick leaves.

There's even support for revisiting the provincial role within government itself. Marlene Graham, the Tory MLA for Calgary-Lougheed and chair of the AADAC board, says pressure from influential groups like the Alberta Urban Municipalities Association, which has requested provincial legislation, may alter the political landscape enough to bring discussion about smoking back to cabinet. "The evidence is overwhelming that smoking is not good for people and it's a heavy cost to the health system," Graham says. "We are very cognizant of rising costs in health care and are coming face to face with that. It behooves us as a government to have another look at this."

From Al Browne to Dan MacLennan, Albertans from all across the political spectrum are calling for provincial intervention. But they're being stonewalled by a government with divided priorities and values. Take a closer look at how a pair of Klein's ministers have approached smoking and the divide becomes clear.

In March 2002, when Alberta's tobacco reduction strategy was introduced, its champion, Gary Mar, was praised by health groups for his anti-smoking zeal. Among the strategy's 23 recommendations were fines for youth tobacco possession and stiff fines for vendors caught selling tobacco to youth: \$1,000 for the first offence, \$2,500 for the second, and a permanent loss of the licence to sell cigarettes for the third. In September 2003, Mar's strategy received praise in a report card from Campaign for a Smoke-Free Alberta, a coalition of 13 health organizations. But the CSFA was critical of the government's lack of legislation. Specifically, it charged that Alberta is one of two provinces that don't protect people from secondhand smoke in the workplace.

Mar's original strategy did call for a workplace ban, of course, but it didn't survive cabinet. The option was snuffed out before

caucus or the legislature could vote on it. Although the government never provided an official explanation, Alberta's Minister of Human Resources and Employment, Clint Dunford, argues that bans are the domain of the municipalities and not a current priority. His department *could* recommend a ban on workplace smoking, but Dunford would rather concentrate on workplace injuries. "I've been spending a vast amount of the energy that I have available trying to reduce workplace injury," he says. "That's what I've been focused on rather than perhaps some of the other health issues."

Smoking bans present a political challenge, observes Dunford. Some Albertans are concerned about protecting public health, but others bristle at the suggestion that government should restrict individual freedoms—especially when a legal product is at the core of the debate. "When you start talking about smoking generally or in the workplace, there doesn't seem to be any middle ground," says Dunford. "You've got polarized positions. As a government minister I try to manoeuvre my way through that."

Steven O'Hearn isn't waiting for the government to resolve its contradictory impulses. Thanks to early detection, his prognosis looks good, but he can't afford to waste any time. He's working with AADAC on a series of TV commercials and has written to 90 Edmonton area schools to arrange speaking dates. He's also tried to have a chat about smoking with Klein but got a cold response from the premier's office when he attempted to set up a meeting.

Today, 22.9 per cent of Albertans smoke daily, which is above the national average of 21.5 per cent. More than 700,000 Albertans still smoke, and thousands more start every year. So O'Hearn intends to follow Barb Tarbox's lead and spread the word, regardless of the province's next move. "I believe strongly that people should be aware of what smoking does to you," he says, "that it could eventually take your life."

MIKE BOWERMAN lives in Calgary, where he longs for a smoke-free pub to enjoy with his smoking friends.