

Final Report – TUC Protecting Workers from Passive Smoking project

1. Project Title: Protecting Workers from Passive Smoking

2. Reference Number: SPC.2002411 addendum 1

3. Name and address of co-ordinator

Owen Tudor, TUC, Great Russell Street, London UK

4. Initial budget of the project: 383,087.43 Euros

Grand total of real expenditure

Funding sources

Trades Union Congress, UK

National Confederation of Free Trade Union “Fratia”, Romania

Trade Union Technical Bureau for Health and Safety, Belgium

Uniao Geral de Trabalhadores, Portugal

Irish Congress of Trade Unions, Ireland

Hotell Och Restaurang Facket, Sweden

RestaurationsBranchensForbund, Denmark

Action on Smoking and Health, UK

5. Executive Summary

The main aim of the project was to collect, develop and disseminate information across Europe to help workers negotiate smoking policies at work. The project was particularly focussed on those people who work in the leisure industry – pubs, nightclubs and restaurants. These workers are most at risk from the effects of passive smoking.

Specifically the project aimed to develop a set of training materials for union representatives to use which would help them to learn more about passive smoking and help them to tackle the issue in the workplace. The materials would also form a key part of a website which would be set up with further information on passive smoking, copies of collective agreements and case studies of best practice. Finally, during the project a European Network of union representatives was established which will continue to monitor developments in this area and update each other on events in their own countries such as laws or best practice.

We set up a steering group of union representatives from the UK, Ireland, Denmark, Portugal, Sweden and Romania. It met in March, April and October.

The steering group members collected information on smoking on work and smoking policies and provided guidance on how the website could be designed to ensure that worker representatives found it accessible. They also provided guidance on the translation of the text.

In April the steering group members participated in a conference on passive smoking in London which was jointly sponsored by this project. Our representative from Ireland gave a presentation on good practice in Irish companies.

The first edition of the website was ready in May 2003 in four languages – French, English, Romanian and Portuguese. During the year, updates were made to the site and it was completed by mid-October. It is now available in eight languages which includes those above plus Swedish, Spanish, German and Italian. The site is called www.smokeatwork.org

The website is designed around the following key areas:

- What is the project about?
- Why is passive smoking a health and safety issue?
- Documents and Resources
- Training Materials
- What we need from you
- Frequently asked questions

All members of our steering group have set up a link from the smokeatwork website to their own union websites. There are also links to health sites in their countries such as the health and safety agencies. We regularly receive comments from users from all over Europe via the “feedback form” included in the site. These workers tell us of their experience of passive smoking. We refer any specific questions to the relevant unions in the steering group.

Between May 2003 until September 2003, we designed the training materials in consultation with our steering group. The materials are flexible and modular as the steering group believed that each country would like to use them differently – either as a stand alone course or as

modules on a wider health and safety course. This reflects the fact that all the countries represented are at a different stage in dealing with workplace smoke. For example, Ireland has implemented a ban on smoking from 2004 while in Portugal there is little existing legal protection and new legislation is unlikely to be implemented in the near future.

The materials were piloted with union representatives in the UK and in Portugal during June and July 2003. All the feedback was excellent from both participants and tutors, and only minor changes were made to the initial content and style. The materials are divided into the following sections:

- How to use the materials
- 15 Activities
- Tutor Notes
- 5 Fact Sheets

They can be downloaded from the website in PDF format for ease of use and to enable the presentation of the materials to look professional. They are available in all eight languages.

The website and training materials were formally launched at a conference held in London in October 2003. The conference, entitled “Passive Smoking in European Workplaces” was attended by around 50 participants from a range of European countries and there were representatives from trade unions, government bodies and companies. The conference was addressed by an MEP, the President of the ENSP and by trade union representatives from Ireland, Portugal and Norway.

At the end of the conference, the TUC formally launched a European Network of trade union representatives who will continue to share information with each other about passive smoking issues after the project is over. Those steering group members will form the network and an email address has been circulated amongst trade union representatives in the European Union to encourage further participation.

Conclusions

Two of our steering group members carried out a presentation at the conference in October and summed up how important this project has been to them. It has no doubt raised the awareness of passive smoking in their own unions and given them valuable resources – a website and

training materials – to use to help them to persuade others of the health and safety risks. These resources are valuable to them in their own jobs but are also being used by others – union representatives, employers and government agencies.

All of our steering group members are using or planning to use the training materials in their own countries. This will allow union representatives to build up knowledge and confidence to enable them to negotiate smoking policies where they don't currently exist.

In Portugal, the UGT has helped to establish the National Confederation on Prevention of Tobacco Use which is meeting for the first time at the end of 2003. The training materials are being introduced into all the union's health and safety courses and all negotiators will receive the training. The union continues to press the Government and the NGOs to take passive smoking seriously. Also, several NGOs in Portugal have shown an interest in using the training materials themselves. There has been a lot of national press interest in the website in Portugal which has led to newspaper articles and radio interviews.

Our Danish representative from the Restaurant workers union has said "there is no doubt that the website will be used as a significant instrument in our struggle to prevent our members from the risks through exposure to passive smoking".

Similarly, our representative from the Irish Congress of Trade Unions has said that his organisation "found this project particularly helpful in identifying the issues which a total ban on smoking at work gives rise to. The issues include the scientific evidence, possible job losses, disciplinary issue relating to non-compliance, prosecution for non-compliance and help and support for tobacco addicts".

6. Project Objectives

The working population of the EU is currently exposed to environmental tobacco smoke – 3 million in the United Kingdom and anywhere around 30 million in the EU. In particular, the project focuses on workers in the leisure industry who may make up between 5% and 10% of that figure.

The overall aim of the project is to develop practical tools to assist with the reduction of exposure of workers to environmental tobacco smoke.

In order to reach this goal, a pan European network of worker representatives who belong to organisations affiliated to the European Trade Union Confederation will be established. Via this network, training courses, training materials and guidance will be developed and provided to and piloted with the target audience.

7. General Background/introduction to the project

Introduction

This project focuses on the role of European trade union representatives in negotiating smoking policies to reduce the harmful effects of second-hand smoke in the workplace. Trade union safety representatives play an important role negotiating with employers to provide a safe and healthy working environment for workers. This usually means trying to eliminate or reduce the risk from hazards at work and providing for the welfare of people at work. Passive smoking is a workplace hazard and a threat to people's welfare.

The health risks from passive smoking

The health effects from passive smoking are well documented. Many countries now consider environmental tobacco smoke (ETS) a carcinogen. The World Health Organisation has also declared ETS as carcinogenic. Many scientific reports state that passive smoking is a cause of heart disease and lung cancer in exposed adults. The European Network for Smoking Prevention (ENSP) in its report "Smoke free workplaces: improving the health and well-being of people at work" (2001) estimates that second hand smoke has been reported to cause 2000 deaths annually from lung cancer and 20,000 deaths annually from cardiovascular diseases.

According to "Report on the health effects of environmental tobacco smoke in the workplace", by the Health and Safety Authority (HSA) in Ireland, "there is compelling evidence that working with smoking co-workers increases the risk of lung cancer by 20-30% in non smokers".

According to the UK pressure group ASH (Action on Smoking and Health), each year in the UK about 600 lung cancer deaths and up to 12,000 cases of heart disease in non-smokers can be attributed to passive

smoking. A recent report in the UK commissioned by Cancer Research UK, Marie Curie Cancer Care, QUIT, ASH and No Smoking Day reveals that over half of the country's workforce is concerned about the effects of smoking in the workplace.

Cancer

The International Agency for Research on Cancer (IARC) has reviewed all significant published evidence related to both active and passive tobacco smoking and cancer. The Agency concludes that,

“Non-smokers are exposed to the same carcinogens as active smokers. Even the typical levels of passive exposure have been shown to cause lung cancer among never smokers. Second-hand tobacco smoke *IS* carcinogenic to humans.”

IARC Monographs Volume 83 Tobacco Smoke and Involuntary Smoking (June 2002) also refers to analyses of lung cancer in never smokers exposed to secondhand tobacco smoke at the workplace. These have found a statistically significant increased risk of lung cancer of 16 to 19 per cent.

Heart disease

According to the World Health Organisation's 'Tobacco Free Initiative,'

“While most discussions about passive smoking have concentrated on lung cancer and breathing, the effects on heart disease are more important. The chemicals in secondhand smoke poison the heart muscle, interfere with the ability of blood vessels to adjust themselves to control blood pressure and flow, increase the buildup of blockages of blood vessels (which lead to heart attacks), and make blood stickier. The net effect is that there are about 15 times more deaths from heart disease caused by passive smoking – 35,000-62,000 deaths annually in the US – as lung cancer.”

Other diseases

Most health agencies consider that exposure of pregnant women to ETS causes lower birth weight in their babies. For people with asthma, ETS can cause serious health problems and cigarette smoke is a common trigger of asthma attacks. Scientists from the Finnish Institute of Occupational Health in Helsinki say that they have produced the first

hard evidence to prove that passive smoking does play a role in the development of adult asthma.

Workers in the leisure and hospitality industry

The biggest area of concern is amongst workers who work in the leisure industry, such as pubs, hotels, restaurants and other entertainment venues. Their exposure to ETS is high. It is estimated that around 3 million people in the UK are exposed to ETS. Across the EU this figure rises to around 30 million. Workers in the leisure industry, who are most affected by workplace smoke, make up around 5 to 10% of this figure.

A report from University College London measured the levels of exposure to passive smoking amongst London's non-smoking bar workers. It states that bar workers take in amounts of environmental tobacco smoke over 10 times higher than the average non-smoker. Professor Martin Jarvis, from University College London, measured the levels of exposure to passive smoking amongst London's non-smoking bar workers. He found they were subject to 'extremely high exposure' to smoke. Further research from Norway states that waiters and barkeepers have a significantly higher risk of developing lung cancer compared to other occupations.

The Irish Health and Safety Authority (HSA) report concludes that bar staff and other hospitality workers are likely to have higher and more sustained exposure to ETS than other occupational groups. The report points to other studies suggesting:

- an increased risk of lung cancer for waiters, bartenders and counter workers;
- an increased lung cancer risk as high as 50% for food-service workers;
- an estimated 6,000 catering workers out of a workforce of 200,000 dying from passive smoking due to heart disease and lung cancer.

The role of the law

Across Europe legislation on smoking at work differs. While legislation on smoking in public places is widespread, there are fewer regulations specifically related to workplaces. Some countries such as Sweden and Slovenia have a complete ban on smoking in all workplaces and Ireland adopts this approach from January 2004. Others have a ban in some industries and not others. Others like the UK do not have specific legislation on smoking at work although many companies do not allow smoking in the workplace. In many circumstances, smoking policies are

unwritten and “custom and practice”. Some trade unions can use their law to negotiate good smoking policies. Others have to rely on health and safety law which gives a general right to work in a safe workplace and negotiate policies around this.

Negotiating smoking policies

This project aims to give worker representatives the practical tools to negotiate smoking policies and therefore reduce exposure to second hand smoke. Research shows the importance of smoking policies in reducing smoking at work. The British Medical Journal in the UK has recently published research into the impact of smoking prevention at work on smoking habits. It estimates that totally smoke free workplaces are associated with a 4% reduction in smoking. It concludes that smoke free workplaces protect non-smokers and encourage smokers to quit. Workplace smoking policies are therefore a health benefit to smokers and non-smokers alike.

It is often difficult for trade unions to deal with smoking at work as many of their own members may well smoke and want to continue smoking at work. It is important that unions are involved in negotiating smoking policies so that the union can ensure that smokers are not victimised and are given help to assist them to quit if they wish to.

There are often concerns for trade unions on how smokers will be dealt with at work. For example, unions do not wish to see smokers disciplined. To ensure this does not happen, trade unions will often ask for smoking rooms or smoking areas. Good policies will often help people to quit smoking. Trade unions play an important role in negotiating types of support from their employer. This project aims to address some of the difficulties and sensitivities facing unions by providing them with practical tools with which to negotiate smoking policies.

Although there is a lot of research on the effects of passive smoking much of this is not readily accessible for trade union representatives. This project will aim to make information and practical materials available to worker representatives across Europe.

Effects of smoking bans on employment

A lot of the debate currently is about smoking in public places - particularly the leisure sector. Unions representing workers in these

industries want their members protected, especially by providing smoke free areas. But they are also concerned about the effect on their employment. Opponents of smoking restrictions say that if people are not allowed to smoke, they will abandon pubs and clubs, whereas proponents suggest that smoking restrictions would actually increase trade.

Two recent investigations have looked at this in more depth:

- A 2003 survey of bar and restaurant owners in five European countries (Belgium, Finland, France, Germany and Spain) found that there is no loss of income as a result of taking protective measures against ETS. The research, entitled “Non-smokers protection in restaurants and bars in Europe” was conducted by the European Network for Smoking Prevention. It also found that nearly three-quarters of interviewees (owners, leaseholders and employees) saw clear benefits from having a smoke free area in the bar or restaurant. The benefits were to protect the health of customers, owners and employees and to respond to increasing demand from customers.
- The British TUC-backed magazine Hazards found that smoking bans in pubs and cafes would protect the health of thousands of UK hospitality workers, and result in increased profits for landlords and restaurant owners. The investigation, ‘Smoke screen’, looks at a new analysis of 97 smoking studies carried out in eight countries. It suggests that the most rigorous and independent studies find that bans have had no negative impact on the profits of pubs, clubs, and eateries. The same analysis reveals that all existing studies pointing to negative impacts on trade worldwide, are funded by sources in some way related to the tobacco industry.

As restrictions on smoking in the workplace become more common, unions also have to assist smoking workers. Some may face penalties because of their smoking, or they may need places where they can smoke, in the same way as non-smokers have in the past needed smoke-free areas. These considerations are a part of negotiating a smoking policy at work

The role of the project

Where there is no legal framework or legislation banning workplace smoking, union representatives are key to bringing in workable smoking policies. The project aims to give them the information on the law and on

health risks plus examples of smoking policies which actually work and use these to get smoking policies introduced. The project will also give worker representatives the skills to do this via the training materials which allows workers to develop negotiating and presentation skills to use back in the workplace.

8. Means by which the project was implemented

Our first project meeting was held in March 2003. All steering group members attended a meeting at the TUC in London to plan how the project was to be progressed and clarify its overall objectives. All members agreed to collect any smoking policies from their countries to the project co-ordinator and send any details on the law on passive smoking in their countries.

We met again in April at a conference in London on Passive Smoking at work. At our steering group meeting we demonstrated the first draft of the website and discussed which languages we would translate first and why. The training materials were a key item on the agenda and we agreed what the materials would contain, look like and how they would be piloted.

During May and June, the project co-ordinator and a training specialist worked on developing the materials and establishing the pilot courses. The materials were ready in a first draft by June. They were translated into Portuguese and sent to Lisbon for the pilots there in the summer. All the pilots in the UK took place in July and August.

During May and June, further progress was made on the website and the translations into the first four languages. We used website specialists to set up the site while the project co-ordinator wrote the text and handled the translations via a translation agency. Translations began on the remaining languages.

In September the feedback from the pilot courses was received and the final materials were agreed by the steering group. The materials were then ready to be translated into the remaining six languages and put on the website.

During August and September preparations were also underway for the final steering group meeting in October and our conference in the same month to launch the materials and website.

At the conference we had around 50 delegates from a range of European countries including Spain and Norway, who had not previously taken part in the project. We formally launched the training materials and demonstrated the website and the feedback received was excellent.

Other speakers also talked about progress on smoking bans (Ireland and Norway), dealing with smoking at work in places such as casinos and the European perspective was provided by speakers from the ENSP and the European Parliament.

Finally, at the conference the European Network of union representatives was formally launched. This will allow union representatives who are interested in protecting workers from passive smoking can continue to share information and best practice.

9. Results

The website provides up to date and accessible information to union representatives. Users of the site can find out background information on passive smoking including the latest research. There are legal summaries, examples of smoking policies and case studies of good practice from different European countries.

Union representatives can also develop their own skills to enable them to practically negotiate smoking policies at work. These materials are available in eight languages and are ready to use with back up tutor notes and fact sheets.

We have successfully established a useful and practical resource for all unions to use and for others who are interested in passive smoking at work.

Due to the establishment of the European Network, we are also trying to ensure that those who took part in the project have a mechanism for keeping in touch with developments in this field. Also, that new members who want to join can do through an email address established by the TUC in the UK.

10. Discussion

11. Conclusion and Recommendations

A key conclusion is that there was a clear need and desire for accessible resources and information for union representatives on passive smoking at work. These are now provided in the form of a dedicated website in eight languages and with links to other union sites and associated sites across Europe.

The training materials are also being used already by trade union representatives in Portugal, Ireland and the UK while other trade unions also have plans to incorporate the course into their established health and safety courses or to set up specific passive smoking courses.

A key recommendation is that the website is updated regularly to take into account changes in legislation to ensure that it does not become out of date and used less. Also, it is vital that new collective agreements which demonstrate good practice can be incorporated into the site.

12. Evaluation/Strengths and Weaknesses of the project

Overall, we believe that this project has achieved its desired objectives. Individuals and unions are using the website across Europe. It is therefore raising awareness and educating people. We have received excellent feedback from users of the site via the feedback form.

We also received positive feedback from the users of the training materials in Portugal and the UK. Taking part in the courses will also enhance the skills of union representatives.

One overall weakness is that it was very difficult to obtain smoking policies for the hospitality industry. We would have liked to have provided more specific guidance to those working in this industry.

One final concern is what happens to the website now. Who is going to update it and ensure that it remains of practical use to those it is designed to serve.

13. Dissemination of the Results

The results of the project were disseminated at the major conference entitled "Protecting Workers from Passive Smoking". The Trade Union

Technical Bureau for Health and Safety in Belgium advertised the conference via its network of health and safety union representatives.

Each member of the steering group has publicised the site and training materials using their own media.

14. List of project participants

Owen Tudor, Trades Union Congress, UK

Cornelieu Constantino, National Confederation of Free Trade Union
“Fratia”, Romania

Marc Sapir, Trade Union Technical Bureau for Health and Safety,
Belgium

Luis Lopes, Uniao Geral de Trabalhadores, Portugal

Fergus Whelan, Irish Congress of Trade Unions, Ireland

Bijan Motae, Hotell Och Restaurang Facket, Sweden

Henrik Hansen, RestaurationsBranchensForbund, Denmark

Amanda Sandford, Action on Smoking and Health, UK