

Productivity Commission
POB 80.
BELCONNEN ACT 2616

National Workers' Compensation and Occupational Health & Safety Frameworks

"Should an employer have a right to employ only non-smokers?"

The following is in amplification of my reply to the above question at the Canberra hearing, Wednesday 18 June 2003. Employers

have a right to choose whom to employ on qualifications, compatibility, reliability, behaviour and health.

Smoking is not a right; it is harmful to smokers and to others, a fire risk, a spreader of dirt and disease. It is illegal under numerous circumstances. Non-smokers, over 80% of adults, avoid places where they might be exposed to smoke always 38% or 49% of the time. It is within the competence of smokers to quit. Many have already done so.

Daily smokers - 19% of the adult population who average about 20 cigarettes a day - present numerous problems to the employer, to staff, to clients and to themselves. Occasional smokers, those who smoke only in private, are unlikely to be a problem in the workplace.

- **Health** is inclined to be poor, more time off sick, risk of deterioration from lung and other smoking disorders.
- **Addiction.** Smoke breaks were introduced by the federal Department of Health when its workplace became smokefree; these were supposed to last for a few months until staff had become adjusted to the new conditions. Smoke breaks have come to be regarded as a right, Even if time is made up they are disruptive and unpopular with other staff, They are unacceptable in small professional offices where there is no replacement on hand, and are a reason for not employing smokers.
- **Smoking at the entrance.** Barring entry/exit. Butts stubbed out on the pavement. Bad for business.
- **Surreptitious smoking.** An office building in Canberra installed smoke detectors in the toilets testimony to the extent to which the no-smoking rules are evaded. Butts in pot plants in entrance hall in professional chambers - possibly from out of hours smoking. It is not uncommon for night staff to smoke.
- **In hazardous circumstances.** Surrounded by bushfires, fire-fighters televised alongside their equipment, enjoying a smokebreak.
- **The smell lingers** in the hair, breathe and clothes. Smokers are inclined to mouth infections. Personal services, hairdressers, beauticians, child care and care of the sick and elderly, food preparation and handling can be inappropriate employment. Cooks, counter staff and waiters often fail to wash their hands after a smokebreak.
- **Upwardly immobile.** Inveterate smokers have difficulty in surviving without a smokebreak, in long meetings, official dinners, long distance travelling - as crew or on business.

Continuing smokers, 19% outnumbered by ex-smokers at 26% - and new smokers, 15% smoke by age 14-19, 4% ex-smokers, will find it increasingly difficult to secure employment. Whether it is cause or effect - unemployed because they smoke or smoke because they are unemployed - the unemployed have an exceptional high rate of smoking. Some employers, for instance the federal Department of Health run voluntary quit courses for their staff.

Advice in the final year at school, in training courses, colleges and at job placement agencies could encourage newcomers to the workforce to refrain from smoking.

As smoking declines, enforcement improves and it becomes easier to secure universal smokefree places of work in enclosed areas and out and about.

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