

### WHAT IS THE TOBACCO-FREE WORKSITE CHALLENGE?

The **Tobacco-Free Worksite Challenge** is an initiative of the U.S. Department of Health and Human Services in Region V. The Challenge encourages the adoption of Tobacco-Free worksite policies by businesses throughout the six states of HHS Region V – Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. Ultimately, we aspire to increase awareness of the ill effects of tobacco and decrease the number of tobacco-related deaths in the region and nationwide.

### WHAT IS THE MISSION OF THE CHALLENGE?

The **Tobacco-Free Worksite Challenge** will **recognize and support** the efforts of businesses in Region V dedicated to eliminating tobacco use at their worksites and promoting Tobacco-Free workplace policies.

### WHAT ARE THE CHALLENGE OBJECTIVES?

- **Educate** employers about the benefits of Tobacco-Free worksites or environment
- **Motivate** employers to be Tobacco-Free by **recognizing** those businesses leading the Tobacco-Free Worksite Challenge across the region
- Provide **support** for Tobacco-Free Challenge Worksites through
  - > Access to online educational materials and toolkits
  - > Webinars to assist new Challenge participants with communication and outreach efforts
  - > Collaborative meetings with new and established Challenge participants to discuss best practices for worksite Tobacco-Free policies, successes, challenges, and updates
- **Assist** employers in establishing Tobacco-Free worksites and broadening their policies to establish completely Tobacco-Free campuses

### WHAT IS MY BUSINESS COMMITTING TO BY SIGNING UP?

The **Tobacco-Free Worksite Challenge** seeks employers to be recognized as a “Tobacco-Free Distinguished Worksite” by committing to adopt and implement 100% Tobacco-Free policies at their workplace.

By taking the Challenge, your business will commit to meeting a certain number of the **10 CHALLENGE STANDARDS** that move your worksite toward being 100% Tobacco-Free. The number of **CHALLENGE STANDARDS** your business commits to depends on how far along your business is in developing a policy at the time you join the Challenge and will determine which **CHALLENGE CATEGORY** your business belongs to.

### WHAT ARE THE 10 CHALLENGE STANDARDS?

1. Disseminating written policies and procedures that detail the business’s Tobacco-Free policy, including reasons for policy change, enforcement and employee expectations, to ALL employees via multiple communication mechanisms; and collecting acknowledgement papers from ALL employees.

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2. Ensuring that the tobacco-free policy is distributed to and enforced on ALL properties, including, but not limited to, company-owned vehicles, parking lots, all satellite sites or other properties the business owns, shares and rents, including off-site meeting and conference sites.
3. Designating staff and/or committees to develop, implement, and enforce policy. Committees can include education, marketing, facilities, enforcement, etc.
4. Offering health insurance that includes both generic and brand name FDA-approved medications for tobacco cessation treatment to ALL employees and dependants.
5. Offering other tobacco treatment services to ALL employees and dependants such as therapy for quitting tobacco, cessation programs, counseling post-discharge, dependency counseling/coaching, bedside interventions, clinical assessment; and management for ALL employees experiencing nicotine withdrawal.
6. Making information about tobacco dependence and treatment, secondhand smoke, and local/statewide treatment resources readily available to all employees and visitors.
7. Establishing an employee feedback mechanism and being equipped to respond to employee resistance to quit, as well as conducting continuous evaluation, review, and improvement of policy and procedures.
8. Establishing a policy refusing all donations from the tobacco industry and divesting all tobacco company stock and/or disallowing advertisements for or promotion of tobacco products on the business' campus or satellite facilities.
9. Removing ash receptacles and smoking huts from ALL properties, including satellite sites.
10. Clearly marking the entire business campus with clear signage, communicating the policy at all office and building entrances and other high traffic areas.

### WHAT ARE THE DIFFERENT CHALLENGE CATEGORIES?

Depending on the number of Challenge Standards your business committed to, your business will join the Challenge as a **Bronze, Silver, Gold, or Platinum** Distinguished Worksite.

The **CHALLENGE CATEGORIES** are as follows:

- **Tobacco-Free BRONZE Worksite:** Worksites that *commit* to meeting 2-4 of the Challenge Standards
- **Tobacco-Free SILVER Worksite:** Worksites that *commit* to meeting 5-6 of the Challenge Standards
- **Tobacco-Free GOLD Worksite:** Worksites that *commit* to meeting 7-10 of the Challenge Standards
- **Tobacco-Free PLATINUM Worksite:** Worksites that *already have* Tobacco-Free policies in place
  - **Tobacco-Free Platinum PLUS Worksite:** Worksites that commit to assisting other businesses by sharing their lessons learned, tools and experiences going Tobacco-Free.

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### HOW DOES A BUSINESS QUALIFY TO BECOME A PLATINUM PLUS WORKSITE?

Businesses that already have 100% Tobacco-Free policies in place and sign up to the Challenge as **PLATINUM Worksites** will be invited to become **Platinum PLUS** worksites. Platinum PLUS worksites must commit to performing at least ONE activity to assist other businesses to become 100% Tobacco-Free. Examples of activities include hosting a webinar about how to implement and enforce a tobacco-free policy or sharing policy development tools on its website.

### WHAT DOES IT MEAN TO BE A 100% TOBACCO-FREE WORKSITE FOR OUR CHALLENGE?<sup>1</sup>

A Tobacco-Free worksite is a public or private employer that prohibits the “smoking” and or possession of substances containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco. Prohibited items include any product or formulation of matter containing biologically active amounts of nicotine as well as any electronic devices that simulate smoking via the production of vapor. Exempt items include only cessation products specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, including a hookah pipe, or any other lighted or heated tobacco product intended for inhalation, in any manner or in any form. “Smoking” also includes the use of an e-cigarette which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.

To be a 100% Tobacco-Free Worksite, in other words, a **Tobacco-Free PLATINUM Worksite**, the entire campus should be 100% Tobacco-Free, well-marked with clear signage communicating the policy at all office and building entrances and other high traffic areas. Tobacco use by employers, employees, and visitors is prohibited at all times in and on the business’s property including in vehicles, in parking lots, at all satellite sites or other properties the business owns and rents, including off-site meetings and conferences.

### HOW DO I GET MORE INFORMATION AND SIGN MY CAMPUS UP FOR THE TOBACCO-FREE WORKSITE CHALLENGE?

To learn more about the **Tobacco-Free Worksite Challenge**, please visit:

[http://www.mbg.org/MBGH/NewItem4/CommunityInitiativesOverview/TobaccoFree\\_Worksight\\_Challenge](http://www.mbg.org/MBGH/NewItem4/CommunityInitiativesOverview/TobaccoFree_Worksight_Challenge)

Feel free to contact Bidisha Sinha at [Bidisha.Sinha@hhs.gov](mailto:Bidisha.Sinha@hhs.gov) with any questions about the Challenge!

### WHY FOCUS ON TOBACCO & TOBACCO-FREE WORKPLACES?

- The Occupational Safety & Health Administration (OSHA) has established that employers must provide employees with environments free from hazards that are likely to harm their employees.<sup>2</sup>
- Tobacco causes more deaths than AIDS, alcohol abuse, automobile accidents, illegal drugs, fires, homicide, and suicide combined.<sup>3</sup>
- Tobacco use in the workplace is a major source of employee health claims.<sup>4,5,6</sup>
- Tobacco combined with other workplace exposures multiply the effects of poor health of workers

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exposed to these toxins.<sup>7</sup>

### WHAT ARE SOME DIRECT WORKPLACE BENEFITS TO EMPLOYERS? <sup>3,4,8,9</sup>

- Lower insurance costs and claims.
- Lower life and health insurance premium costs and decreased claims.
- Lower disability costs.
- Lower worker's compensation payments.
- Lower Recruitment and retraining costs resulting from loss of employees to tobacco-related death and disability.
- Increased productivity and occupational health awards.

### WHAT ARE SOME INDIRECT BENEFITS OF GOING TOBACCO-FREE? <sup>3,4,8,9</sup>

- Lesser amount of work time used on tobacco-use habits and routines.
- Smaller number of disciplinary actions.
- Less smoke pollution (decreased cleaning and maintenance costs).
- Lower air cooling, heating, and ventilation costs.
- Less accidents, fires, and property damage (plus related insurance costs).
- Lower liability and litigation costs associated with exposure to environmental tobacco smoke.
- Less illness and discomfort among nonsmokers exposed to secondhand smoke.

### HOW MUCH WORK IS INVOLVED IN GOING TOBACCO-FREE?

Adopting a Tobacco-Free policy takes time and planning—but the work is often shared among a taskforce of engaged staff persons and the amount of work a business will have to do to become a Tobacco-Free worksite depends on its existing policies (if any) and current situation. The Center for Disease Control and Prevention (CDC) suggests the following general stages for developing a Tobacco-Free policy:

1. Assessing Need and Interest
2. Planning
3. Promotion
4. Implementation
5. Evaluating Success

Join the Tobacco-Free Worksite Challenge today and get the assistance to be on your way towards being a 100% Tobacco-Free worksite!

### WHAT OTHER BUSINESSES HAVE GONE 100% TOBACCO-FREE? <sup>10</sup>

- PHARMACEUTICALS
  - > Aldagen
  - > Johnson & Johnson
  - > Xcelience
  - > Millennium: The Takeda Oncology Company
  - > Astellas

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- BANKING & FINANCIAL SERVICES
  - > American Century Investments
  - > Cobiz Financial
  - > Hudson Valley Federal Credit Union
  - > First Horizon
- INSURANCE
  - > Gilsbar
  - > MODA Health
  - > Independent Health
  - > State Farm
  - > Cigna
  - > Blue Cross Blue Shield
- RETAIL
  - > Goodmans
  - > Liberty Paper Incorporated
  - > Lowes
  - > LPH
- PUBLISHING & ADVERTISING
  - > Edelman
  - > Publicis Healthcare Communications Group
  - > AlphaMed Press
- TECHNOLOGY & SOFTWARE
  - > Dell
  - > SAS
- SERVICE
  - > TRUE BLUE
  - > Realogy

### WHAT KIND OF SUPPORT WILL MY BUSINESS GET FOR IMPLEMENTING A POLICY?

Businesses that sign up for the **Tobacco-Free Worksite Challenge** will have access to resources and technical assistance from local, state, and federal tobacco prevention and control experts. This includes educational materials and toolkits as well as guidance from **Tobacco-Free Platinum PLUS** worksites that have already adopted a policy and can serve as mentors to businesses pursuing a policy.

### WHO IS ELIGIBLE TO OFFICIALLY SIGN MY BUSINESS UP FOR THE CHALLENGE?

Business leaders who can provide some identification of their position within the business and legitimate business contact information can sign-up to the challenge by filling out the Challenge Commitment Form.

### WHO IS THE CHALLENGE BEING ISSUED BY?

The **Tobacco-Free Worksite Challenge** is an initiative of the US Department of Health and Human Services, Office of the Assistant Secretary for Health – Region V. The Challenge is partnering with the American Lung

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Association, the Illinois Chamber of Commerce, the Midwest Business Group on Health, the Respiratory Health Association of Metropolitan Chicago, and local, statewide, and national tobacco prevention and control partners.

### DO BUSINESSES THAT ATTEMPT TO ADOPT A POLICY TYPICALLY ENCOUNTER STRONG RESISTANCE FROM EMPLOYEES OR STAFF?

Consider the following:

- A growing section of the working population is moving toward living tobacco free
  - > A majority of adult smokers from states within Region V such as Minnesota have reported that they are trying to quit and are interested in receiving help quitting.<sup>11</sup>
  - > The CDC has reported that 69% of adult smokers want to quit completely, and 52% attempted to quit in 2010.<sup>12</sup>
  - > According to an entry from the *Journal of Occupational and Environmental Medicine*, 52.4% of employees across 114 worksites in the U.S. reported being exposed to environmental tobacco smoke, and 35% of employees were bothered by its presence.<sup>13</sup>
  - > A 2012 Gallup Poll reported that smoking has experienced a particularly notable decline among adults aged 18-29, who will be potentially entering into the working population.<sup>14</sup>
- There is also an increasing number of companies invested in forming Tobacco-Free worksites
  - > According to the Centers for Disease Control and Prevention, 3 million people have quit smoking from between 2005 and 2010.<sup>15</sup>
  - > The Wall Street Journal and Forbes magazine report an increasing number of companies are refusing to hire smokers as employees in order to encourage tobacco-free worksites, which although not legalized in all states has been met with positive results.<sup>16,17</sup>
  - > Johnson & Johnson implemented a tobacco-free policy in 2007 that has since been welcomed by both tobacco and non-tobacco users.<sup>18</sup>
  - > The U.S. Surgeon General has stated that policies restricting workplace smoking does lead to notable decreases in smoking among employees<sup>5</sup>

And so, despite reports of initial skepticism, businesses have reported that Tobacco-Free policies have not met with notable resistance and do yield positive results.

### DOES A TOBACCO-FREE POLICY IMPEDE ON ANOTHER PERSON'S RIGHTS?

The use of tobacco within the workplace is not an established right. It has no special protection under the Due Process Clause of the Constitution. The fundamental right to privacy does not apply to it, and smokers are not a specially protected category of people under the Equal Protection Clause of the Constitution.<sup>19</sup>

However, employers do have a common-law responsibility (OSHA-EPA) to provide a safe and healthful workplace, and liability for failing to do so is a significant issue for employers. Given that Environmental Tobacco Smoke (ETS) has been classified as a Group A (known human) carcinogen, it would be difficult to argue that an employer who has not strived to reduce ETS to the lowest possible levels has fulfilled their legal obligation to employees.

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### WHERE CAN I GO FOR ADDITIONAL TOOLS AND RESOURCES FOR DEVELOPING, IMPLEMENTING, AND ENFORCING A TOBACCO-FREE WORKSITE POLICY?

#### [American Cancer Society \(ACS\)](#)

Provides a model policy employers can use to help them move toward smoke-free workplaces:

<http://www.cancer.org/healthy/stayawayfromtobacco/smoke-freecommunities/createasmoke-freeworkplace/smoking-in-the-workplace-a-model-policy>

#### [American Lung Association \(ALA\)](#)

Provides a workplace wellness program, “Freedom from Smoking” to help employers help their employees stop smoking for good: <http://www.lung.org/stop-smoking/workplace-wellness/>

#### [Centers for Disease Control and Prevention \(CDC\)](#)

Provides a toolkit for workplaces interested in implementing a tobacco-free campus (TFC). This toolkit describes how others in federal or nonfederal workplaces can plan and implement a TFC policy and evaluate its success.

Details on setting up and implementing smoke free policies in your business can be found at:

<http://www.cdc.gov/nccdpHP/dnpao/hwi/toolkits/tobacco/index.htm>

They also have a “Workplace Health Promotion” site which includes a “Tobacco-Use Cessation” guide:

<http://www.cdc.gov/workplacehealthpromotion/implementation/topics/tobacco-use.html>

Other CDC toolkits:

[SAVE LIVES, SAVE MONEY MAKE YOUR BUSINESS SMOKE-FREE](#)

[EVALUATION TOOLKIT FOR SMOKE-FREE POLICIES](#)

#### [National Institute for Occupational Safety and Health](#)

Offers information by phone and Web on workplace safety topics, and can look into potential hazards in workplaces if asked by employers or employees

#### [Respiratory Health Association of Metropolitan Chicago](#)

Offers a comprehensive site for individuals who want to quit smoking:

<http://www.lungchicago.org/quit-smoking/>

#### [Take Control of Your Health](#)

An initiative of the [Midwest Business Group on Health](#) provides comprehensive information for smoking awareness and smoking cessation programs for employers:

[http://www.tcyh.org/employers/employers\\_smoking.shtml](http://www.tcyh.org/employers/employers_smoking.shtml)

[http://www.tcyh.org/employers/special\\_smoking/special\\_smoking.shtml](http://www.tcyh.org/employers/special_smoking/special_smoking.shtml)

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<sup>1</sup> Americans for Nonsmokers' Rights. "Model Policy for a Tobacco-Free College/University." Feb. 2013. Retrieved: 25 Apr. 2013, from <http://www.no-smoke.org/pdf/modeluniversitytobaccofreepolicy.pdf>.

<sup>2</sup> Occupational Health & Safety Administration. "SEC. 5. Duties." *OSH Act of 1970*. United States Department of Labor, Retrieved: 25 Apr. 2013, from [http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_id=3359&p\\_table=OSHACT](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_id=3359&p_table=OSHACT).

<sup>3</sup> American Lung Association. Retrieved: 25 Apr. 2013, from <http://www.lung.org/associations/states/colorado/tobacco/>.

<sup>4</sup> Centers for Disease Control & Prevention. "Save Live, Save Money: Make Your Business Smoke-Free." June 2006. Retrieved: 25 Apr. 2013, from [www.cdc.gov/tobacco/basic\\_information/secondhand\\_smoke/guides/business/pdfs/save\\_lives\\_save\\_money.pdf](http://www.cdc.gov/tobacco/basic_information/secondhand_smoke/guides/business/pdfs/save_lives_save_money.pdf).

<sup>5</sup> National Business Group on Health (NBGH). "Tobacco: The Business of Quitting - The Business Case." 10 Nov. 2011. Retrieved: 25 Apr. 2013 from <http://www.businessgrouphealth.org/tobacco/return/index.cfm>.

<sup>6</sup> U.S. Department of Health and Human Services . "The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General." *Surgeon General*. 4 Jan. 2007. Retrieved: 25 Apr. 2013, from <http://www.surgeongeneral.gov/library/reports/secondhandsmoke/factsheet5.html>.

<sup>7</sup> Atkinson, Laura, Hughes-Culp, Carlotta. "Creating a Tobacco Free Workplace." 27 May 2013. Lecture.

<sup>8</sup> Stewart W, Ricci J, Chee E, Morganstein D. "Lost Productivity Work Time Costs from Health Conditions in the United States: Results from the American Productivity Audit." *JOEM*. 2003;45(12):1234-1246.

<sup>9</sup> Halpern M, Shiklar R, Rentz A, Khan Z. "Impact of Smoking Status on Workplace Absenteeism and Productivity." *Tobacco Control*. 2001;10(3):233-238

<sup>10</sup> CEO Roundtable on Cancer. "Accredited Organizations." *CEO Gold Standard*. Retrieved: 25 Apr. 2013, from [http://www.cancergoldstandard.org/accredited\\_organizations](http://www.cancergoldstandard.org/accredited_organizations).

<sup>11</sup> Minnesota Department of Health. "Quitting Smoking: Nicotine Addiction in Minnesota." July 2001. Retrieved: 23 Apr. 2013. [www.health.state.mn.us/divs/hpcd/tpc/reports/documents/QuittingSmokingNicotineAddictioninMinnesotaJuly2001.pdf](http://www.health.state.mn.us/divs/hpcd/tpc/reports/documents/QuittingSmokingNicotineAddictioninMinnesotaJuly2001.pdf).

<sup>12</sup> Centers for Disease Control & Prevention. (2011, November 11). Quitting Smoking Among Adults-United States, 2001–2010. *Morbidity & Mortality Report*. Retrieved: April 25, 2013, from <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6044a2.htm>

<sup>13</sup> B. Thompson, K. Emmons, D. Abrams, J. K. Ockene, Z. Feng. " ETS exposure in the workplace. Perceptions and reactions by employees in 114 work sites. Working Well Research Group [corrected]". *JOEM*. 1995; 37(9): 1086–1092.

<sup>14</sup> Saad, Lydia. "One in Five U.S. Adults Smoke, Tied for All-Time Low." Gallup, 22 Aug. 2012. Retrieved: 23 Apr. 2013, from <http://www.gallup.com/poll/156833/one-five-adults-smoke-tied-time-low.aspx>

<sup>15</sup> Wilson, Jacque. "Fewer Americans are smoking, CDC finds." *The Chart - CNN.com Blogs*. 6 Sept. 2011. Retrieved: 25 Apr. 2013, from <http://thechart.blogs.cnn.com/2011/09/06/fewer-americans-are-smoking-cdc-finds/>.

<sup>16</sup> Kwoh, Leslie . "Warning: Smoking is Hazardous to Your Health." *Wall Street Journal*. 8 Apr. 2013. Retrieved: 23 Apr. 2013, from <http://online.wsj.com/article/SB10001424127887323916304578404510897946472.html>.

<sup>17</sup> Ebeling, Ashlea. "More Employers Shun Tobacco Users ." *Forbes*. 7 Mar. 2013. Retrieved: 25 Apr. 2013, from <http://www.forbes.com/sites/ashleaebeling/2013/03/07/ more-employers-shun-tobacco-users/>.

<sup>18</sup> Johnson & Johnson."Healthy People." Retrieved: 25 Apr. 2013, from [www.jnj.com/wps/wcm/connect/042752004f5563709db4bd1bb31559c7/healthy-people-20130328.pdf?MOD=AJPERES](http://www.jnj.com/wps/wcm/connect/042752004f5563709db4bd1bb31559c7/healthy-people-20130328.pdf?MOD=AJPERES).

<sup>19</sup> Graff, Samantha. "There is No Constitutional Right to Smoke: 2008." *Tobacco Control Legal Consortium*. 1 Mar. 2008. Retrieved: 25 Apr. 2013, from [publichealthlawcenter.org/sites/default/files/resources/tclc-s-constitution-2008\\_0.pdf](http://publichealthlawcenter.org/sites/default/files/resources/tclc-s-constitution-2008_0.pdf).