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Discriminating Against Smokers Legal

WARNING: Your prospective employer has determined that cigarette smoking is dangerous to your chance of getting a job."

That sort of admonition is showing up on job application forms in some localities. A West Coast electronics firm has the question: "Do you smoke?" written in red across the top of its questionnaire. If the answer is "yes" don't bother about other questions.

Denying jobs to smokers doesn't seem to be regarded as discriminatory by the federal agency which outlaws questions to job applicants about age, race, religion, politics and credit status.

The Federal Equal Opportunity Employment Commission reportedly says that it is not illegal to discriminate against smokers unless it is done on some other basis. If an employer hired men who smoked but refused to hire women smokers, that would be illegal. If he refused to hire both male and female smokers, that would be OK.

There may be justification for asking what a person inhales and exhales while on the job. Some em-

ployers insist that smokers are less productive than non-smokers and others say smokers are prone to excessive absenteeism due to tobacco-related illness.

A lot of evidence and testimony might be assembled to show that smoking pollutes the air and threatens the well being of fellow workers. It is claimed that non-smokers can get lung cancer or other ailments just by inhaling second-hand smoke from those around them.

One employer observed that people who smoke a pack of cigarettes a day on the job could take 20 breaks in their work, which is more than typical coffee drinkers manage. Some employees do both.

The National Center for Health Statistics estimates that sick smokers cost business \$25.8 billion in lost productivity in 1980. The Tobacco Institute challenges this figure, saying that everybody has little ways to waste time while they're supposed to be working.

Tobacco is being attacked on other fronts. The American Lung Assn., American Cancer Society and American Heart Assn. want to add warn-

ings to cigarette packages that smoking may cause heart disease, emphysema, miscarriages or birth defects, as well as cancer.

A political bloc in Washington is publicizing research purporting to show that doubling the federal excise tax on cigarettes to 16 cents per pack would lower consumption by 5 percent. They argue that higher costs would discourage teenagers from taking up smoking.

Others are demanding discontinuance of price support loans to aid 200,000 tobacco farmers in 20 states, which is unlikely. They vote and both Congress and the legislatures like to spend tobacco taxes.

Of course, a fellow might smoke a pack or two of cigarettes daily, keep his health, get a job, and not let his smoking lower his productivity or seriously affect his personal popularity. He still faces another hazard.

He might doze off with a cigarette in his mouth and set his chair or mattress on fire. Thousands of smokers do this very thing every year. It breaks many of them of smoking — permanently!