

# SENATE BILL REPORT

## SHB 1066

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As of March 21, 1995

**Title:** An act relating to agreements regarding smoking in the workplace.

**Brief Description:** Authorizing agreements regarding smoking in the workplace that provide for a designated enclosed smoking room.

**Sponsors:** House Committee on Commerce & Labor (originally sponsored by Representatives Lisk, Dyer, R. Fisher, Cairnes, Grant, Chandler, Sheldon, Scott and Ballasiotes).

**Brief History:**

**Committee Activity:** Labor, Commerce & Trade: 3/23/95.

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### SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

**Staff:** Jack Brummel (786-7428)

**Background:** The Washington Industrial Safety and Health Act (WISHA) authorizes the Department of Labor and Industries to adopt safety and health rules, of general or specific applicability, for all covered industries and employments in the state. Pursuant to this authority, the department adopted rules regarding smoking in indoor office work environments. The rules require employers subject to the rules to prohibit smoking in offices or to restrict smoking indoors to designated enclosed smoking rooms. These designated smoking rooms must be ventilated according to standards specified in the rules, including a separate mechanical exhaust system and direct exhaustion outside.

Under the Washington Clean Indoor Air Act, smoking is prohibited in public places, except in designated smoking areas. Bars, taverns, bowling alleys, tobacco shops, or restaurants may be designated smoking areas in their entirety.

**Summary of Bill:** Any department rule restricting smoking in the workplace must include provisions permitting smoking policies agreed to by employers and employees.

An employer's policy restricting smoking in the workplace must include a designated enclosed smoking room if a smoking room policy is included in a collective bargaining agreement or if the employees of the employer agree to a written smoking room policy. If the smoking room is ventilated as agreed by the employer and employees, it is deemed to meet any ventilation requirements of the Washington State Industrial Health Act.

The written smoking room policy must be kept on file by the employer and made available to employees.

Existing statutes expressly prohibiting indoor smoking in particular workplaces are not affected. Employers are not required to provide a smoking room.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.