

Highland Park

- 100% comprehensive smoking ban in place since June 2005
- Finance Department – “Too early to have any tax revenue to show effect “
- a couple of businesses say they have been negatively affected.
- 0 businesses have gone out of business because of the smoking ban

Wilmette

- 100% comprehensive smoking ban in place since November 2003
- 35 sit-down restaurants – 2 or 3 small restaurants affected
- 0 businesses have gone out of business because of the smoking ban

Skokie

- smoking ban in place since July 2003 – some exceptions for free-standing taverns and sports bars that don't serve food
 - 0 businesses have gone out of business because of the smoking ban.
- Finance Department - “many new restaurants are coming to Skokie”
- Jack's Diner – used to be 24 hours, now closes at midnight and opens at 5 am – lack of overnight business blamed on the smoking ban
- (many competing diners have opened near Jack's and may be taking business away from Jack's)

Comparisons:

Walker Brothers Pancake House in Wilmette – a diner similar to Sandpiper

- “Business has been fine.”
- “We lose maybe 1 or 2 tables a month because people want to smoke”
- “People just go outside to smoke and they come back in.”

Chili's in Skokie - comparable to Max & Erma's and Bennigan's in Woodridge

- “Business went down but returned to normal in 3-4 months.”
- “People got used to it and returned to normal.”

Buffalo Wild Wings in Skokie – same as Buffalo Wild Wings in Woodridge

- “Dining business was not affected at all.”
 - “Crowded as always.”
 - “Bar business took a hit for 2-3 months but has returned to 80% of normal.”
- (Skokie allows free-standing bars and sports bars that don't serve food so that may be contributing to the reduced bar business)

Hollywood Boulevard:

There is nothing comparable to Hollywood Boulevard. They are a unique venue that people come to from far away. They already stopped smoking in the movie / dining area, there is no reason to think that people will stop coming just because they don't allow smoking in the lobby.

From the American Heart Association:

“While the most sacred obligation of government is to protect its citizens, local municipal officials have relatively few opportunities to address life-or-death matters. Indeed, this issue presents such an historic opportunity. By standing in support of everyone’s right to breathe clean air in public places, you can directly protect the health and the lives of your citizens, visitors and workers. We hope you take this chance to support one of the most important public health measures likely to come before you.

In addition to the incontrovertible fact that secondhand smoke is dangerous to health, even with short and infrequent exposure, repeated objective, scientific studies prove that clean indoor air policies are good for business. Positive experiences of hundreds of smoke-free communities and several entire states confirm what common sense dictates: Since the vast majority of people in America are non-smokers, they obviously prefer to eat, drink, shop, work and play in non-smoking environments. And while economic considerations are not even in the same league as health concerns, it is good to know that clean indoor air policies are good for health AND good for business!”

=====

The Occupational Safety and Health Act states that an employer has a general duty "to furnish to each of his employees ... a place of employment which is free from recognizable hazards that are causing or are likely to cause death or serious physical harm to his employees."

=====

The best data available suggests that a bartender who works an eight-hour shift is exposed to levels of carcinogenic toxins equivalent to smoking 16 cigarettes, or nearly a pack a day. The impact such toxic exposure has on workers’ health is startling. Bar and restaurant employees face a 50 percent greater risk of lung cancer; this is a greater risk than virtually any other occupation, including firefighters and miners. Waitresses have the highest level of lung cancer rates among working women.

The debate over whether to allow smoking in bars, restaurants and other work places must address this issue of workers’ safety. It is not enough to say that businesses and the marketplace should be allowed to make this decision, or that individual consumers should even solely make the decision by voting with their feet and pocketbooks. The government, as the collective voice of citizens, has a regulatory responsibility to protect workers’ and the public’s safety and health.

We require safety harnesses, eye and ear protection, steel-toe shoes, respirators, and a myriad of other safety measures for workers exposed to hazardous work conditions -- we do not say that workers should have to face such hazards on the job or seek employment elsewhere. We regulate air quality and prohibit certain activities like burn barrels and toxic emissions – we do not say that if someone is bothered by polluted air they can move to where the air is cleaner. We regulate water quality and prohibit certain activities like dumping motor oil on the ground or industrial waste into our rivers and lakes – we do not say that you have the choice to buy water

elsewhere or choose to move upstream from the paper mill. We regulate food quality through inspections and food preparation through proper refrigeration and ensuring cutting boards are free of contamination -- we do not tell people that they have a choice of whether or not to patronize a restaurant that gives food poisoning or buy milk that doesn't contain salmonella. We regulate how much liquor a bar can serve a customer, and if that customer drives away having drunk too much we hold the bar responsible – we do not say that this is a market decision that is determined by whether the customer wants another drink. Most of us take these regulatory functions as routine and as an appropriate role for government.

Exposure to secondhand smoke by workers, unlike many other hazards workers face on the job, is entirely preventable simply by eliminating smoking in the workplace. And elimination of the hazard source is the only known way to prevent significant exposure; increased ventilation is inadequate, as study after study has shown.

=====

A safe and healthy workplace should not be optional, it should be standard for every employee. Employees can negotiate for many things - how much they will be paid (subject to a minimum wage), how much vacation they will get, whether they get health insurance, etc. They should not have to negotiate for other things – like whether they will be discriminated against in promotions due to the color of their skin or their religion, or whether they will be sexually harassed on the job by their boss, or whether the environment that they work in may give them cancer. Everyone deserves those minimal guarantees - whether you are a high-powered executive or an entry-level waitress at a bar.

Once you realize that a safe workplace should be mandatory for all employees, the concerns about profit of the business become less important because the priority should be the health, safety and welfare of the public, not the profit of a private business.

From the Illinois Constitution:

“We, the people of the State of Illinois,...in order to provide for the health, safety, and welfare of the people;...do ordain and establish this Constitution for the State of Illinois.”

The job of business is to make money, period.

In general, businesses and individuals are free to act and establish business practices as they wish until they affect public health, public safety or public policy, and then regulation is needed.

One example I realized this weekend is that Woodridge prohibits homeowners from burning leaves that they rake in their own private yards. Why? Because of the health hazards that the smoke causes others. We don't make your neighbors go inside and shut the windows, or leave their homes, if they don't want to be subject to the pollution of your burning leaves. We prohibit the activity that causes the hazardous condition. Yet, somehow if we crumple those leaves up, add a few hundred chemicals that cause cancer, and put them in rolling paper, we allow that to be burned inside a restaurant? And in that case, we require the people to not go into a restaurant or leave the restaurant if they don't want to be subject to the hazardous secondhand smoke? Does that make any sense?