

# Smoke Free Air Law One Year Later - Everyone's Breathing Easier

by Dona Wininsky and Kristen Grimes, MAOM, MCHES



**O**n July 5, 2010, Wisconsinites celebrated a new kind of independence—*independence* from secondhand smoke.

The wait had been a long one, but finally Wisconsin could join the ranks of 24 other states that had passed laws to protect citizens from involuntary exposure to other people's tobacco smoke. The law covers all workplaces, hotels and other lodging establishments, public places, athletic stadiums, work vehicles and all shared spaces of multi-unit housing complexes. Only outdoor areas were exempted, but local governments retained the right to enact stronger local ordinances relating to municipally-owned parks, swimming pools and other outdoor spaces.

Former Governor Doyle signed the bill into law in May of 2009, but it was not until 14 months later that everyone could finally breathe easier. Opponents of the legislation, primarily the Tavern League, claimed they needed the extra time to prepare for the change, devise new menus and marketing plans to retain smoking customers, and build outdoor patios where smoking would be allowed.

In the year that has followed, compliance with the law has been high, as was expected. The vast majority of workers and business customers embraced the law. A large number of taverns and restaurants saw an increase in customers who had previously stayed away because of the smoke. Even many of those who had been skeptical, or even openly hostile, were willing to admit that the law had not had the devastating effect they had predicted, and that they were enjoying the breath of fresh air.

The State Department of Health Services (DHS) has been tracking violations of the law

and the number of reports has declined steadily. In the first four months, complaints peaked at 205 in July, the first month the law took effect, and hit an all-time low of just 78 in October. The most recent report for April, 2011 included only 29 violations. According to the Wisconsin Department of Workforce Development's annual census, there are 157,285 businesses in the state. The hospitality industry accounts for 15,984. Therefore, violations have occurred at less than one percent of all Wisconsin businesses.

Employee health has also improved as a result of the law. In a study conducted by the University of Wisconsin-Milwaukee, bartenders who had been exposed to some of the

alone, the law has been an unparalleled success."

The new law also had another desired effect—it motivated many people to quit smoking who might not otherwise have made the attempt. In anticipation of the law, many businesses offered employees smoking cessation programs and resources. By the time the law actually took effect, hundreds, if not thousands of smokers had either quit for good or decreased the number of cigarettes smoked per day. This is affirmed by DHS data. For the first time in state history, the number of reported smokers is below 20 percent.

To coincide with the first anniversary, DHS will release the results of a customer satisfaction survey. With support above 65 percent even before the law took effect, it is anticipated that approval of the law will be higher still.

Wisconsin's smoke free air law has travelled a long road that began in 1992 with the passage of the first smoke free restaurant ordinance in the city of Madison. Then, as now, the purpose was to protect the health of workers who were being forced to choose between their health and a family supporting job. In this regard, the law has done exactly what it was intended to do – improving employee health and morale, establishing an even more productive workforce. In many instances

it has also increased business and has made Wisconsin a more attractive place to work, play, and travel. ●

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## Risks from Smoking

Smoking can damage every part of the body

<ul style="list-style-type: none"> <li><b>Cancers</b></li> <li><b>Head or Neck</b></li> <li><b>Lung</b></li> <li><b>Leukemia</b></li> <li><b>Stomach</b></li> <li><b>Kidney</b></li> <li><b>Pancreas</b></li> <li><b>Colon</b></li> <li><b>Bladder</b></li> <li><b>Cervix</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Chronic Diseases</b></li> <li><b>Stroke</b></li> <li><b>Blindness</b></li> <li><b>Gum infection</b></li> <li><b>Aortic rupture</b></li> <li><b>Heart disease</b></li> <li><b>Pneumonia</b></li> <li><b>Hardening of the arteries</b></li> <li><b>Chronic lung disease &amp; asthma</b></li> <li><b>Reduced fertility</b></li> <li><b>Hip fracture</b></li> </ul>
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Images from CDC Vital Signs, September 2010

highest levels of secondhand smoke reported that eight smoking-related upper respiratory health symptoms were reduced, some by as much as 36 percent. Symptoms included wheezing, shortness of breath, sore throats and coughing first thing in the morning. "This gets to the heart of what the smoke free air law is all about – improving employee health," said Sue Swan, Executive Director for the American Lung Association in Wisconsin. "In that regard