



The Rest of the Story: Tobacco News Analysis and Commentary

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Monday, January 26, 2009

Quebec Anti-Smoking Group Looking for Webmaster: Smokers Need Not Apply; Group Defends Its Discrimination Based on Threat of Thirdhand Smoke

A Quebec anti-smoking group - the Quebec Council on Tobacco and Health - is looking for a webmaster. The most qualified applicants are being sought, with just one hitch: [smokers need not apply](#). The group is [defending](#) this employment discrimination against smokers by arguing that its employees need to set a good example and that thirdhand smoke residues on smokers pose a threat to nonsmoking employees.

According to a CBC news [article](#), the head of the Quebec Council on Tobacco and Health defended the policy by stating: "We are a non-profit organization that does work to prevent smoking and that's why we ask our employees to be non-smokers or ex-smokers. We promote activities to reduce smoking so we want to set good examples."

A second justification for the policy provided by the Council, according to another [article](#), is "the toxic fumes that settle on smokers even after they have butted out, often called third hand smoke...".

The Canadian group [Mychoice.ca](#), which promotes the rights of smokers, has [criticized](#) the anti-smoking group for its discrimination against smokers in the job posting for the webmaster position. The group's president -Arminda Mota - noted: "They get at least \$3 million a year from the government - from taxpayers who are non-smokers, and smokers like me and they are openly discriminating. Even if you're a non-smoker, can you agree with this? What's next? You're not able to apply if you're over 150 pounds?"

The Rest of the Story

Let me just say right now that the refusal to even consider applications from smokers for jobs like this one goes beyond employment discrimination and enters the realm of being just plain bigotry.

About Me

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Dr. Siegel is a Professor in the Department of Community Health Sciences, Boston University School of Public Health. He has 25 years of experience in the field of tobacco control. He previously spent two years working at the Office on Smoking and Health at CDC, where he conducted research on secondhand smoke and cigarette advertising. He has published nearly 70 papers related to tobacco. He testified in the landmark Engle lawsuit against the tobacco companies, which resulted in an unprecedented \$145 billion verdict against the industry. He teaches social and behavioral sciences, mass communication and public health, and public health advocacy in the Masters of Public Health program.

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There is clearly no public health justification for the categorical exclusion of smokers from employment. The only truly valid explanation for these policies is intolerance of the lifestyle of a particular group of people -- a lifestyle which takes place completely outside the confines of the office and which has no bearing on the actual qualifications for the job. That is defined as bigotry.

Let's tackle each of the two "health" justifications offered by the Quebec Council on Tobacco and Health. First, the Council argues that as an anti-smoking organization, it needs its employees to set a good example for the public. That argument might hold if the smoking were taking place in the office. One could advance the argument that if clients or members of the public came in to the office and saw the webmaster smoking at his or her desk, that would be sending the wrong message or undermining the image that the group wishes to present. However, the issue here is not smoking on the job, but smoking outside of the office, in the employee's private time.

What bothers the group, apparently, is the simple fact of **knowing** that they have employed a smoker. That is what they apparently find too hard to bear.

In other words, it isn't about job qualifications or any legitimate employment concern. It's about disapproval of a particular lifestyle.

The primary clients of the Quebec Council on Tobacco and Health are smokers. After all, one mission of the group is to encourage smokers to quit. What kind of a message does it send to its clients to let them know that they are not even deemed worthy of employment, simply because of the lifestyle decision they have made?

For a job as a webmaster, how is off-the-job smoking relevant to the position? It is not. I could see a legitimate reason not to hire a smoker as a smoking cessation counselor because you might not want a person who has not successfully overcome a nicotine addiction advising others on how to do that; however, to be a webmaster has nothing to do with whether you smoke or not. Some of the most highly qualified webmasters out there happen to be smokers. What the Quebec Council on Tobacco and Health is saying is that they are explicitly not interested in hiring the most highly qualified person for this job. They are so intolerant of the smoking lifestyle that they would rather hire a less qualified person than give a job to a smoker.

The only one setting a bad example here is the Quebec Council on Tobacco and Health. What they are telling the public is that they hate smokers, cannot tolerate them in their presence, and wish to punish them for this unhealthy choice that they have made. In other words, the real message that the Council is sending is that they are bigots.

The same "health" argument that the Council is making could be applied to any other health behavior or condition, including obesity,

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as pointed out by mychoice.ca. If being a smoker doesn't set a good health example, then neither does being overweight. So a company could similarly justify refusing to hire fat people, or even people who are slightly overweight. The precise reasoning being used by the Quebec Council on Tobacco and Health could be advanced to defend a job announcement which read: "Looking for a webmaster. Anyone weighing more than 150 pounds need not apply."

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Would we not all agree that if the Council were excluding from employment anyone who weighs over 150 pounds, this would be a clear example of bigotry? Well then so is the exclusion of smokers from employment, as there is no difference in the justification for these two policies.

The second justification advanced by the Council is that smokers emit toxins (thirdhand smoke) and present a danger to nonsmokers. This argument is completely unsupported by any scientific evidence. The same argument could in fact be used to deny employment to anyone who "smells bad," perspires heavily, or wears perfume. To be honest, I not only find it to be a scientifically unsupported argument, I find it disgusting.

It turns out that the Quebec Council on Tobacco and Health is not alone in the anti-smoking movement in using thirdhand smoke as a justification for employment discrimination against smokers. The idea of promoting employment discrimination against smokers based on the contention that the "toxic" thirdhand smoke which smokers emit even when not actively smoking is a danger to nonsmoking employees was formally presented at the [Fifth World Conference on Nonsmokers' Rights](#), held in July 2008 and sponsored by Action on Smoking and Health.


A [paper](#) presented by a UCLA researcher argued as follows: "By now there are many statutes in place that prohibit smoking in work places. This in turn has forced smokers to go outside on smoking-breaks to indulge their habit. Unfortunately, when they return to the workplace, these smokers give off a pungent odor of smoke that is usually evident to any non-smoker in their vicinity. This odor is offensive and can cause many non-smokers to pick up the odor on their own clothes, develop headaches, and generally feel ill. In effect, it is practically just a step down from being subjected directly to secondhand smoke. My proposal is to make an administrative petition for rule making for a statute that would allow companies to prohibit smokers from re-entering the workplace until their clothing is free of an odor that can be "easily" detected by other people working within a reasonable proximity to the smoker. This would serve the purpose of assuring companies that they would not risk beings sued by smokers if the companies adopted this rule. This can be done in a few ways. Either there can be made a mandatory "wait out" period after a person is done smoking, which may be set as a specified time that allows the smoke to clear from a smoker's clothing (for example 5-10 minutes). The second way would be to have a slightly more flexible policy that leaves it to the smoker's discretion as to when the smoke has cleared out, provided that the odor is not offensive to other co-workers."

Thus, anti-smoking advocates throughout the world were being actively encouraged to promote various forms of employment discrimination against smokers based on the non-supported claims of the health effects of thirdhand smoke. Here, the argument is even weaker. It is merely the smell of smoke that is viewed as the problem. Thus, the same reasoning could be used to remove from the workplace anyone who has body odor, excessive perspiration, or perfume.

Once again, this is clearly bigotry, not public health.

Note: Arminda Mota was kind enough to put my interview on AM640 Toronto up on the mychoice.ca [web site](#). You can link to the interview from the site (see: "Has the anti-smoking pendulum swung too far?"). In the interview, I comment on the loss of a science-base and a public health perspective in the anti-smoking movement. These comments are quite relevant to today's post, as the employment discrimination illustrates how the movement has become a moral crusade rather than a legitimate health-based social movement.

Posted by [Michael Siegel](#) at 6:16 AM [0 Comments](#) 

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