♠

CASINO MANAGEMENT

COMMON ARGUMENTS

BREATHE
EASY
WITH

SMOKEFREE
CASINOS

MODEL POLICY AND IMPLEMENTATION TOOLKIT

Focus on Casino Management: Dialogue with Casino Decision Makers

Local casino managers are generally not the decision makers for corporate policy, just as a local manager of a chain restaurant may not be able to override a corporate policy. But it can certainly be helpful to engage in dialogue with management about the issues of worker health, the ineffectiveness of ventilation, and how to serve as a constructive partner for a 100% smokefree policy when that time comes. Just like when meeting with a restaurant owner or other employer, it is helpful to think about the smokefree issue from their perspective. This toolkit contains sample template for ads and materials that help provide examples of making a positive transition toward smokefree worksites. If your area casinos are already smokefree, it is still important to think about how you or others in the community can provide constructive ongoing support for the policy.

BEFORE MEETING WITH MANAGEMENT OF A CASINO, GET BACKGROUND INFORMATION:

1. Is the casino a state-regulated commercial casino or is it a tribal casino? If it is a commercial casino, which company owns and/or operates the property and brand? How many employees work there? Where are the company's other properties? Do they have sites that are already smokefree? Note that casino companies often operate various properties under different brand names.

2. Next, is the casino a publicly traded company? If so, it can be helpful to read their Securities and Exchange Commission (SEC) 10-K filing in which the companies give an overview of all their properties, overarching goals, and corporate challenges (e.g., economic downturns, increased price of gas, weather disasters, perceived regional competition, increased gaming tax rates). You can find these helpful SEC documents on the casinos' corporate websites. Contact Americans for Nonsmokers' Rights (ANR) at (510) 841-3032 if you need help locating them. The SEC documents provide insight into a company's broader perspective so you can be more culturally competent in your interactions. For example, does the company cite a need to become more sustainable, or to attract more nongaming

customers to their properties? Do they cite growing competition from new casinos in other cities or states that you know are smokefree? What do they have to say about efforts for responsible gaming?

3. Read recent news reports via an online search engine about the company and check to see what their stock price has been doing over the past year. If their stock price is down, then companies usually aren't thrilled to hear about changes that they think might cause concern for shareholders or for Wall Street. Most of the publicly traded gaming companies cite smokefree laws as a potential threat to shareholder value (along with a long list of other risks like natural disasters), so it can be challenging for them to find a way to back down from that position. This is why they need to hear and see compelling,

sustained, broad-based community and customer feedback for smokefree air. This feedback gives them something to help justify a policy shift, other than smokefree air merely being the right thing to do for worker and public health.

4. Have you and your public health partners done a walk-through of the casino? Does the casino property have designated nonsmoking areas such as poker rooms? What kind of machines, games, entertainment, or amenities are in nonsmoking areas versus thesmoking areas?

5. To understand more about what is happening with the casino industry, sign up for the American Gaming Association's Smart Briefs at www.smartbrief.com/aga/index.jsp).

and positive actions. Even if casino management is nervous about the policy at first, with positive feedback it will eventually be taken for granted as normal, and people won't want to go back to the smoke-filled past.

ALL ABOUT BUILDING RELATIONSHIPS

As you meet with casino decision makers, opinion leaders, and others in this endeavor, reflect on how to effectively build relationships with these important individuals. Relationship building takes time and effort and has clear, dynamic payoffs in the future.

A lesson learned from building relationships with tribal governments is that transparency is important for success. Being open and direct about your agency's goals and objectives will help to establish the trust between your organization and tribal governments (and casino management).

CONVERSATION STARTERS

Consider the following ideas and talking points when engaging in dialogue with management and decision makers.

POSITIVE FEEDBACK IS IMPORTANT

Many casino executives privately voice strong support for smokefree efforts and urge public health professionals to help generate stronger smokefree feedback from players and community residents thus making it easier to support a policy shift. Therefore, consider how to show positive support from players and the community, not only for a smokefree policy but also for sustaining recognition

TRIBAL SOVEREIGNTY AND ITS IMPLICATIONS IN WORKING WITH TRIBAL CASINOS:

There is nothing more important than tribal sovereignty across all tribal governments and people. Tribal sovereignty in the United States refers to the inherent authority of indigenous tribes to govern themselves within the borders of the United States of America. This right to self-govern may be tribes' most valuable reserved right. Thus, the health and protection of Native people is the responsibility of a sovereign nation. Tribal self-determination enables tribes to plan, develop, implement, and enforce smokefree policies as one of the most cost-effective avenues for improving tribal community health. Tribes can take the lead in asserting their sovereignty by developing tobacco-related policies such as smokefree tribal casinos, to protect the health of tribal member's, tribal visitors and casino patrons.

A Good Business Trend

Threats to gaming revenue from a smokefree policy will be a top concern for the industry, just as it was in years past for restaurants, bars, and other businesses. But just as those fears ultimately proved unfounded, the same could hold true for gaming employers. There are now many examples of smoke-filled casinos losing revenue and market share to smokefree casinos in neighboring cities or states.[1] These locally sensitive discussions may especially relevant to casino management and decision makers. Most people do not use tobacco,[2] and smokefree casinos cater to this majority.

The first smokefree casino in Oklahoma was opened recently by the Kaw Nation, and SouthWind Casino Manager Pam Shaw puts it this way,

"In my experience, I've found this is something there is a market for. People want to go somewhere where there's no smoke."

Growing Revenue from Nongaming Sources

Casinos increasingly want to attract a wider, more mainstream demographic to their properties, especially as core gaming revenues decline in economic downturns. Most casinos now derive a majority of their revenue from nongaming sources. Because 8 out of 10 people are nonsmokers,[3] why not market to them? Plus, young people are growing up in tobacco-free communities, attending tobacco-free colleges, and expecting smokefree air where they work, live, and play.

Smokefree Casinos Are Increasingly Common Across Much of the United Sates

Twenty states, an American Indian sovereign nation, Puerto Rico, and the U.S. Virgin Islands now have smokefree

"We opened 100% smokefree in 1997. We've expanded 100% smokefree. And even the smokers thank us for it."

~Marc Kaplan, former marketing director,
Taos Mountain Casino, Taos, New Mexico

gambling facilities by law, as do a long list of international jurisdictions. Examples in the United States include new casinos in Ohio, Maryland, Maine, and Atlantic City. Resorts World Casino New York City is not only smokefree; it is also the No. 1 slot revenue casino in the United States. Smokefree casinos are inevitable because they are what people increasingly expect and because secondhand smoke poses significant health hazards to staff and guests. (See the *Smokefree Gambling Facilities in the U.S.* document in the back pocket of the main folder.) Gaming companies are vying for licenses to open up in States that are already smokefree (Ohio and Massachusetts) and are spending a lot of money to build new properties. Obviously, these gaming companies clearly see there is money to be made—and these casinos will be smokefree.

Responsible Gaming

Responsible gaming is a term used to describe the steps taken to mitigate the negative impact of a casino, such as having policies to deal with compulsive gambling. But responsible gaming is about more than just mental health; it is also about the physical health and well-being of employees, customers, and the casino community. Smokefree casinos are an important way to provide a healthful environment for those who work and play there.

Potential Liability Issues

In places where casino employees are exposed to secondhand smoke, several legal rights may be asserted. Although potential legal recourse depends in part on the type of casino as well as the health effects suffered by the employee, casino management can greatly reduce their liability by providing a smokefree work environment. For more details on issues of liability, review the Tobacco Control Legal Consortium 2007 Report on Secondhand Smoke and Casinos.[4]

Overall Support

Many casino executives privately voice support for smokefree efforts and urge the public health community to help generate stronger smokefree feedback from players and community residents to help make it easier to support a policy shift.

A ONE-ON-ONE MEETING WITH A CASINO OWNER:

"Sitting down with the popular and community-minded owner of the Eureka Casino in Mesquite was not exactly a turning point in our smokefree Mesquite initiative, but it certainly was essential to moving forward. We kept hearing from elected officials, citizens and even members of our Smokefree Mesquite Coalition that they wouldn't want to do anything to hurt him, his family, or his business. In addition, people did not want to offend or alienate him, as the casino provides financial support for many of the local nonprofit and civic groups.

"It took several attempts and finally the involvement of an American Lung Association board member who knows him personally before he agreed to meet with us, but when the meeting occurred we talked for more than two hours and then he invited us to have lunch with him. He agreed with us in principle that secondhand smoke is harmful and stated that he believes it should be outlawed at the Federal level rather than singling out individual businesses or communities. We remained unable to agree on whether or not businesses suffer adverse economic consequences when they go smokefree. For every study showing no lasting economic impact that we presented, he had an opposing study claiming the opposite in his own binder full of documentation. That impasse over the economic argument served to reinforce to us the strength of our public health argument that first and foremost, everyone deserves equal protection under the law.

"Since our meeting, we periodically exchange e-mails to share information and now have what I believe is a friendly and mutually respectful relationship. I remind myself that Rome wasn't built in a day. At least the citizens and leaders in Mesquite are reassured that our initiative is inclusive, open to all, and non-adversarial."

–Allison Newlon Moser, Executive Director, American Lung Association in Nevada

† AMERICAN LUNG ASSOCIATION.
IN NEVADA

Focus on Common Arguments: Responding to Misperceptions

As you and your team educate casino management, employees, and the community about the need for smoke-free casinos, you may hear a few of the following comments. Here are some ideas for how to respond to these common arguments.

Argument 1

"Everyone who gambles also smokes, drinks, and so forth. All the vices go together."

One way to learn patron perceptions of the issue is with a players club survey. Four out of five gamblers are nonsmokers.[5] In the past, bar owners/managers insisted that drinking and smoking go hand in hand and if smoking were prohibited then no one would go to the bars. This perception did not prove true. Many economic studies showed that bars were not negatively affected by smokefree laws.[6] People who smoke still go to bars. It is simply about not smoking in ways that harm other people. Also, the argument about players who smoke ignores the plight of workers who are unfairly and unnecessarily exposed to secondhand smoke in their workplace.

Everyone should have the right to a smokefree workplace. Finally, people who smoke can simply step outside to light up and come back in when they are done, just like at a restaurant, bar, shopping mall, or movie theater. For casinos, this is made easier by planning for outdoor smoking areas accessible from the gaming floor. There are many design examples across the U.S. from which to learn.

Argument 2

"It's easier to open a smokefree casino than to transition a smoky casino to a smokefree property."

This might be true, but we are also aware of individual properties that remodeled and reopened smokefree to overwhelming support from patrons and employees alike.[7]

Key considerations typically include having outdoor smoking areas accessible from the gaming floor, signage informing people about the policy, and messaging. If a property is doing renovation, that can be a great time to design outdoor smoking areas in anticipation of going smokefree indoors.

Argument 3

"Smokefree casinos lose 30% of business."

This figure is the same figure tobacco companies used in the past to oppose smokefree restaurant efforts in the early 1990s. The industry's claim has since been proven to be inaccurate, as can be seen in several economic impact studies circulated by the tobacco industry (see www.no-smoke.org/document.php?id=208). Casino revenue is affected by many factors, including the economy, price of gasoline, weather, driving distance, regional competition, and more. People who smoke still go to casinos, bars, and restaurants and can simply step outside to light up and come back in when they

are done. If smokefree policies are so detrimental to business, then why are so many smokefree casinos thriving and why are companies spending hundreds of millions of dollars for the privilege of building more smokefree casinos in states like Massachusetts, Maryland, and Ohio?[8] Smokefree air is good for health, has a neutral economic impact on hospitality venues, and is what most people expect. Today, smokefree air is a nonissue. People now expect smokefree environments and increasingly take it for granted.

Argument 4

"Employees knew what they were getting into when they applied to work in a casino. If they don't like the smoke, they can go elsewhere."

No employee should have to choose between their health and a paycheck. Dealers, pit bosses, security officers, slot technicians, and other employees are highly skilled personnel who are the face and personality of the casino. Many card dealers have to audition to get a job. Employees do not have to work under other hazardous, cancer-causing conditions (such as asbestos), so why should they be exposed to secondhand smoke's cancer-causing carcinogens? People can't choose whether or not to breathe while in the building.

REFERENCES

[1] Center for Policy Analysis (CFPA) University of Massachusetts Dartmouth. (2011, April 15). CFPA's biennial New England Gaming Behavior Survey (NEGS): *Place Your Bet II: The Potential Regional Competitive Advantage of a Non-Smoking Policy for Massachusetts Casinos*. Download at www.umassd.edu/seppce/centers/cfpa/ (See What's News! on right side of page).

[2] Centers for Disease Control and Prevention. Vital Signs: Current Cigarette Smoking Among Adults Aged ≥ 18 Years—United States, 2005–2010. Morbidity and Mortality Weekly Report 2011;60(33):1207–12 [accessed 2012 Jan 24].

[3] Centers for Disease Control and Prevention, Morbidity and Mortality Weekly Report (MMWR), *Vital Signs: Current Cigarette Smoking Among Adults Aged ≥18 Years --- United States, 2005--2010* September 9, 2011 / 60(35);1207-1212

[4] Micah Berman & Caris Post, Tobacco Control Legal Consortium, Secondhand Smoke and Casinos, (2007). Download at www.publichealthlawcenter.org/sites/default/files/resources/tclc-syn-casinos-2007_0.pdf

[5] Pritsos, C.A. (2006). The percentage of gamblers who smoke: a study of Nevada casinos and other gaming venues. University of Nevada, Department of Nutrition

[6] Economic Impact of Smokefree Ordinances: An Overview, Americans for Nonsmokers' Rights, August 2006, http://no-smoke.org/document.php?id=219

[7] Delgado, J. , McCoppin, R. (2011, July 19). Des Plaines casino opens to jam-packed crowds; gamblers asked to consider delaying their visit. *Chicago Tribune*. Download at http://articles.chicagotribune.com/2011-07-19/news/ct-met-casino-opens-20110719_1_des-plaines-casino-rivers-casino-casino-officials

[8] Helms, M. (2012, May 12). Toledo's flashy new casino could draw gamblers from Detroit. *Detroit Free Press*. Download at www.freep.com/article/20120522/NEWS06/205220373/Toledo-s-flashy-new-smoke-free-casino-could-draw-gamblers-from-Detroit?odyssey=tab|topnews|text|FRONTPAGE