



POLICY

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IMPLEMENTATION



# Focus on the Policy:

## A Smokefree Gaming Worksite Policy Protects Health

When it comes to secondhand smoke, half-measures like designated nonsmoking sections on the casino or gaming floor won't protect the health of patrons or employees. Because there is no safe level of exposure to secondhand smoke,<sup>1</sup> only 100% smokefree policies fully protect everyone's health.<sup>2,3</sup> These policies also offer the greatest support to smokers who are trying to quit.<sup>4,5</sup> Smokefree worksite policies for gaming facilities can take a few forms, depending upon who owns the casino. First determine if the casino is privately-owned or owned by a sovereign tribal nation.

### PRIVATELY-OWNED CASINO

A board, chief executive officer, or casino management team can adopt a smokefree workplace policy (See page 13 of the workbook in the main folder for the Model Policy for a Smokefree Casino or Gaming Facility Workplace) to be 100% smokefree in all indoor areas, including the gaming floor, and special event areas and company vehicles. Smoking, including electronic cigarette smoking, can be restricted within specified feet of entrances, windows, and ventilation intakes to prevent smoke from drifting back into the building.

of support for smokefree casinos and send those resolutions to the governing council. (See page 15 of the workbook in the main folder for the Model Tribal Resolution for a Smokefree Casino or Gaming Facility Workplace.) Ensure that any and all activities directed at tribal and other governmental entities comply with requirements for your funding source, including restrictions on grass roots lobbying and direct lobbying.

- Tribal councils can pass a tribal ordinance making all public workplaces, including casinos, smokefree. In most

tribal nations, policies are passed after a lot of education and information is imparted to all the tribal members. Please note that it is extremely important to honor the ceremonial and cultural use of traditional tobacco (not to be confused with manufactured, commercial tobacco) in ordinance language. Each tribal nation passes and implements policies unique to its tribal government system, so it is imperative to become familiar with how policies get passed. Some policies are written into tribal code and others become law by adoption as an ordinance.

### TRIBALLY-OWNED CASINO

In 1988, then President Ronald Reagan signed the Indian Gaming Regulatory Act (IGRA) into law, which kept tribal sovereignty to create casinos. For calendar year 2011, the National Indian Gaming Commission (NIGC) identified 421 gaming establishments operated by 237 gaming tribes generating total revenue of \$27.2 billion. The American Indian gaming community primarily consists of tribes that generate much needed revenue each year through small- and moderate-size gaming operations. Typically, a tribal development authority owns the casino on behalf of all tribal members.

#### Most tribally-owned casinos can go smokefree in the following ways:

- Tribal councils can pass a resolution such as the one by the Fort Peck Nation in support of smokefree workplaces. Depending upon the tribal government system, sections of the tribal membership (like chapterhouses, clans, or sects) can also sign resolutions

### WORKING WITH TRIBAL GOVERNMENTS:

When working with various tribes throughout the nation, it is important to remember that American Indians, like any other cultural or ethnic group, are unique in their own right. An approach that proves effective with one tribe may not necessarily work with another. Developing relationships with tribal members will take time. Learn the history, culture, leadership structure, and current tribal leaders of the community you wish to work with on the issue of smokefree casinos. First and foremost, understand and respect each person with whom you have contact.

#### Attributes of a Successful Tribal Community Collaborator:

1. Be knowledgeable about their history
2. Understand Sovereignty
3. Be Respectful of tribal beliefs, including ceremonial traditional tobacco use.
4. Be aware of the role casinos play in the tribes economy
5. Develop respectful, working relationships
6. Listen, learn and be available to help
7. Be transparent, open and direct about your agency goals
8. Connect with tribal members who share an interest in tobacco education and prevention.

## SPECIAL NOTE ABOUT TRIBAL POLICIES AND RESOLUTIONS

A few things are important to note in American Indian policies. An ordinance is stronger and more relevant if it excludes the ceremonial and cultural use of traditional tobacco and delineates this use from commercial, manufactured tobacco products. As sovereign American Indian nations support commercial tobacco-free policies, they might want to consider making their ordinances or laws comprehensive by including several elements in one piece of legislation. The following are elements to include:

- Commercial tobacco-free tribal buildings
- Commercial tobacco-free public places
- Commercial tobacco-free tribal housing
- Commercial tobacco-free Powwows, playgrounds, and parks
- Not allowing smoking within 50 feet of a smokefree building
- Signage in native language and English

## Focus on Implementation: Successfully Implementing a Smokefree Casino Worksite Policy

The hard part is over; the local casino is going smokefree for the health of employees, players, and the community... now what? At this critical juncture, it is vital to have strategies to publically show overwhelming support for smokefree casinos in a big, positive way. Now is the time to make an impact and celebrate smokefree casinos and smokefree gaming jobs. To a degree, the ongoing success of smokefree casinos depends largely upon how public health professionals and the community can continue to demonstrate public support.

### CONSIDER IMPLEMENTING AS MANY OF THE FOLLOWING ACTIVITIES AS POSSIBLE

#### Conduct surveys

Launch a survey using tools like SurveyMonkey ([www.surveymonkey.com](http://www.surveymonkey.com)) to all partners and contacts to determine who might visit the casinos. Follow up with these respondents to recruit them to specific events or activities that support the effort.

#### Conduct IAQ testing

Plan to do pre/post policy air quality testing in the casino to assess how the air quality has improved thanks to the new smokefree law. This means testing in the same venues both before and after the law goes into effect. Hold a press conference or other event with the air quality results to highlight the improvements resulting from the law.



#### Create branding

Create a brand with a logo and tagline to align all of the efforts toward going smokefree. Engage a graphic artist to develop a logo that will become visible throughout the community. Put this logo on all materials, flyers, ads, and other materials so everyone becomes familiar with the message: Celebrating Your Local Smokefree Casino.

#### Build a Web presence

Build a website with designated URL. If you use a blogging platform, editing will be simple and multiple people can edit

the site. Once the branding is complete, launch the Web site and integrate general information, provide options for sharing personal stories, offer sign-ups to attend events, and other activities.

#### Educate partners

After branding is complete, host conference calls or meetings with all tobacco partners to update them on the need to continue supporting smokefree casinos, and to help plan for demonstrating this support. Convince them that their participation is important at this implementation stage because you can't make a big impact in the community without their support. Partners can assist in survey distribution, and recruit their contacts to participate in celebrations. Try to engage non-health oriented voices, too. This should be about the whole community, not just health professionals.

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*“With our existing smokefree law, working to promote our new smokefree casinos was a great way to engage our traditional partners, but also new gaming partners in the benefits of smokefree and smokefree entertainment. Our project merged old and new methods of reaching audiences and celebrating.”*

~ Cresha Auck Foley, Government Relations Director, American Heart Association and American Stroke Association, Ohio

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## Use social networking

Create a Facebook page. Integrate with pages mentioned above, and roll out to local coalitions.

- Share lists of local casino Facebook pages with partners so they can like the pages and submit comments in support of smokefree gaming.
- Provide a sample plan and messaging to partners for individual posts on casino Facebook pages. Casino management teams pay close attention to their Facebook pages, and if they frequently see positive messages posted there about how wonderful it is to have smokefree gaming, they will see and carefully track the support.
- Research new ways to integrate Facebook into your plans. Upload your contact list and use it to target ads or messaging in Facebook. If you have a list of casino patrons or a nonprofit list, you can use your marketing resources to reach the people on the lists.
- Develop a plan for additional Facebook integration by tagging and posting pictures of events or activities. For instance, repost media articles and be sure to tag them and the casino in the post.
- Keep it up! Keep the positive comments coming over the first year, being mindful of anniversaries and special events.

## Base activities on events

Event-based activities can be planned to support casinos that open or reopen as smokefree:

- Host a press event with local community leaders, casino patrons, and workers to congratulate the casino for opening smokefree.
- Present casino management with a smokefree business award.
- Recruit local supporters of smokefree gaming to participate with positive, homemade signage on a street corner near the casino.

## Identify spokespeople

Identify players and workers to speak to the media and the public. Remember that casino customers come in all ages: Senior adults, young adults, younger poker players, and people who like to go to upscale restaurants or resorts.

- Cultivate relationships with frequent casino players and casino workers.
- Consider sending a survey to members of partner organizations asking people to self-identify or identify relatives or friends interested in speaking in

support of smokefree casinos. Post the questions on Facebook pages. Purchase Facebook ads to recruit people to submit their stories about why they like smokefree casinos.

- During presentations to local groups, ask participants whether they have stories they would like to share with the media or general public. Submit a request for spokespeople as a local news brief in relevant newsletters.
- Use your local network of nonprofit organizations to recruit spokespersons to speak at events.
- For more ideas of how to engage casino workers, visit <http://www.smokefreecasinos.org> and click on the related topics link: Engaging Gaming Workers.

## Media Outreach

- Develop a supportive letter to the editor template to encourage people to submit letters to local daily and weekly papers.
- When appropriate, work with key local leaders to develop op-ed pieces on how going smokefree is beneficial and good for the community.
- Provide sample press releases for local coalitions (see the resources section for a sample press release from Colorado's celebration).
- Train potential spokespeople to be available for media requests.





- Participate on a local radio talk show and share an “I’m excited for smokefree gaming because . . .” story.
- Educate the media early in the process, and sensitize them to the tobacco industry’s typical tactics and misinformation, such as claims that going smokefree means huge economic losses.
- If the casino has the funds, consider asking them to place an ad in local media outlets about the healthy change to a smokefree gaming facility (see the resources section for template ads).

### Reach Out to Individuals and Players’ Club Members

- Develop strategy for outreach to players’ club members.
- Include wristbands or receipt stickers (e.g., Thanks for being smokefree! or Love the smokefree gaming!) and make them available for distribution by local coalitions.
- Get a roll of the “I ‘heart’ Smokefree Gaming” stickers from Americans for Nonsmokers’ Rights (ANR) at [www.no-smoke.org/aboutus.php?id=440](http://www.no-smoke.org/aboutus.php?id=440), and encourage people to wear them each time they go to the casino.
- Purchase special lanyards to hold players’ club cards, and imprint the lanyards with messages such as “WINNER! Smokefree Gaming” or Thanks for Being Smokefree!
- Encourage the casino to consider fun ways to include their staff members and players’ club members in social media events, such as a short video, to celebrate the smokefree air.

### Garner Community Support

- Place targeted yard signs that say, Love Our Local Smokefree Casino.
- Use players’ club member stories or quotes from individuals who shared their “I’m excited for smokefree gaming because . . .” stories and make a mailing piece to be sent to targeted direct mail recipients.

### Assistance to Casinos

- Offer to help casinos with media calls and be a resource for media calls.
- Ask casino management teams what would be meaningful to show community support in a dynamic way.
- Encourage top management to set up a committee to oversee the process of celebrating success and include management, workers, union representatives (if applicable), nonsmoking employees, smoking employees, and former smokers.
- Gather information to help educate the committee and eventually the entire workforce.
- Encourage management to survey their workers about their knowledge and concerns so they can be addressed as the policy goes into effect.
- Suggest that management set up an enforcement policy that is consistent with other personnel policies and disciplinary procedures (e.g., the number of allowed breaks should be addressed under the company’s general break policy and should apply to all workers, smokers, and nonsmokers alike).

## WHAT ABOUT WORKERS WHO SMOKE AND WANT TO QUIT?

If the casino provides health insurance or health maintenance organization (HMO) coverage, encourage them to check to see whether their policy covers cessation services (including counseling and medication). If it doesn’t, coverage possibly can be added. This is the most cost-effective benefit the casinos can offer their workers.

Other things casinos can do to increase smokers’ chances of quitting include the following:

- Distributing a list of local smoking cessation programs
  - Providing free self-help materials
  - Organizing free onsite support groups
  - Offering free or reimbursed smoking cessation programs onsite or through local providers
- Advise management to announce the policy several months before the start date with a letter to staff. Casino managers should be trained on how to handle worker or customer concerns, questions, and infractions, if they occur. Educate workers about the reasons for the policy by using resources like paycheck inserts, posters, or company newsletters. (See page 35 of the workbook in the main folder for a sample business mailer.) Use these colorful mailers to get the word out to the community about smokefree gaming.
  - Be available to help workers who want to quit smoking. Adopting a smokefree policy is not passing judgment on smokers, and it doesn’t mean workers who smoke are unwelcome. Providing cessation assistance to smokers who try to quit as a result of the 100% smokefree casino policy can increase acceptance of the policy. It is also the best way to make sure that the casino or gaming enterprise maximizes the

*“Advocates of Ohio’s indoor-smoking ban need not fear that the casino will seek an exemption. I can’t stand smoking and I think the Horseshoe Casino will be a huge draw for people who feel the same.”*

~ In a preopening interview,  
Horseshoe Casino owner Dan Gilbert



potential health benefits, and cost savings, of the smokefree policy.

- Offer to assist the casino staff in positing no smoking signs and removing ashtrays and tobacco vending machines. Consider providing the casino with celebratory smokefree coasters, napkins, and whatever else might help them see that public health professionals are trying to make the transition as positive as possible.
- Health groups might be able to partner with the casino on other issues like healthful meals for workers.

## CREATING A SUPPORTIVE ENVIRONMENT

Successful enforcement of a smokefree casino worksite policy comes down to the three “P’s”: Preparation, Planning and Promotion. By working closely with casino management to establish an environment that conveys a consistent smokefree message, the new policy will be easy to enforce. Be sure to prepare the casino floor by removing cigarette butt receptacles and installing signage and have the signs in place by the time the policy goes into effect. Adequate signage makes a big difference of ease in the policy

compliance. Signs should be placed at all vehicle and pedestrian entrances in order to notify patrons, visitors and employees that they are entering a smokefree casino environment. As Cresha Auck Foley, Government Relations Director for Ohio’s American Heart Association observes from her work with Ohio’s smokefree casinos, “Enforcement really isn’t an issue. The casinos have a ton of signage up about the smokefree policy. I’m not even aware of any complaints being submitted to the enforcement telephone line.”

In the weeks before the policy takes effect, casino management should clearly communicate to supervisors, pit-bosses, and casino security officers their role in enforcing the policy, including specific guidance on how to effectively correct noncompliance. Consider assisting management to train supervisors and security officers in enforcement procedures, handling or filing complaints, and effective conflict management.

Encourage casino management to monitor enforcement to make sure that the policy is being applied in an equitable manner.

Suggest that top management officials walk through the casino floor, especially areas where casino goers have traditionally

smoked in the past, during the first few days after the policy takes effect as a visible show of support for the policy.

### In Tribal Communities:

Smokefree enforcement depends on how the tribal government established the smokefree policy; this policy would vary from tribe to tribes since tribal government’s structures are diverse and so are the gaming commissions.<sup>6</sup> For the most part security officers enforce smokefree policies in Tribal Casinos. Two tribal government laws would most likely impact the enforcement of any restrictions and then be implemented by the gaming commission (unless gaming floor security is handled separately from the commission):

- 1.) A tribal government smokefree law would include a civil enforcement section (under most governments this depends on duly commissioned authority to fine/arrest so the jurisdiction is varied across Indian Country).
- 2.) Tribal Gaming Ordinance/Code would contain a section about enforcement of a gaming area activity and tribal law.

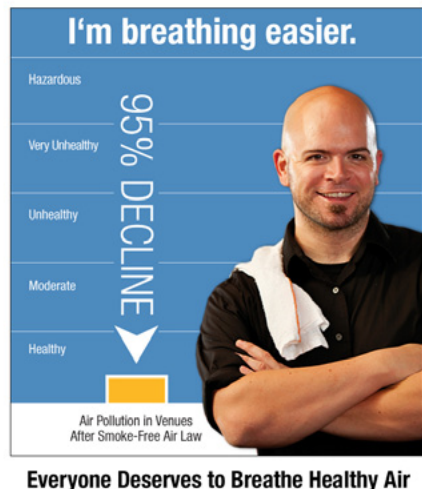
## A WORD ABOUT SMOKING ROOMS

In some states where there is a smokefree casino law, a small handful of casinos have installed enclosed smoking room indoors in defiance of the spirit of the law. These smoking rooms do not keep the smoke from wafting out and clearly jeopardize the health and safety of workers.

Read your state smokefree law carefully. Legislation that establishes smokefree casinos should contain language relevant to enforcement, including identifying the enforcing agency for violations.

Public health professionals and smokefree coalitions can engage and increase the level of scrutiny and discussion on the issue of smoking rooms. Maybe new Indoor Air Quality (IAQ) testing is needed to demonstrate that these smoke-filled rooms actually pollute the air inside a casino. Spread the word that smoking rooms do not address the health hazards of secondhand smoke. Letters to casino management, local newspapers and media health programs can also bring attention to the need for casinos covered by smokefree laws to comply with all aspects of that law, including removing smoking rooms.

Compliance of the smokefree laws should be expected in casinos just like any other workplace.



## TRACKING SUCCESS

Tracking the impact of a new smokefree casino worksite policy on public opinion, indoor air quality, compliance, employee health and business can help show that the policy is popular, successful and having its intended workplace health benefits.

Carefully done research on your smokefree casino worksite policy's impact can also create additional media outreach on the policy's beneficial impact. Tracking the policy's success also helps counter the possibility of opponents endeavoring to undermine public support for smokefree casinos.

Consider what types of evaluation you want to conduct after your smokefree casino policy goes into effect and how

you plan to use it. Air quality tests and public opinion surveys, in particular, have proven to be efficient uses of resources to demonstrate the benefits of and support for a smokefree casino. Identify your reasons for studying various aspects of the new policy's impact (media advocacy, feedback to stakeholders, etc.) and determine what, if any, money is available. Feel free to contact ANR, or other groups for assistance.

- One tip is to conduct a public opinion study or visitor survey that affirms the popularity of and support for the policy after enough time has passed for the community to become used to the new smokefree casino environment, (usually six months after policy implementation). Casino management might be willing

to sponsor a public opinion study or perhaps partner in a survey of their players club members. Six months after the new policy has been implemented, see how people feel about their casino going smokefree. Hire a reputable company that regularly handles public opinion surveys to make sure you're receiving objective and scientifically credible results. Download a sample public opinion survey script your pollsters can customize and use. [www.goingsmokefree.org/tools/evaluation.html](http://www.goingsmokefree.org/tools/evaluation.html).

- As described earlier in this toolkit, Indoor Air Quality (IAQ) assessments are a great way to test smoke particulate levels due to smoking. After implementation of the smokefree casino policy, test the air again and then compare the results. The comparison can be thrilling! One tip when releasing the comparison information to the media is to include a simple graph showing the Environmental Protection Agency (EPA) "good" level of particulate exposure along with the before and after levels. Note, however, that there is no safe level of exposure to secondhand smoke, and the EPA scale was designed for outdoor air quality.
- If you have collected baseline data on casino workers' health, such as biomarker studies and/or carbon monoxide (CO<sub>2</sub>) breathalyzer testing, (See page 10 of the workbook in the main folder for Focus on Health), be sure to collect post policy

*"There exist in Indian Country various non-Indian corporate entities that operate gaming venues and they must abide by tribe law on Indian land. Also, Tribes have the authority to ban anyone from their facilities (Indian/Non-Indian) if they deem fit. There will be significant changes in enforcement under the Tribal Law and Order Act of 2010 as it applies to extension of authority.*

*As to the smoking plaza in the interior of the tribal gaming facility regulation, violations would be impacted by general descriptions and other TERO/licensing compliance by the tribe/gaming commissions to abide by tribal law and ordinances and the duly commissioned personnel that exert authority under tribal law."*



~ Lori New Breast, Certified Gaming Commissioner



## Don't Let Your Most Valuable Asset Go-Up in Smoke.

Your employees are the most valuable asset for the casino. Smoke-free air policies help protect people from the dangers of secondhand smoke. A smoke-free casino will provide a safe and healthy workplace that can reduce healthcare cost, employee turnover and energy cost.

Smoke-free air is one way to improve corporate social responsibility, sustainability, customer retention/recruitment, and profits. Not a bad-day's work.



**ANR** AMERICANS for NONSMOKERS' RIGHTS

This is a Wonderful Place to Work. It's so fresh and clean.

Are you looking for an exciting and financially rewarding career Join the team at [Smoke-Free] Casino. Competitive pay and healthcare benefits are provided.

I ❤️ my job.

**ANR** AMERICANS for NONSMOKERS' RIGHTS



implementation data as well. Comparing these results will give data about secondhand smoke exposure and related symptoms.

- You could also consider pre and post-policy testing of cotinine levels in casino staff that are interested in participating. This take a bit more planning, but it can be another way to help casino employees understand their secondhand smoke exposure levels, even in a "well ventilated" building and the dramatic health benefits provided to them by having a smokefree workplace environment.
- Do you have access to other expertise for casino patron survey design and analysis? Consider working with

the casino management to conduct a follow-up casino patron survey six months after implementation of the smokefree policy.

- If you have documented higher ambulance calls to the casino due to secondhand smoke related issues, be sure to also document the decline in ambulance runs after the casino is smokefree.
- Also consider surveying employees for their opinions and support post implementation of the smokefree policy. Contact ANR for assistance in survey design.

## CHECKLIST OF THINGS TO DO:

- ✓ Acknowledge casino management, tribal council, or community leaders with a thank-you ad, letters of gratitude, or even a smokefree award
- ✓ Invite casino patrons to attend celebratory smokefree activities
- ✓ Conduct IAQ pre/post testing
- ✓ Create a brand
- ✓ Build a Web site or a Facebook page for the celebratory activities
- ✓ Have a short-, medium-, and long-term strategy with clear goals for cultivating strong community engagement
- ✓ Recruit and train spokespeople
- ✓ Cultivate stories and testimonials from casino workers, patrons and community stakeholders
- ✓ Make a big impact in the media with positive earned and paid media
- ✓ Engage casino patrons and players' club members
- ✓ Show community support in additional ways—lawn signs, radio shows, holding signs by the road, etc
- ✓ Build rapport with and provide positive feedback to local casino management
- ✓ Plan, prepare and promote the policy
- ✓ Track your success by conducting targeted evaluation measures



# REFERENCES

<sup>1</sup> U.S. Department of Health and Human Services. (2006). *The Health Consequences of Involuntary Exposure to Secondhand Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health.

<sup>2</sup> *Ibid.*

<sup>3</sup> Samet, J., Bohanon, Jr., H.R., Coultas, D.B., Houston, T.P., Persily, A.K., Schoen, L.J., et al. (2010). ASHRAE position document on environmental tobacco smoke. American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). Download at [www.ashrae.org/about-ashrae/position-documents](http://www.ashrae.org/about-ashrae/position-documents)

<sup>4</sup> National Cancer Institute. (2000). *Population Based Smoking Cessation: Proceedings of a Conference on What Works to Influence Cessation in the General Population*. Smoking and Tobacco Control Monograph No. 12. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health, National Cancer Institute. Retrieved March 20, 2006, from <http://cancercontrol.cancer.gov/tcrb/monographs/12/>

<sup>5</sup> Fichtenberg, C.M., Glantz, S.A. (2002). Effect of smoke-free workplaces on smoking behavior: systematic review. *British Medical Journal*, 325, 188–194. <http://bmj.bmjournals.com/cgi/content/full/325/7357/188>.

<sup>6</sup> Light, S.A., & Rand, K.R.L. (2005). *Indian Gaming and Tribal Sovereignty: The Casino Compromise*. Lawrence, KS: University Press of Kansas.

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