

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Senate Bill 419: AA Prohibiting Smoking in Regulated Areas of Casinos

Casino dealers face highly-concentrated levels of secondhand smoke. Many gaming employees develop new or aggravated respiratory problems including asthma, the "Foxwoods flu", as well as unsafe exposure for pregnant women. The current state smoking ban does not apply to casino workers.¹

OVERVIEW

Since 2003, Connecticut has enjoyed a comprehensive statewide smoking ban that applies to all restaurants, bars, retail food stores, state buildings, health care institutions, and a variety of establishments with state issued liquor licenses.

The current state smoking ban does not apply to casinos and their employees.

SB 419 expands the current smoking ban to include all areas of the state's casinos by adding the Casino Permit (CGS 30-37k) to the current smoking ban legislation (CGS 19a-342) along with other permits issued for the sale of liquor already included in the law. Because both casinos have this state issued Casino Permit, this proposal effectively expands the current smoking ban to include all areas within the casinos.

BACKGROUND

The Casino Permit (CGS 30-37k) defines casinos as follows:

"Casino" means the premises within which a gaming facility is operated with other facilities, including, but not limited to, restaurants, hotels, nightclubs, bingo halls or convention centers; and (2) "gaming facility" means a room or rooms within which class III gaming, as defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701, et seq., is legally conducted.

The Casino Permit (CGS 30-37k) allows for the following:

- 1. the retail sale of alcoholic liquor to be consumed on the premises of a casino*
- 2. the manufacture, storage and bottling of beer to be consumed on the premises with or without the sale of food, provided the holder of a casino permit produces at least five thousand gallons of beer on the premises annually.*
- 3. the retail sale of alcoholic liquor by means of a guest bar located in hotel guest rooms provided such guest bar is: (1) Accessible only by key, magnetic card or similar device provided by the hotel to a registered guest twenty-one years of age or older; and (2) restocked no earlier than nine o'clock a.m. and no later than one o'clock a.m.*

Don't Gamble with Workers' Health
Support SB 419

For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Senate Bill 419: AA Prohibiting Smoking in Regulated Areas of Casinos

Casino dealers face highly-concentrated levels of secondhand smoke. Many gaming employees develop new or aggravated respiratory problems including asthma, the "Foxwoods flu", as well as unsafe exposure for pregnant women. The current state smoking ban does not apply to casino workers.¹

Health Effects

- Casino workers are at greater risk for lung and heart disease because of secondhand smoke exposure.¹
- Casino workers in a "well-ventilated" casino had cotinine (metabolized nicotine) levels 300-600% higher than in other smoking workplaces during a work shift.²
- Smoke-filled casinos have up to 50 times more cancer-causing particles in the air than highways and city streets clogged with diesel trucks in rush hour traffic.³
- **100% smoke-free workplace policies are the only effective way to eliminate secondhand smoke exposure in the workplace.**⁴

Legal Impact:

Exemptions for Tribal Sovereignty do not apply:

- According to the Compact, signed by the Tribal Nations, they agree to sell liquor pursuant to state liquor laws.
- Both casinos located in Connecticut have state issued liquor licenses specifically for use in casinos per CGS 30-37k.
- This proposal simply includes the casino liquor permit in the smoking ban legislation CGS19a-342 (Formerly Sec. 1-21b), along with other establishments currently covered under the state's smoking ban.

Economic Impact:

- According to the California Board of Equalization, California's bars, casinos and gambling clubs continue to profit since going smoke-free in January 1998.⁵
- According to *Tobacco Control*, smoke-free laws have no effect on total gambling revenues or on the average revenue per machine⁶
- The Massachusetts Smoke-Free Workplace Law has not adversely affected keno sales since it went into effect on July 5, 2004. Net keno sales have increased approximately \$121,000 per year since 2000.⁷
- *Tobacco Control* also reports that smoke-free laws do not adversely affect charitable bingo profits.⁸
- There is a trend towards non-smoking casino's. The Governor's proposal for 3 casinos in Mass requirement that they will be non-smoking.
- Five Tribal Nations have voluntarily made their casinos 100% smoke-free.

Industry trends towards smoke-free

"It's [going smoke-free] just good business," said Mitchell Etes, executive vice president of the Mohegan Sun Casino.

Quoted In: Masterson, K., "Casinos offer a healthier alternative with non-smoking areas," Associated Press, April 17, 2001.

"Generally speaking, we believe over the next three-year period smoking will be banned in almost all casinos throughout the United States or certainly on the eastern seaboard." James B. Perry, Chief Executive Officer of Trump Entertainment Resorts, NJ

Quoted In: Harper, D., "Atlantic City Council bans most casino smoking: compromise ban clears the air on 75 percent of gaming floors," Press of Atlantic City, February 8, 2007.

"Harrah's Entertainment fully-supports the Atlantic City Council's approved ordinance designating smoke-free zones within our resorts." J. Carlos Tolosa, Eastern Division President, Harrah's Entertainment, Inc.

Quoted In: Sokolic, W.H., "Harrah's to create smoking lounges," Courier-Post, September 12, 2007.

Get the facts. Meet the workers.

For more information, contact us at 860-674-0143.



¹ Curran, J., "For casino workers, smoke study underscores hazard," *Newsday/AP*, October 17, 2004.

² Trout D.; Decker J.; Mueller C.; Bernert J.T.; Pirkle J., "Exposure of casino employees to environmental tobacco smoke," *JOEM*. 1998 March;40(3): 270-6. Accessed on May 20, 2004. Download at http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?cmd=Retrieve&db=PubMed&list_uids=9531098&dopt=Abstract.

³ Repace, J., "Respirable Particles and Carcinogens in the Air of Delaware Hospitality Venues Before and After a Smoking Ban." *JOEM*, September 10, 2004.

⁴ Ibid

⁵ [n.a.], "Smoke-Free Bar Fact Sheet," *BREATH*, [n.d.].

⁶ Mandel, L.L.; Alamar, B.C.; Glantz, S.A., "Smoke-free law did not affect revenue from gaming in Delaware," *Tobacco Control*; 14: 10-12, 2005.

⁷ Connolly, G.N.; Carpenter, C.; Alpert, H.R.; Skeer, M.; Travers, M., "Evaluation of the Massachusetts Smoke-Free Workplace Law: a preliminary report," *Division of Public Health Practice, Harvard School of Public Health, Tobacco Research Program*, April 4, 2005. Download at http://www.hsph.harvard.edu/php/pri/trct/p/Smoke-free_Workplace.pdf.

⁸ Glantz, S.A.; Wilson-Loots, R., "No association of smoke-free ordinances with profits from bingo and charitable games in Massachusetts," *Tobacco Control*;12: 411-413, 2003.

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Senate Bill 419: AA Prohibiting Smoking in Regulated Areas of Casinos

Casino dealers face highly-concentrated levels of secondhand smoke. Many gaming employees develop new or aggravated respiratory problems including asthma, the "Foxwoods flu", as well as unsafe exposure for pregnant women. The current state smoking ban does not apply to casino workers.¹

Key Findings from The Jerome N. Frank Legal Services Organization

YALE LAW SCHOOL

FEBRUARY 22, 2008

- “We conclude that the State has the authority to enact the proposed legislation and apply it to the existing tribally-owned casinos:
 - Under the terms of the Tribal-State Gaming Compacts between the Tribes and the State of Connecticut, and
 - Pursuant to Title 18 U.S.C. § 1161, which, as affirmed by the U.S. Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), constitutes a grant of authority by the U.S. Congress to the states to regulate the sale of liquor on Indian tribal land
- By extending the state-wide smoking ban to include institutions with liquor licenses issued pursuant to C.G.S. § 30-37k, the proposed legislation does no more than impose a condition upon the sale of alcoholic beverages at casinos.
- The authority of the State to regulate liquor licenses within the gaming facilities is also recognized in the tribal laws of both the Mohegan and Mashantucket Pequot Tribes.
 - Article V, § 3-272. of the Mohegan Tribe’s Code of Ordinances recognizes that the “laws of the State of Connecticut . . . apply to the service of alcoholic beverages within any Gaming Facility of The Tribe by virtue of the State of Connecticut-Mohegan Tribe Gaming Compact.”
 - Similarly, Title XVII § 2(a) of the Mashantucket Pequot Tribal Law states that within the Tribe’s gaming facility, “the laws and regulations of the state of Connecticut applicable to the sale and distribution of alcoholic beverages are enforced by the State.”
- Even without the consent expressed in the Tribal-State Compacts, the State has authority to extend § 19a-342 to casinos. The proposed amendment simply modifies the terms and conditions for receipt of a state liquor license. The U.S. Congress, which the U.S. Supreme Court has recognized as having “plenary power to legislate in the field of Indian affairs,” *United States v. Lara*, 541 U.S. 193, 200 (2004), has explicitly granted states the power to require a license for liquor sale on tribal lands under 18 U.S.C. §
- Conclusion. No law anywhere privileges tribal casinos to sell alcohol under terms and conditions any different than those that govern public accommodations elsewhere in Connecticut. Under the Tribal-State Compacts, and under controlling federal law, Connecticut liquor laws apply. If Connecticut liquor laws ban smoking as a condition of holding a liquor license, the Tribal casinos must comply, or give up their license to sell liquor.”

For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Senate Bill 419: AA Prohibiting Smoking in Regulated Areas of Casinos

Casino dealers face highly-concentrated levels of secondhand smoke. Many gaming employees develop new or aggravated respiratory problems including asthma, the "Foxwoods flu", as well as unsafe exposure for pregnant women. The current state smoking ban does not apply to casino workers.¹

Economic Impact: Going smoke-free is good for business.

NEW YORK CITY:

- The New York City Department of Finance also reported that a Zogby poll found that a majority of customers reported that the smoking restrictions would have no impact on their patronage of restaurants and bars. The number of patrons who said their patronage would decrease was less than the number of customers who said they would frequent these establishments more often because of the smoke-free laws.
- A 2004 study by the New York City Department of Finance measured four economic indicators: sales tax receipts, revenues, employment and the number of licenses issued. The study researched the time periods immediately before and after the laws took effect.
- Increases were reported in all four areas.⁹

MASSACHUSETTS:

- The Massachusetts Smoke-Free Workplace Law has not adversely affected keno sales since it went into effect on July 5, 2004; in fact, net keno sales have increased.¹⁰
- The Governor's proposal for 3 casinos in Massachusetts include the requirement that they will be non-smoking.

NEW JERSEY:

- Atlantic City officials enacted a city ordinance in February 2007 making city casinos 75% smoke free.
- The New Jersey state legislature has legislation pending to include all casinos in the state smoking ban.

DELAWARE:

Governor Ruth Ann Minner states:

- Delaware's Clean Indoor Air Act went into effect November 2002. It prohibits smoking in virtually all indoor public places, including restaurants, bars, casinos, bowling alleys, pool halls, racetracks and 75% of hotel rooms.
- [Before its passage], some predicted that the Clean Indoor Air Act would hurt the bottom line of businesses. Conversely, there are more restaurants and bars licensed in Delaware now [2006] than when the Act went into effect. Delaware's three slot machine casinos have all experienced their highest revenue periods in the last two years.¹¹

CALIFORNIA:

- Analyzing tax revenue from 1990 to 2002 found that the 1995 smoke-free restaurant law was associated with an increase in revenues.¹²
- The 1998 smoke-free bar law was also associated with an increase in revenues.¹³
- Also according to the California Board of Equalization, California's bars, casinos and gambling clubs continue to profit since going smoke-free in January 1998.¹⁴
- A study of California patrons following enactment of the smoke-free bars law found more customers reported they were "just as likely" or "more likely" to visit a bar that was smoke-free – an increase from 86% to 91% over two years.¹⁵

What about industry studies?

THE U.S. SURGEON
GENERAL REPORTS:

"Studies showing a negative economic impact that was attributed to clean indoor air laws were 4 times more likely to have used a subjective outcome measure and 20 times more likely not to have been subject to peer review than studies that found no adverse impact.

All of the studies that found a negative economic impact were supported by the tobacco industry."¹¹

Get the facts. Meet the workers.

For more information, contact us at 860-674-0143.

⁹ Ibid, p. 615

¹⁰ Connolly, G.N.; Carpenter, C.; Alpert, H.R.; Skeer, M.; Travers, M., "Evaluation of the Massachusetts Smoke-Free Workplace Law: a preliminary report," *Division of Public Health Practice, Harvard School of Public Health, Tobacco Research Program*, April 4, 2005. Download at http://www.hsph.harvard.edu/php/pri/tcrtp/Smoke-free_Workplace.pdf.

¹¹ Governor Ruth Ann Minner, November 6, 2006, public letter to New Jersey GASP,

¹² U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*, p.614. 2006.

¹³ Ibid.

¹⁴ [n.a.], "Smoke-Free Bar Fact Sheet," *BREATH*, [n.d.].

¹⁵ "The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General". 2006, U.S. Department of Health and Human Services, p.614

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Senate Bill 419: AA Prohibiting Smoking in Regulated Areas of Casinos

Casino dealers face highly-concentrated levels of secondhand smoke. Many gaming employees develop new or aggravated respiratory problems including asthma, the "Foxwoods flu", as well as unsafe exposure for pregnant women. The current state smoking ban does not apply to casino workers.¹

Industry Leaders Speak Out In Support of Smoke-free Gaming

Dover Downs – Delaware

Ed Suttor, Dover Downs Operating Officer, DE

"I think it's going to happen inevitably across the United States. There's an old saying: You have lemons, you make lemonade. We're advertising that we're smoke-free."

Quoted In: Giordano, R., "Smoke ban in the cards?" Philadelphia Inquirer, February 5, 2007.

Harrahs Entertainment – Atlantic City

J. Carlos Tolosa, Eastern Division President, Harrah's Entertainment, Inc.

"Harrah's Entertainment fully-supports the Atlantic City Council's approved ordinance designating smoke-free zones within our resorts. We are committed to improving the work environment for our employees and we thank the Council for working with us on this important issue."

Quoted In: Sokolic, W.H., "Harrah's to create smoking lounges," Courier-Post, September 12, 2007.

Hilton Casino Resort – Atlantic City

Tony Rodio, Regional President of the Atlantic City Hilton Casino Resort and Resorts Atlantic City

"We propose that no dollars be wasted constructing walls or smoking lounges that are unsightly or ineffective on the casino floor, and that the industry, state and city all agree that each casino will be 100 percent smokefree at some point in the future."

Quoted In: Rodio, T., "Rodio: scrap lounges, build attractions," Press of Atlantic City, September 20, 2007.

Tropicana – Atlantic City

Fred Buro, President, Tropicana Atlantic City, NJ

"Everybody's in the same boat. Everybody thinks everything should be smokefree," Buro said of Atlantic City's desire to see a smoking ban spread to competing markets."

Quoted In: Wittkowski, D., "Time runs down for smoking at casinos," Press of Atlantic City, April 2, 2007

Mohegan Sun – Connecticut

"It's [going smokefree] just good business," said Mitchell Etes, executive vice president of the Mohegan Sun Casino.

Quoted In: Masterson, K., "Casinos offer a healthier alternative with non-smoking areas," Associated Press, April 17, 2001.

NOTE: Mitchell Etes is currently Chief Executive Officer the Mohegan Tribal Gaming Authority (MTGA) and President and CEO of Mohegan Sun.

"Every survey of our customers has indicated that the number one amenity they would like to see at Mohegan Sun is a smoke-free gaming area... Similarly, in response to customer demand, we converted our poker area to a smoke-free environment in April 2000. The feedback we have received has been great," said William J. Velardo, president and general manager of the Mohegan Sun Casino.

Quoted In: [n.a.], "Mohegan Sun announces new smoke-free venue," PRNewswire, October 17, 2000.

Casino Regina – Canada

"We [Casino Regina] certainly look on the whole non-smoking policy by the government as a very positive thing. We think it's good for the casino, and, on the public side, we think it's good to have a completely smoke-free facility," said Bill Davies, a spokesperson for the Crown corporation that operates Casino Regina and Casino Moose Jaw.

Quoted In: [n.a.], "Smoking ban not a problem, casino operator says," Canadian Broadcasting Corporation, February 14, 2005. Downloaded at <http://sask.cbc.ca/regional/servelet/PrintStory?filename=casinos-smoking050204®ion=Sask>.

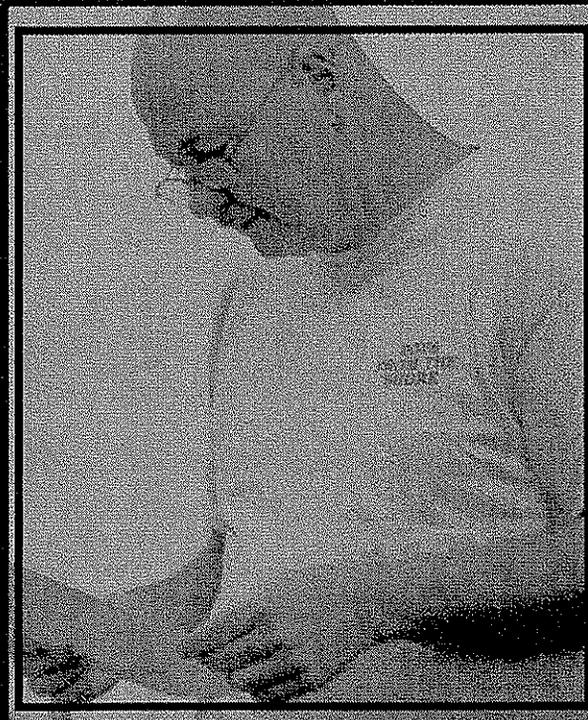


For more information,
contact us at 860-674-0143.

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.



Jack Edwards

Grave Shift, 11 ½ year employee

"I have a combination of sinus, allergy and asthma problems which are progressively worsening. Smoke is the major cause.

I take sinus / allergy medication every day I work. I require none on my days off. Imagine that!

Businesses including Foxwoods complain about the rising health costs. In allowing smoking in the casino, Foxwoods is contributing to their own increase in costs.

We should not have to die a little every day, trying to make a living."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.

Reñe Michaud

Grave Shift, 12 year employee

"I've been a smoker for more than forty years. Even for me, the level of second hand smoke is too much. As dealers we work in close proximity to 5-6 people smoking at a time, and the concentration in the air is just terrible.

On grave shift we have the lowest number of people at the table. If it's that bad for me at my tables on grave shift, you can imagine what day and swing shift dealers are inhaling. When I worked swing shift until about five years ago, I ended every day with a sore throat and feeling like my face was in an ashtray.

My son is starting BlackJack school and he has a touch of asthma and bronchitis. I want my son to have a good job, but I am very concerned about how working at Foxwoods will affect him."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
ROYAL & FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

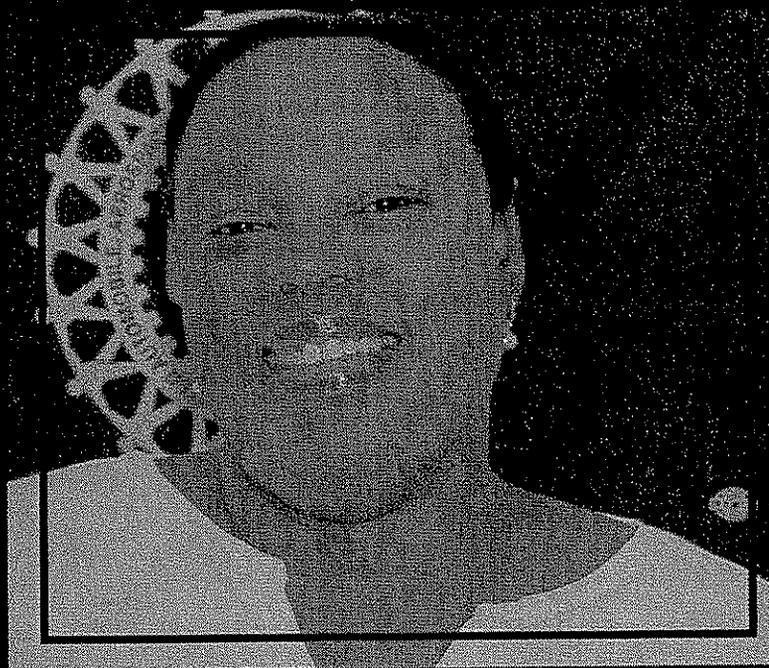
Get the facts. Meet the workers.

Jacqueline Little

Grave Shift, 15 year employee

"About 5 years ago, Foxwoods discontinued the option for pregnant women and people with respiratory ailments to work in a totally smoke-free environment.

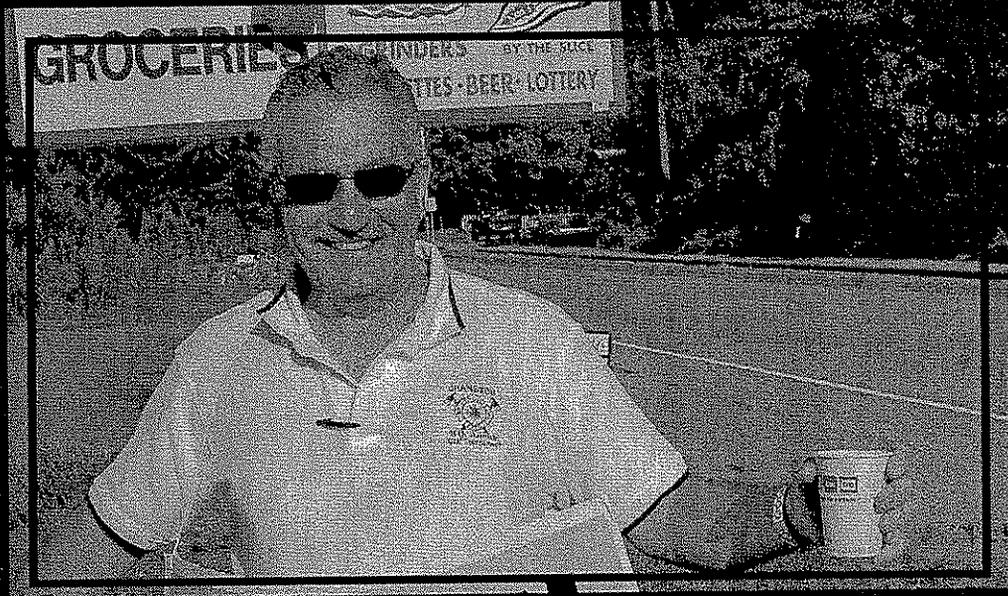
While we are trying to provide a positive gaming experience for our customers, people are choking in clouds of smoke. Just as is the case in airports, movie theaters and restaurants, we should be able to do our jobs and in a safe and healthy work environment."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.
SUPPORT SMOKE-FREE CASINOS
Get the facts. Meet the workers.



John Anderson

Swing Shift, 8 month employee

"In the past eight months, I have had three bouts of respiratory infections.

I was a firefighter for 26 years and a construction worker for 6 years. While in those jobs, I never experienced getting respiratory problems as much as I have in the past eight months.

I believe the frequency of my illnesses is directly associated with the air quality in the casino — it's the constant second-hand smoke. Even as a smoker myself, it bothers me."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.



Amon Vongsanith

Swing Shift, 5 year employee

"A lot of people get sick from the smoking. It's not fair.

In Table Games, when we're dealing Black Jack 21, we are very close to the customers – it's a smaller table than in Poker.

Foxwoods should take care of workers health. If we don't have good health, how can we work?"



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.

Dave Cantor

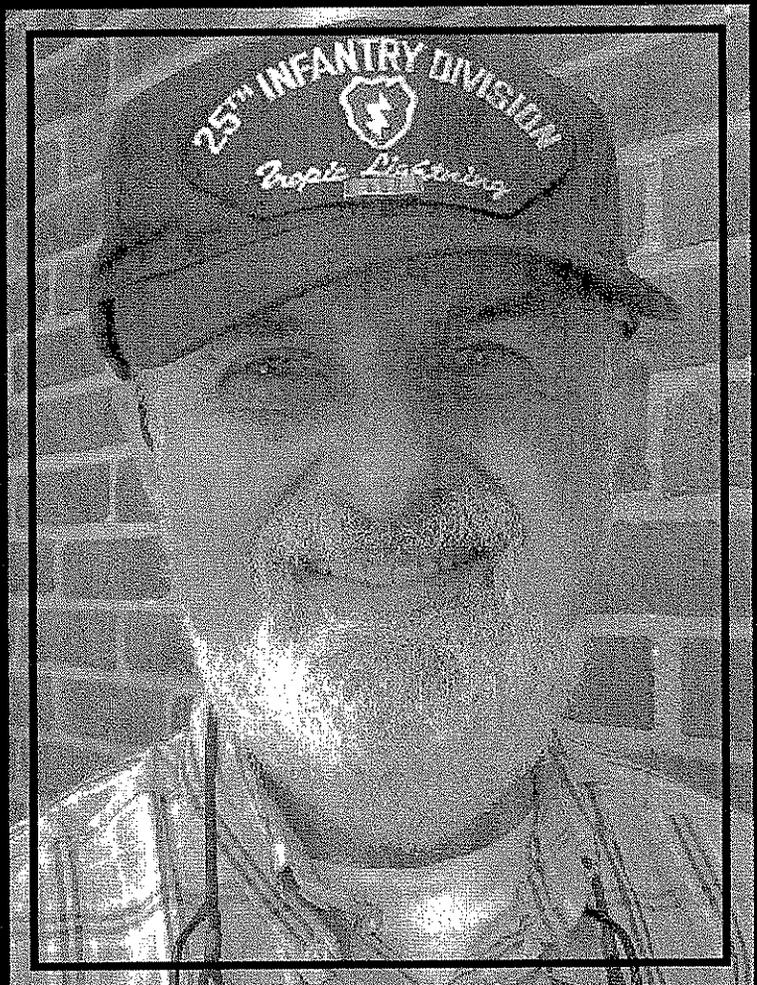
Day Shift, 14 year employee

"I served with the U.S. Army in Vietnam, and now I deal cards.

When I have an asthma attack at work, I sometimes cannot speak or breathe until I can take my rescue inhaler. I alert my supervisor by clapping as loud as I can, clearing my hands, and stepping back from the table before I reach for my inhaler.

I have been reprimanded for not telling my supervisor before getting my inhaler. But if I can't breathe, I can't speak, and not using my inhaler puts my life at risk.

I'm fearful of losing my job just because I'm protecting my life."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.

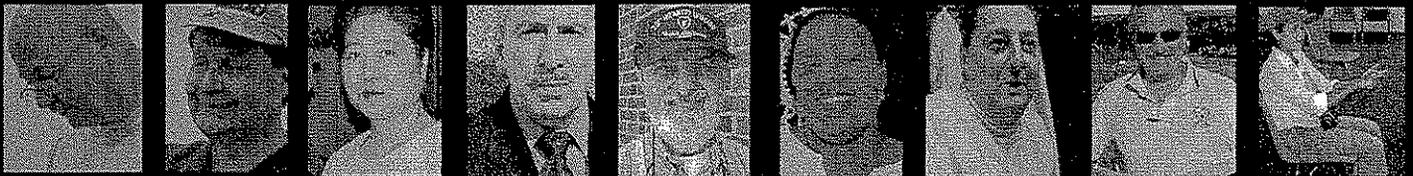


Dave Barry

Day Shift, Table Games Dealer, 18 year employee

"My doctor asked me how long I've smoked. I told him I don't smoke – but I secondhand 2 or 3 packs a day.

Employees need and deserve a smoke-free workplace."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.



Wei Ching Siu

Day Shift, Table Games Dealer, 4 ½ year employee

"It's very bad for the dealers, working eight hours a day in the smoke. It's terrible. My eyes get very red – I have to put in eye drops every hour. I've tried wearing glasses at the table but that doesn't really protect my eyes. On break, we go to the restroom to splash water on our eyes. It would be good for all of us if our work environment was healthier."



For more information, contact us at 860-674-0143.

UAW AT FOXWOODS
UAW AT FOXWOODS

CT casino workers are getting sick at work. You can help.

SUPPORT SMOKE-FREE CASINOS

Get the facts. Meet the workers.



Hugo Romani

Swing Shift, Table Games Dealer, 13 year employee

"When people have trouble breathing, they start coughing. But if you cough too much, they have a policy, you can't be at the table. You get sent home and lose your day's pay."

I love my job, and I am proud to work at Foxwoods – I have 13 years of service. But we can make it better, a safer place to work.



For more information, contact us at 860-674-0143.
Open494px

UAW AT FOXWOODS
UAW AT FOXWOODS