

**COMPARISON OF CRD CLEAN AIR BYLAW &
WORKERS' COMPENSATION BOARD REGULATIONS**

KEY AREAS	CRD CLEAN AIR BYLAW	WCB REGULATION
Mandate	Protect health of public	Protect health and safety of workers
Jurisdiction	Capital Regional District	Province of BC
History	Secondhand smoke regulation in place since May 1984. Clean Air Bylaw prohibiting smoking in ALL public places in place since January 1, 1999.	January 1, 2000 regulations protecting workers from secondhand smoke were struck down in court. New regulation allowing designated smoking rooms to come into effect September 2001.
Coverage	All indoor public places (including workplaces). No allowance for designated smoking areas/rooms.	All workplaces. Allowance for designated smoking rooms. Regulation does not apply to the public.
Level Playing Field	Total ban on smoking. Neutralizes smoking as a competitive factor.	Total ban on smoking or designated smoking rooms permitted at a cost to the business operator.
Health	Total ban on smoking prevents any exposure to secondhand smoke while in public indoor places. This is in keeping with the 1999 ASHRAE Engineering Ventilation Standard that recognizes no safe level of exposure to secondhand smoke.	Total ban on smoking or designated smoking rooms. Ventilation "comfort" option based on 1989 ASHRAE Engineering Ventilation Standard.
Enforcement	Compliance checks by CRD and CHR enforcement and tobacco reduction staff, as well as responding to complaints. Warning letters issued. Ticketing. Fines. Court Action.	Complaint driven. 200 field officers in all of BC to deal with 4,000 regulations. No penalties on the first visit. Warnings will be issued.
Economic Impact	"Within the CRD there are no long-term impacts associated with the no smoking bylaw" (<i>Pacific Analytics Report</i>). Benefits include less employee absenteeism, savings in operating costs (lower cleaning costs, reduced replacement costs due to fewer burned materials, reduced fire insurance costs). Tourism was not affected negatively by the Bylaw (<i>Pacific Analytics Report</i>).	Effects not know at this time
Other Considerations	Smoking is not permitted inside school buildings. Smoking is not permitted outdoors on school property. Volunteers are not subjected to secondhand smoke. Children are not subjected to secondhand smoke in any public building, restaurant, etc.	Teachers and students could be permitted to smoke in designated smoking rooms. Smoking could be permitted outdoors on school property. Volunteers could be subjected to secondhand smoke as they are NOT covered by WCB regulations. Children could be permitted to enter designated smoking rooms.