

# Town down to nitty-gritty of its smoking bylaw issue

By **JASON MISNER**  
*The Champion*

The Town of Milton is looking into whether provisions can be injected into its new smoking legislation to protect employees working in designated smoking rooms (DSRs).

Staff is also inquiring if the legislation can prohibit people under the age of 19 from being able to work in DSRs.

Milton council ratified at its Monday meeting how the various legal clauses will read in the Town's new smoking legislation. Ward 4 Councillor Rick Malboeuf — a heavy opponent of the new smoking bylaw — used the opportunity to ask for and received majority consent from councillors for the two issues to be examined.

"There's no provision in the bylaw to protect any of the employees," he told councillors. "My concern is their health."

Clauses in the smoking bylaw, and any bylaw for that matter, are significant because they set out the Town's responsibilities for how it will be implemented.

Council passed a new smoking bylaw April 28 that allows bars, restaurants, gaming facilities and race tracks to open a designated smoking room starting January 1, under certain conditions. Businesses would be required to sign a contract stipulating that

DSRs must come down in 2009, when Milton will be smoke-free.

The current bylaw prohibits smoking in bars and restaurants.

Mr. Malboeuf said he thinks a clause can be added into the business contract addressing the protection issue of employees working in DSRs. "We're writing the wording of the contract," he said. "We can put into the contract that business owners can't force someone to work in DSRs and can't fire them if they don't want to."

A report is expected to come to council at its next meeting June 23.

Ward 2 Councillor Wally Hunter, who voted against the smoking bylaw last month, said he doesn't see the point in paying for a legal opinion for something the Town won't have any influence over.

The Ontario Campaign for Action on Tobacco — a vocal anti-tobacco group — said Mr. Malboeuf's query is interesting but that it probably couldn't be implemented. But director Michael Perley said the issue of protecting employees' rights who work in smoking environments raises an important point in regard to insurance premiums paid for by businesses.

If more people get sick by working in a smoking environment and successfully file for workman's compensation, it could inevitably lead to higher insurance premiums

paid by businesses, he said.

Businesses pay into workman's compensation in the event an employee gets hurt or sick on the job. Mr. Perley said Milton's smoking legislation could open the door in the future for people to file for compensation on the grounds they have been made ill by working in smoking workplaces.

"What happens is the more cases that show up that workers get sick and that they've been made ill by second-hand smoke, insurance companies may raise their rates," said Mr. Perley.

Mr. Perley pointed to two recent cases in Ottawa and Peterborough as examples where employees were compensated by the Workplace Safety and Insurance Board of Ontario because of working in smoking environments.

Meanwhile, the word "guarantee" — which was used to stipulate Milton businesses could continue using DSRs for five continuous years — was removed from the bylaw.

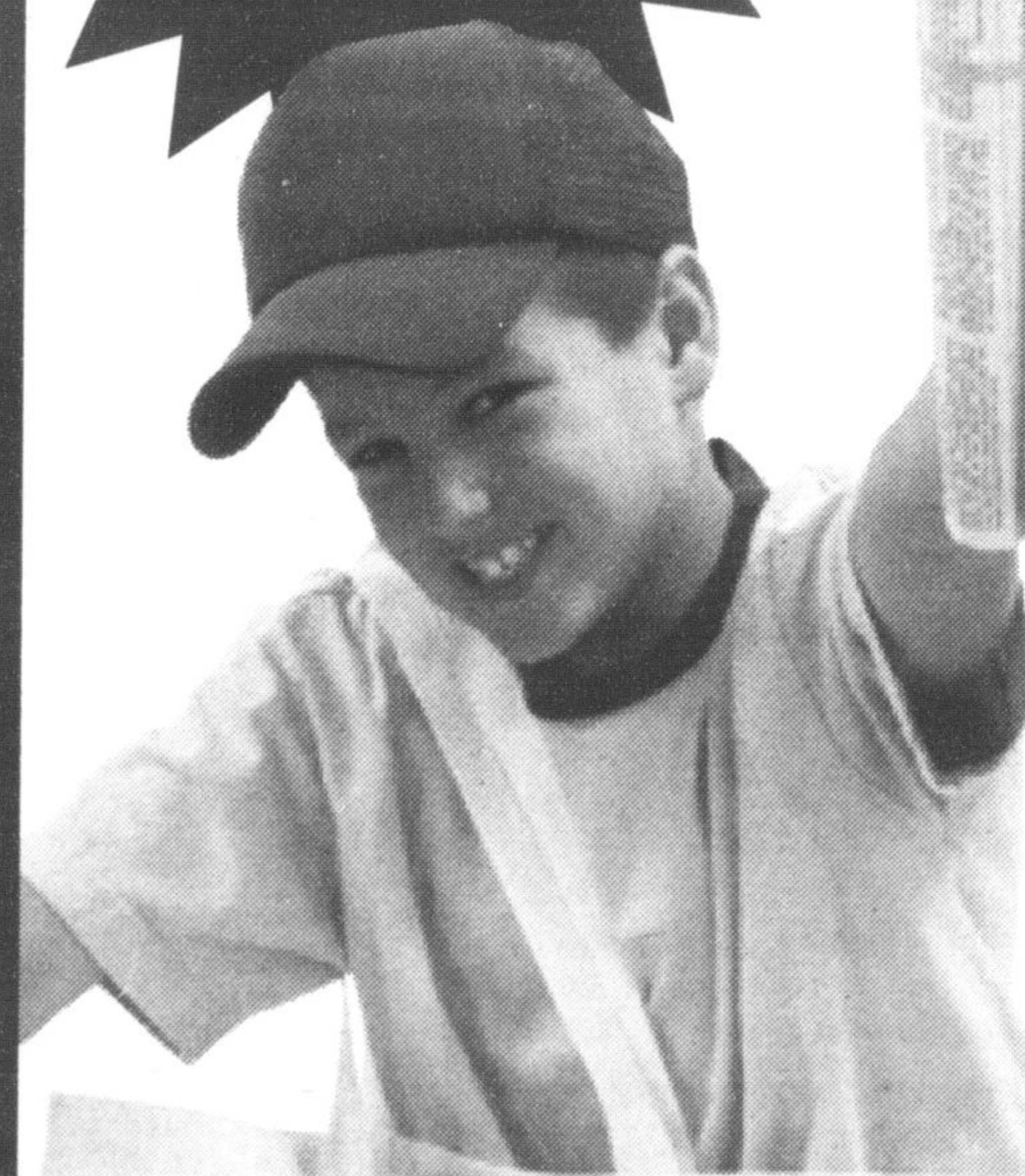
The concern among councillors was the word guarantee could set the Town up for a legal challenge if a higher level of government made Ontario smoke-free prior to the DSR expiration date of January 1, 2009.

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—Advertorial—

## Summer Learning!

"Oh, No! Summer is coming!" exclaimed Susan Munday, a mother of two in the Milton area. "My kids seem to slip backwards every summer!" "By the end of June, they are doing quite well in school," she went on, "yet when September rolls around, they are slow to get going again. It takes them two months before they get back on track. Is there anything that I can do to help them overcome this problem?"

The answer is YES! Enroll your child in a program at Oxford. Oxford's summer programs are designed to help kids stay sharp and have fun!

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The issue is not one of forgetting. It is far more important than that. For the most part, students can and do forget virtually everything they have learned during a school year, well before the next school year begins. Try this test for yourself. Sit down in a quiet spot and jot down titles of anything you can remember from your own school experiences. This test should amaze you. By the end of high school alone, a student will have spent more than 15,000 hours in school! If you are like most of us, you will remember very little from those 15,000 hours.

This must mean that the "stuff" we learn in school is not really as important as we think. What is important, however, is that we learn how to think, to organize, to focus! We must learn to trust our own minds, and develop confidence in our ability to understand. When we know "how to learn", we can learn new "stuff" whenever it is important. That is what we lose in the summer. We lose the mental focus, the sharpness, the on-task ability. By the end of a typical summer, kids often go from high levels of these "thinking and learning" skills to virtually none. You can help your child stay focused this summer. The results will show in September.

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