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City Commission of Dayton
P.O. Box 22
Dayton, Ohio 45401

Dear Members of the Commission:

On behalf of Cigar Rights of America, we want to take this opportunity to voice our opposition to the recently adopted city policy of not hiring city employees based upon the use of tobacco products. This policy is discriminatory, unfair, and unnecessary, as it seeks to dictate lifestyle choices even during non-work time.

By subjecting new employees to such practices as random "nicotine testing," the city is initiating a practice of harassment for what could be the simple enjoyment of a cigar. While the city can encourage healthy lifestyle choices as a component to any employee benefits policy, taking this to the level of dictating lifestyle choices sets an unacceptable city, state, and national precedent. If this policy is allowed to stand, the obvious question becomes, what is next? Alcohol, sugar, salt, cheeseburgers, soft drinks, mandatory gym time for the slightly obese?

Our specific concern with this newly adopted policy involves the enjoyment of premium handmade cigars, which are not associated with the public health issues under attack with this policy. We are prepared to submit for review by the city studies and analysis that clearly demonstrate that premium handmade cigars do not have the issues of mortality, addiction or inhalation associated with other products, yet future city employees would be barred from their enjoyment, or face loss of employment. That should be an unacceptable scenario for the City of Dayton, and any other jurisdiction considering such a policy.

In addition, the policy states that employees can be subject to "reasonable suspicion" based upon "odor" or "information obtained by a reliable person," which coupled with the dictate that those found to be using a tobacco product are subject to "unannounced follow up tests for a period up to five years," is nothing short of harassment to which no Dayton city employee should be subjected.

Based upon the weak foundation upon which this policy was adopted, we hope that the City of Dayton will reconsider this intrusion into the private lives of future city employees, and reverse this policy.

Thank you for your time and attention to this request.

Respectfully,

Glynn Loope

Glynn Loope
Executive Director
Cigar Rights of America

Cc: Jeffrey A. Cooper, Health Commissioner, Dayton & Montgomery County