

**The impact of California Smoking Bar Banned to the bar
owners in Orange County**

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Chapter 1

Introduction

Nowadays, smoking problem is a major problem in The United States, which the government has been trying to solve for many years. Further, it is the single most important source of preventable disease and premature death, killing more than 400,000 people each year. It is more than the number of deaths caused by AIDS, alcohol, drug abuse, car crashes, murders, suicides, and fires combined, according to the Centers for Disease Control. Therefore, the government tries to discourage smoking by indicating the effects of it. Everybody knows that smoking does not have any advantage. In fact, the consequences of it are devastating. Although the majority of people know its consequences, the number of smokers is still increasing especially on teenagers. For instance, teens invariably cite social status and "looking cool" as the main reasons they started smoking. And according to the American Lung Association, the most common situation in which young people first try a cigarette is in the company of a friend who have already smoked. Hence, smoking is a very serious problem that everybody needs to be concerned about.

Likewise, the smoking problem in Orange County, California, is also a major problem, which impacts the people as well as public places. However, state government are concerned about it and seriously want to solve this problem. As a result, the state government has banned smoking in most public venues including workplaces, restaurants, bars, bowling alleys, clubs and so on.

However, while California had banned smoking in restaurants, factories, offices, and other enclosed workplaces since 1995, the law contained an exemption for bars and restaurants, in the hope that sophisticated ventilation systems could be

devised. But that didn't happen. And no-smoking sections in bars and restaurants are not a solution, since smoke respects no boundaries.

On January 1, 1998, California became the first state in the nation to ban smoking in about all in-door public places, including bars. This law, however, has numerous problems resulted from inconsistent enforcement and varying interpretations of it. The ban of smoking in bars has dramatic results to the bar owners as well as employees. A few examples of the erratic consequences of the ban include business loss, inconsistent enforcement, non-compliance, court ruling, and customer dissatisfaction.

In Orange County, California, the ban has snuffed out smoking at most restaurant bars, which account for 90 percent of the 2,800 drinking establishments in Orange County.

Therefore, the purpose of this research project is to examine the impact of California smoking bars banned in Orange County as well as to provide the information regarding the effect of smoking to the seconhand smoke in orange county.

Statement of the Problem

The statement of the problem provides an overview of the California smoking law, focusing on the impact to the bar owners and bar employees. The relevant aspects, such as the consequences stemming from the ban. Moreover, the effect of smoking on the secondhand smoke is also identified on this research.

In order to examine the impact of the law to the bar owners, it is essential to consider the terms of business loss, customer dissatisfaction, costly enforcement policies, and non-compliance. (chapter 2)

Research Questions

In this study, there are two research questions will be analysed, focusin on the California smoking bar banned.

Is the law has the effects to their business? This question will focus on the impact of California Smoking Bar Banned to bar establishments, such as bar owners, bar employees and bar patrons, in the area of Orange County.

Should smoking be banned in the bars? The purpose of this question, then, is to examine the opinions of the bar workers and bar employees to the California's new smoking law. (chapter 3)

Research Assumptions

The first assumptions, supported the first research question, is the law has the negative effects to the bar owners.

Additionally, the second assumptions, supported the second question, is the ban should not be banned in the bars.

Significance of the Study

In fact, the law has many supporter, of course. It is intended to protect workers from the harmful effects of secondhand smoke. According to the state's Department of Health Services, those effects are particularly threatening in bars. In

California, the preliminary evidence suggests that waiters and waitresses have about a 50-90% increased risk of lung cancer that is most likely attributable to restaurant and bar tobacco smoke exposure.

On the other hand, the law has numerous effects to the bar owners in term of business. Several bar owners have claimed the ban could drive them out of business. Moreover, some of the bar owners joined together to fight the california smoking ban about the negarive effects of the statewide on their businesses.

With increasing of bars and restaurant bars as well as the public awareness of the health hazards of secondhand smoke today, the significance of this study need to be concerned.

Chapter 2

Review of the Literature relating to the impact of California Smoking Bar Banned and the impact of Smoking Problem

Chapter Introduction

This chapter explores the diverse body of literature relating to the impact of the law to bar owners and bars employees, and the impact of smoking to secondhand smoke. A variety of studies and observations are assimilated in order to provide the information regarding the solution of the law in both advantage and disadvantage ways. In this vain, throughout the chapter, themes are developed which form the information relating to against the law.

In analyzing the literature relating to the impact of california smoking bar banned to bar owners and bar employees, this chapter firstly provides the overview of the impact of the ban as it affects to the bars. Following this, the purpose of the law as well as its success and its problem discussed in some details. Eventually, this chapter also provides the overview of the secondhand smoke.

A considerable amount of literature has evolved analysing numerous aspects of the impact of the california smoking bar banned in Orange County. Throughout this analysis, emphasis is placed upon evidence relating to the law and its effect on the bar owners and bar employees.

An overview of the effects of California Smoking Bar Banned

On January 1, 1998, California became the first state to ban smoking in bars, igniting a rancorous debate as it eliminated one of the last great refuges for smokers. The ban follows a California crackdown on smoking in all other workplaces, including restaurants, that took effect three years ago.

Since the ban went into effect in California's bars on January 1, 1998, however, two years later, a substantial number of tavern owners and patrons are still ignoring the law.

Bar establishments do not like the new smoking law. The owners, managers, employees of bar establishments disapprove of the new smoking law which took effect on January 1 (Hambrick, 1998). A few negative effects happened with the bar establishments since the ban went into effect include:

Business Loss: Bar owners who are complying with the law are losing revenues and bar employees have lost tips. In fact, bar owners throughout the state, including Orange County, joined together to voice their outrage about the negative effects of the statewide smoking ban on their businesses, such as fewer tips, more fights, and lost revenues.

In Orange County, John Johnson, owner of a chain of bars in Westminster, Huntington Beach, Stanton and Fullerton, has been the target of local enforcement agencies and anti-smoking activists because he still allows smoking in his establishments. Instead of posting the required "*No-Smoking*" signs in his bars, Johnson has put one out which reads "*Smoking Permitted.*" (Fairbanks, 1998)

Non-Compliance: Many bar owners and employees, local elected officials and enforcement agencies are simply ignoring the smoking ban altogether. Even in areas where enforcement officials are issuing citations, many bar owners take their chances getting fined rather than lose customers and revenues. For example, in a recent survey conducted by California's Department of Health Services, 52.5% of "stand-alone" bar owners and employees openly acknowledged that they were not complying with the ban (Castillo, 1998). For instance, bars blow smoke in face of

ban. Many owners are trying various strategies to sidestep the law (Orange County Register, 1998).

Court Ruling: When citations are issued, they are frequently challenged in court and often, judges are ruling that the law is too vague to fit many of the complaints. The courts also are deciding that there are, in fact, significant exemptions (Castillo, 1998).

An overview of the impact of smoking on secondhand smoke in workplaces

Second-hand Smoke, also known as Environmental Tobacco Smoke (ETS), is one of the world's leading public health concerns. Everyday, non-smokers are inhaling harmful tobacco-related chemicals whether they choose to or not. What's more – second-hand smoke can be more toxic than smoke inhaled by a smoker. More precisely, infants and small children are especially affected by second-hand smoke, due to the fact that their young internal organs are still developing. Second-hand smoke directly worsens diseases and even creates new ones when there were none before. (California Department of Health and Services, tobacco section)

In addition, Smoking-related diseases claim an estimated 430,700 American lives each year, including those affected indirectly, such as babies born prematurely due to prenatal maternal smoking and some of the victims of "secondhand" exposure to tobacco's carcinogens.

Given the significantly increased risk of heart disease and lung cancer, one would expect to find increased rates of involuntary smoking-related disease and death in bar and restaurant employees.

There are several confounding variables that could explain an elevated lung cancer risk in bar workers. These include active smoking, socio-economic status,

stress, and social support. Of these, active smoking is the most important (Siegel, 1992).

Under the California Smoking law, it is intended to protect workers from the harmful effects of secondhand smoke. Based on evidence of the health effects of involuntary smoking, courts have ruled that this common law duty requires employers to provide nonsmoking employees with an environment free from tobacco smoke. Through several court opinions, the definition of tobacco smoke as an avoidable occupational hazard, and the right of the nonsmoking worker to be protected from this hazard, have been accepted.

Chapter Summary

According to the impact of the law to bar owners, these overview is clearly point to widespread non-compliance with California's new smoking law for bars. The non-compliance is not based upon ignorance of the law, it is based upon strong opposition to the law and the belief that many bars and taverns are just ignoring it. These overviews significantly undermine their claims to date on this issue. In other words, It is clear that bar employers are required, under California's new smoking law, to provide a smoke-free work environment for employees. In addition, under Federal and state law, they must protect employees who are especially sensitive to smoke by providing a smoke-free work environment.

Chapter 3

Research Methodology

“ This is a one shot, problem-solving case study. That is, it is a one-time look at an existing problem.”

Introduction

The purpose of this chapter is to describe the methodological approach employed in this study to examine the impact of California Smoking Bar Banned to bar owners. Explained in this chapter are the description of research,

Description of Research

The primary objective of this research is to examine the impact of California Smoking Bar Banned, focusing on the bar owners. Is the law has the effects to their business? The second objective is to examine the opinion of bar employees and bar customers to the California’s new smoking law. Should smoking be banned in bars?

Units of Analysis

In order to gain the data relating to the research objective, units of analysis , then, need to be concerned and carefully selected. In this research, the units of analysis are the individual people.

As the units of analysis, individual people in this research tend to focus on the bar establishments, such as bar owners and, or managers, bar employees, and bar customers, depending on the research questions. For instance, in order to accomplish the first question, *Is the law has the effects to their business?*, the units of analysis tend to be the bar owners or manager. Likewise, in order to answer the second question, *Should smoking be banned in bars?* , the units of analysis tend to be bar workers or bar customers. In this study, however, the units of analysis of the second

question, which are bar workers and customers, were divided into three groups: teens, non-smoker people, and smoker people.

Research Design

This chapter, then, provides the procedure of the research project, focusing on the observations, data processing, and data analysis.

To conduct a survey, in order to accomplish the research question, questionnaires and interview are concerned as the research instrumentation. (see the example on the appendices)

Now, a question is how to conduct the research questionnaires and what is going to be asked in order to accomplish the research question. In this study, however, the scale construction is different depending on the research question. As an attempt to develop a format for generating the research questionnaires, a Thurstone scale is designed in order to accomplish the first question which is focusing on the impact of the law to bar owners. A group of judges is given 4 items that are thought to be indicators of a given variable. Each judge is then asked to estimate how strong an indicator of a variable each item is, by assigning scores of 1-10. For example, in this study, the score of 1 is indicate to the weakest indicators of the effect of the law, the score of 13 to the strongest indicators, and intermediate scores to those felt to be somewhere in between.

In other words, a type of composite measure developed by Renis Likert, Likert Scale, in an attempt to improve the levels of measurement in social research through the use of standardized response categories in survey question-items. In this study, the likert scale is selected to conduct the research questionnaires focusing on the second question which is asked to the bar workers and, or bar customers. For

instance, the responses categories in this study are strongly agree, agree, neutral, disagree, and strongly disagree as a Liker Scale.

Data Gathering

In order to accomplish the research objectives, data was mainly collected by using the questionnaires and personal interview. A thurstone scale construction was employed to examine the impact of the California smoking bar banned on the bar owners. On the other hand, linkert scale was employed to examine the opinion of bar workers as well as bar customer to the smoking ban in the bars. Furthermore, the personal interview to the people around the researcher also provide the additonal information relating to the research question. For example, by asking the classmate, members in family, friends, and so on.

Limitations

The research project, however, will be finalised with some of the limitations of this study. For example, in this study, there are some limitations on the number of bars, number of sampling groups, and the specific area.

More precisely, this research, then, will study the impact of the law in the Orange County are. Additionnally, in order to accomplish the research question, the limitations also need to be concerned. For instance, in this research project, the number of bars are limited to 4 bars, which are magaritaville, 2J's Cocktail Lounge, Yard House, and Habana. Those are in the Orange County.

Likewies with the number of sampling groups, in order to accomplish the second question, It was set to 10 persons in each group.

Chapter4

Data Presentation and Analysis

Data presentation

According to the research survey, the four variables - faced with lost revenues, customer dissatisfaction, more violation, and costly enforcement policies increased - of research interest will be analysed, respectively, focusing on the impact of the California smoking law to the bar owners.

From the process of research survey and personal interview, the research questionnaires were completed by the units of analysis, bar establishments, in the area of Orange County. Furthermore, the personal interview to the people interested in this research is also provide an additional data, in order to accomplish the research question.

Nevertheless, the scope of this research, however, is limited to the specific group. (see the research limitation, chapter 3)

Analysis of the Results

Now that both theoretical and methodological contexts have been established, this chapter seeks to build upon previous analysis to examine what the impact of California smoking bar banned has been on bar owners and what the attitudes of bar workers and customers to the law.

According to the impact of California smoking bar banned to the bar establishments, this chapter then provided the significant data insight into the the law to the bar establishments including bar owners, managers, workers, and even bar customers, in the area of Orange County. Empirical results support both research questions. Interestingly, there is strong evidence from the results to support the first assumption. It was confirmed that California smoking bar banned had been

significant in running their business in terms of customer dissatisfaction, lost revenues, costly enforcement policies, and more violation sequenced by the degree of importance. More specifically, however, the business has strongly affected by the law in the the first few years since the law went into effect in California's bars. In contrast, the negative effects tend to decrease, but still have little effects compared with the situation before the law went into effect in the bars.

In other word, results, received from the bar workers and bar customers on the process of finding the solution for the second question, indicated that people established the variety of opinions regarding the California smoking bar banned. In this study, the first sampling group, teens, tends to disagree with the law. For instance, they thought smoking definitely should be banned from restaurants, but not from bars or clubs. Smoking looks cool, and young people need something to do while standing in the middle of some disco, pretending to be bored. It was a traditional rite of passage.

In addition, the second sampling group, non-smoker people, mostly tend to agree to strongly agree with the law. Finally, the last sampling group, smoker people, have different opinions. Some people disagree with the law, giving their opinion that the law should not go into the bars where the people go for drinking and smoking. On the other hand, some people tend to agree with it, because of the surrounding situation and respectful of non-smoker around them.

Chapter 5

Summary, Conclusion, and Recommendations

To conclude, this section now summarises the main findings from research analysis in previous chapter and highlights significant results that have emerged.

This study empirically examines the impact of the California smoking bar banned to the bar owners and employees since the law went into effect on January 1, 1998. The primary objective of this study is to examine whether the California's new smoking law contribute to the negative effects to the bar owners, with the overall impacts after the law went into the bars. The second aim is to study whether bar workers and bar customers agree or disagree with the law, focusing on their opinions.

From the analysis, the key findings indicated that the California smoking bar banned had a significant effects to the bar owners, especially in the first few years since the law went into effect bars, mainly with the business loss, such as lost revenues, fewer tips. More specifically, after the entry of the law, the total revenues were found to be significantly more decrease than pre-entry of the law. Interestingly, it was found that violation has occasionally occurred in some bars after the ban went into the bars. The results, however, indeed lend healthy support to the first hypothesis of this study and are congruous with findings emerging from other literature, which studied on the impact of the California's new smoking law.

Furthermore, according to the second aim, the results indicated that in each of sampling groups, the given results were different, which mean that some people agree with the law, others disagree. Interestingly, teens, as a first sampling group, are still have the highly degree of disagree to the law, because of their own thinking in terms of traditional rite. Nevertheless, the group of smoker, however, are not completely

disagree with the law, some of them respect to the law which is not meet the research assumption. Unsurprisingly, among

Whilst most bars in Orange County, or even in California, are sustaining tremendous daily loses in business as well as still have negative effects relating to the law, in contrast, has not been strongly affected by this events. This could be the results of the ongoing success of the California smoking bar banned. In addition, the given results from the survey and personal interview, they are indicated that people today tend to percieve and adapt themselves to the new law.

Recommendation for Futther Study

Having pulled together the main findings of the research project and drawn some conclusions as to the impact of the California smoking bar banned on bar owners. Research on the California smoking bar banned and its effects shows a bright potential for further study, but deeply in detail as well as wide-spread on other counties. The research project will be finalised with some of the limitations of this study, outlined where future research should be examined to further our understanding of the impact of the law on bar owners.

The summary of research project as an extra credit

Research topic

The impact of California smoking bar banned to bar owners in Orange County.

Research questions

Is the law has the effects to their business? This question will focus on the impact of California Smoking Bar Banned to bar establishments, such as bar owners, bar employees and bar patrons, in the area of Orange County.

Should smoking be banned in the bars? The purpose of this question, then, is to examine the opinions of the bar workers and bar employees to the California's new smoking law.

Brief reports and summaries

To sum up, many of the empirical findings in this study are congruous with assumptions emerging from the literatures. For example, the impact of the law is confirmed as being significant in decreasing revenues, sales, and customer dissatisfaction, but increasing in costly enforcement policies. However, nowadays, the impact varied from almost nothing on chance of violation, and slightly decrease on the lost revenues. Last but not least, the findings regarding the opinion of bar customers and bar workers to the California smoking bar banned reveal that people relating to the bars mostly tend to accept the new law. However, there is an exceptional case on teens, but mostly the disagree question was established by the teen customers more than teen workers in the bars.

Appendices

The impact of California smoking bar banned to bar owners

This questionnaire is designed by Narin Suwannawet, student at CSUSB ,using the method of Thurstone Scale, in order to accomplish the purpose of this research project.

Cicle the number shown at the under of each questions, which refer to how strong of each negative effect affects your business.

Noted: the number 1 indicated as the weakest indicator of the effect of the law, number 10 indicated as the strongest one.

1. Did the law has an effect on your business in terms of lost revenues, sales, or even fewer tips?

1 2 3 4 5 6 7 8 9 10

2. Did the law has an effect on your businees in terms of more violations?

1 2 3 4 5 6 7 8 9 10

3. Did the law has an effect on your business in terms of customer dissatisfaction?

1 2 3 4 5 6 7 8 9 10

4. Did the law has an effect on your business in terms of increasing of costly enforcement policies?

1 2 3 4 5 6 7 8 9 10

Thank you very much for your participation.

The impact of California smoking bar banned to bar owners

This questionnaire is designed by Narin Suwannawet, student at CSUSB, using the method of Linkert Scale, in order to accomplish the purpose of this research project.

Check the degree of your opinion, according to the question belowed, shown as a box under the question.

Should smoking in bars be banned in California?

Strongly Disagree	Disagree	Neutral	Strongly Agree	Agree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thank you very much for your participation.

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