

YOU'RE CREATING JOBS  
TO STRENGTHEN  
YOUR COMMUNITY.

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WE'RE CREATING POLICY  
TO STRENGTHEN  
FREE ENTERPRISE.

**WE'RE ALL FOR OHIO.**

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**2017-2018 PUBLIC POLICY PRIORITIES**

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# PUBLIC POLICY PRIORITIES

## EDUCATION AND WORKFORCE

To respond to the needs of Ohio employers for qualified, well-trained employees by promoting policies that meet the demands of today's workplace by pursuing strategies that link education and workforce development in a seamless system and embed skills-based learning into academic instruction.

### GOALS:

- Increase the number of occupations eligible for the state's incumbent worker training voucher program and pursue increased funding.
- Work to reduce the reliance of individuals on government financial assistance so that employers can attract skilled employees at justified and reasonable salaries.
- Support personal income tax exemptions for college graduates who accept jobs in Ohio within three years of graduation.
- Pursue enhanced funding for the Ohio College Opportunity Grant Program and ensure that grant eligibility remains need-based and student-directed.
- Advocate for a one semester course in financial literacy as a requirement for high school graduation.
- Identify opportunities to partner with the state or non-governmental organizations to provide Ohio youth and entry-level workers with the soft skills needed to succeed in the workplace.

## ENERGY AND ENVIRONMENT

To advocate for energy policies that promote Ohio's economic competitiveness and protect businesses' access to affordable, dependable energy and ensure environmental policies and regulations are both based on sound science and comprehensive information and avoid creating unnecessary red tape.

### GOALS:

- Support a comprehensive energy policy for Ohio that strengthens our economic competitiveness, provides for reliable sources of energy and promotes cost-effective energy efficiency and conservation choices.
- Advocate for the approval of the energy infrastructure projects critical to the continued development of Ohio's unconventional oil and natural gas basins.
- Engage in the disbursement process of funds resulting from the settlement of lawsuits.
- Work to ensure legislation targeting harmful algal blooms in Ohio's surface water is not overly burdensome on industry and is based on sound science.

## HEALTH CARE

To advocate for an affordable and sustainable market-based health care system that provides access to quality, affordable health care for all Ohioans.

### GOALS:

- Protect against initiatives that may stifle innovative efforts to modernize the health care system.
- Promote functional transparency so that Ohioans have access to timely, accurate, appropriate, uniform and user-friendly information on the quality and cost of their health care.
- Continue to educate lawmakers about the unintended consequences of government-imposed health care coverage mandates.
- Monitor federal activity surrounding the potential repeal of the Affordable Care Act, and prepare to pursue state reforms in the small group market that enhance affordability of coverage.



## LABOR AND HUMAN RESOURCES

To protect employers' rights to manage their workplace with limited governmental involvement and regulation and to simplify Ohio's employment law statutes in a way that's fair to both employers and employees.

### GOALS:

- Protect employers against rising unemployment compensation taxes by addressing the long-term solvency of the Unemployment Compensation Trust Fund.
- Restore balance and predictability for employers by conforming Ohio's employment discrimination law to federal employment discrimination statutes.
- Protect employers' ability to regulate their workplace and maintain sound human resource policies in regards to medical marijuana.
- Maintain employers' ability to have efficient and effective workplaces by defending against onerous government mandates that drive up labor costs.
- Continue to stress the need to ultimately make Ohio a right-to-work state.
- Support efforts to balance labor regulations, end the NLRB regulatory overreach, and protect employers' rights at the federal level.

## PUBLIC AFFAIRS

To monitor and evaluate public affairs issues and activities including elections, campaign finance, ethics and lobbyist regulations, when of interest to the business community; and to examine proposed state constitutional amendments or initiative petition efforts that affect the electoral process.

### GOALS:

- Proactively battle initiatives proposed by anti-business special interest groups.
- Safeguard the Ohio Constitution by requiring broader public support for amendments.
- Ensure that laws prescribing the petition circulation process are clear and transparent.
- Monitor and evaluate recommendations originating with the Ohio Constitutional Modernization Commission.
- Preserve the First Amendment right of businesses to unrestricted political advocacy.

## SMALL BUSINESS

To promote and protect the establishment, growth and vitality of small business in Ohio.

### GOALS:

- Prevent state agencies from improperly creating rules through policy.
- Address, and work to reduce, the regulatory impact of existing statutes as well as future legislation.
- Restrain and reduce the ever-increasing cost of health care and oppose policies such as health care mandates that contribute to rising costs.
- Explore options to lower workers' compensation costs for employers.
- Simplify the tax code to reduce the administrative burden on small business and monitor the biennial budget process for adverse effects.
- Continue to support the important and beneficial work of the Common Sense Initiative and push to expand the scope of its responsibilities.





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## TAXES AND SPENDING

To foster a fair and equitable tax system that stimulates growth, innovation and job creation and minimizes compliance costs and administrative burdens.

### GOALS:

- Repeal the existing sales tax on employment services.
- Clarify the rules regarding what constitutes electronic information services that are subject to sales & use tax.
- Protect against excessive broadening of the sales tax base to services, particularly business inputs.
- Maintain the current, reasonable commercial activity tax rate, minimize tax expenditures and resist bifurcating the rate.
- Reduce the assessment percentage on electricity generation personal property.
- Push for additional reforms to address municipal income tax compliance costs and challenges.

## WORKERS' COMPENSATION

To ensure Ohio's workers' compensation system runs efficiently and effectively for both state-funded and self-insured employers, is effective in providing proper medical treatment for injured employees, and keeps its cost for employers competitive with other states' systems.

### GOALS:

- Make claimants more responsible for their care.
- Require employees to report their alleged workplace injuries in a timely manner.
- Ensure that scheduled loss benefits are only payable for loss of earning capacity.
- Specify that claimants are not entitled to compensation if their economic loss was due to circumstances other than a compensable workplace accident.
- Require workers' compensation claims to be filed within one year.

## ADVOCACY & ENGAGEMENT PRIORITIES

To reach our public policy goals, our members and the business community must have the tools necessary to understand key policy and political issues. This means providing information and education on these issues, as well as opportunities to take action.

**Develop and implement political education and grassroots strategies that complement direct lobbying efforts to impact public policy.**

**Ensure that pro-business candidates are identified, supported, and elected to serve in state government.**

**Hold lawmakers accountable for their votes on key business issues.**

**Utilize social media and online communications to better share the business perspective.**



We are going to make sure the legislature doesn't stray from their main priority of making Ohio a better place in which to do business. This is why our goal for 2017-2018 is to create policy that strengthens free enterprise. The Ohio Chamber's Public Policy Priorities lays out goals for the state legislature to meet in order to ensure that our state remains economically competitive. A competing modern economy will create an environment in which businesses can expand and create jobs with less government interference. When businesses are not stifled, Ohio's communities thrive and all Ohioans win.

## **POLICY COMMITTEES**

As a member-driven organization, we examine the needs of Ohio employers to establish the Ohio Chamber's public policy priorities through our eight committees:

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### **EDUCATION AND WORKFORCE DEVELOPMENT**

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### **ENERGY AND ENVIRONMENT**

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### **HEALTH CARE**

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### **LABOR AND EMPLOYMENT**

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### **PUBLIC AFFAIRS**

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### **OHIO SMALL BUSINESS COUNCIL**

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### **TAXATION AND PUBLIC EXPENDITURES**

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### **WORKERS' COMPENSATION**

We encourage members to participate on our committees. Your input ensures our advocacy efforts reflect the needs and concerns of your business.



WE'RE  
ALL FOR  
OHIO.

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# BY THE NUMBERS

**SINCE**  
**1893**

**MEMBERS**  
**8000**

**RENEWAL**  
**94%**

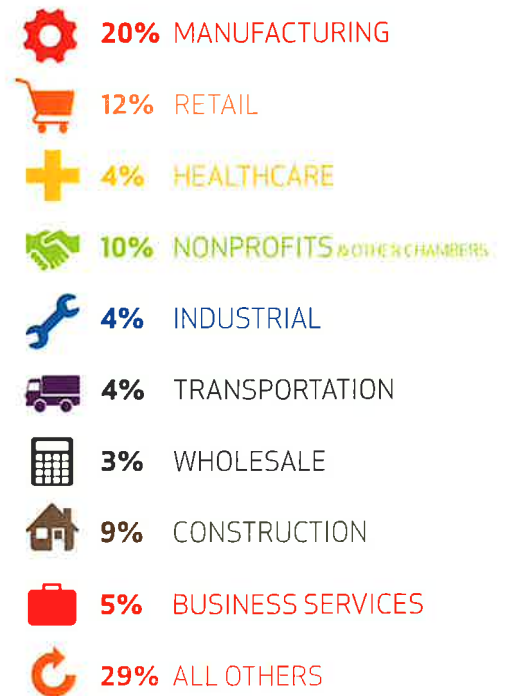
**"As a business owner, I am concerned about taxes and regulations. The Ohio Chamber is my advocate at the state level, working to secure a more business-friendly climate so that my business remains profitable."**

**SALLY A. HUGHES**  
PRESIDENT/CEO, CASTER CONNECTION

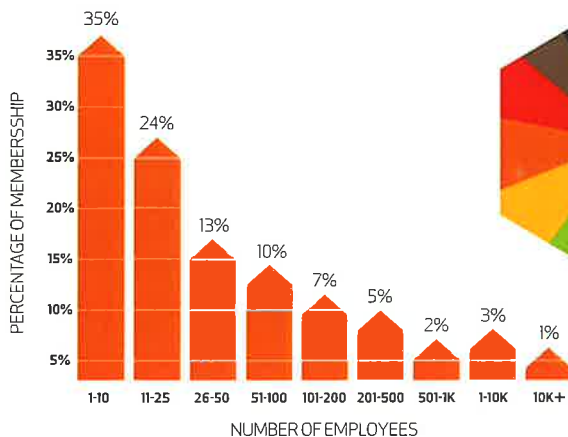
## LOCATION



## INDUSTRY



## COMPANY SIZE



## COMMITTEE PARTICIPATION





## BWC BUDGET PASSES HOUSE — INCLUDES PRO-BUSINESS IMPROVEMENTS

*By Don Boyd on May 18, 2017*

It has been a long and windy road but **House Bill 27**, the Bureau of Workers' Compensation (BWC) budget, has passed the Ohio House. This bill contains the two-year budget for the BWC—whose request was flat from their last budget—but also contains numerous policy issues impacting workers' compensation. A number of these policy changes will positively impact both businesses and the system as a whole.

Namely, the bill includes a key provision supported by the **Ohio Chamber** changing the timeframe to file a workers' compensation claim from two years to one year. Early reporting of injuries leads to faster treatment and better outcomes for all of the parties involved. Though most claims are already filed within the one-year period, it is an important change because those claims filed later can be very problematic to substantiate or disprove because memories fade and other employees may have moved on. The change will increase efficiency and lead to greater predictability in the workers' compensation setting. An amendment was offered by Democrats in committee and on the floor to strip this provision from the bill but was promptly tabled along a party line vote.

Other important provisions of the bill include:

- Revising the drug testing section to, in part, reference federal Department of Transportation testing thresholds to which the rebuttable presumption that an employee was under the influence at the time of an injury applies.
- Make changes to how and whether the BWC can dismiss applications for permanent partial disability, C-92 claims, if an employee fails to attend a scheduled medical examination. This will allow the BWC to dismiss more than 20,000 suspended claims that are currently open due to a pending application because the BWC has no way to dismiss them. Most of these claims have been inactive for more than 10 years.
- Extends the time to appeal an Industrial Commission order from 60 days to 150 days if a party provides notice of intent to settle a claim and the opposing party does not object.
- Requires the administrator to adopt a rule allowing an employer who settles a claim to participate in the Handicap Reimbursement Program.
- Prohibits compensation or benefits from being paid to a deceased employee's dependent while the dependent is incarcerated.
- A full summary of the legislation can be found [here](#).

Now that the bill has passed the full House, it will move over to the Senate for continued deliberation. The Ohio Chamber will be monitoring the bill and working to ensure the important business related aspects are kept intact.

Posted in **Human Resources & Benefits**

[Leave a comment](#)

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## House Bill 2 – Bringing Balance to Ohio's Employment Discrimination Laws

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Ohio remains at competitive disadvantage under employment discrimination laws that are woefully out of line with their counterparts at the federal level and in other states. Businesses in Ohio are hampered by a cumbersome statute of limitations – the longest by far of any state – that creates costly recordkeeping expenses for businesses and prevents timely, fair, and efficient resolution of claims for both employers and employees. In addition, supervisors are forced to second-guess otherwise-sound management decisions for fear of being held personally liable in a lawsuit.

**House Bill 2 seeks to maintain robust protection for Ohio employees from discrimination in the workplace while also improving predictability, stability, and administrative efficiency for Ohio employers.**

Among the bill's major provisions:

### STATUTE OF LIMITATIONS

Right now, Ohio has the nation's longest statute of limitation on civil actions for employment discrimination – six years. Most states have limitation periods of one or two years. With respect to Ohio Civil Rights Commission (OCRC) claims, current law provides a 180-day statute of limitation.

House Bill 2 would create a uniform two-year statute of limitation to both file a claim before the OCRC and bring a civil lawsuit. After a claim is filed with the OCRC, an individual would be able to elect to continue with the OCRC process or request the ability to go to civil court.

#### *Good for employees*

- Claims or lawsuits are decided more fairly and efficiently when addressed quickly because the involved parties have fresher memories, and company records are more readily accessible.
- Claimants will be able to receive resolution for their cases more swiftly.

#### *Good for employers*

- A more reasonable statute of limitation reduces costs for employers by eliminating the financial and logistical burden of maintaining six years' worth of employee records.
- Alleged incidents of discrimination will be disclosed to employers in a timelier manner, and employers won't be surprised with lawsuits six years after alleged incidents.

#### *Good for Ohio*

- This change helps to create a more competitive and fair legal environment in Ohio.

### DUAL ACTIONS

Currently, employees can file an OCRC claim and a civil action at the same time causing employers to defend both simultaneously, which is costly and inefficient. House bill 2 prevents this wasteful use of resources by requiring claimants to first file a claim with the OCRC before pursuing civil litigation.

#### *Good for employees*

- Employees will be able to utilize the resources of the OCRC at the outset of their complaint and will still be able to go to court if they wish.
- Employees will also have the ability to go straight to civil court if emergency injunctive relief is needed.



# OHIO CHAMBER of COMMERCE

## **MEDICAL MARIJUANA IN OHIO: BUSINESS & EMPLOYEE FREQUENTLY ASKED QUESTIONS**

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Earlier this year, Ohio became the 25th state to pass a medical marijuana law. Many of the regulations for Ohio's medical marijuana program are yet to be created. However, these are the initial questions many employees and businesses have regarding the new law.

- **What happens on September 8th, 2016, the bill's effective date?**

In short, not much. Rules to oversee the program will be made by government agencies. The actual process for implementation of the program is two years.

- **When will individuals be able to begin receiving medical marijuana recommendations?**

There is not currently a timeframe. The medical board is beginning to create rules governing this process. Once again, it could take up to two years before the program is fully operational.

- **Can a business refuse to hire someone due to their use of medical marijuana?**

Yes, employers can still refuse to hire a potential employee due to use of medical marijuana or for failing a drug test.

- **Can a business terminate an employee for using medical marijuana?**

Yes, employers can terminate an employee for using medical marijuana or failing a drug test even if the employee is a registered medical marijuana patient.

- **My employer has a zero-tolerance or drug testing policy, will this still be valid under the new law?**

Yes, the medical marijuana law explicitly allows employers to continue enforcing zero-tolerance and drug-testing policies even in regards to medical marijuana.

- **I have been recommended medical marijuana, does my employer have to allow me to use it?**

No, employers are not required to permit or accommodate the use of medical marijuana.

- **I was terminated due to my use of medical marijuana, will I be eligible for unemployment compensation benefits?**

No, if an employee was terminated, and there is a company policy prohibiting the use of medical marijuana, it will be considered a "just-cause termination" and he or she will not be eligible for unemployment compensation benefits.

For more information, please visit [www.allforohio.com](http://www.allforohio.com) and search "medical marijuana" or [www.medicalmarijuana.ohio.gov](http://www.medicalmarijuana.ohio.gov).

# HOUSE BILL 523- MEDICAL MARIJUANA LEGALIZATION

## WE'RE ALL FOR PROTECTING OHIO EMPLOYERS

*HERE'S WHY YOU SHOULD BE TOO:*

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### **IT BENEFITS ALL OHIOANS.**

- Maintaining comprehensive human resource and drug testing policies allows for continued safety for both workers and customers.
- Establishing clear and unambiguous rules help to prevent costly legal battles over how medical marijuana will be handled in the workplace and allow those resources to be invested elsewhere.

### **IT BENEFITS BUSINESSES.**

- Employers are not required to permit or accommodate an employee's use, possession, or distribution of medical marijuana.
- Employers can discharge, refuse to hire, discipline or take adverse employment actions against an individual due to the individual's use of medical marijuana.
- Employers can still establish and enforce drug testing, drug-free workplace, or zero-tolerance policies.
- Employees who are discharged due to medical marijuana use are not eligible for unemployment compensation benefits if the use was in violation of an employer's drug-free workplace policy, zero-tolerance policy, or other formal program or policy regulating the use of medical marijuana.
- Employees who are injured while under the influence of marijuana, whether recommended by a physician or not, will not be eligible for workers' compensation benefits if being under the influence was the proximate cause of the injury.
- Federal restrictions on employment, including Department of Transportation regulations, remain unchanged and are not impacted.
- Employees are not permitted to sue an employer for discharging, disciplining, discriminating, retaliating, refusing to hire or otherwise taking an adverse employment action against a person due to medical marijuana use.

**FOR MORE INFORMATION VISIT OUR BLOG [ALLFOROHIO.COM](http://ALLFOROHIO.COM)**

### **OUR MISSION**

*The Ohio Chamber of Commerce represents the voice of 8,000 businesses that range from small companies to international corporations. Through education and advocacy, we aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans.*







## PARADE OF GUN BILLS INFRINGING ON EMPLOYERS' PRIVATE PROPERTY RIGHTS CONTINUES

*By Don Boyd on July 6, 2017*

With the passage of House Bill 233 out of the Ohio House today, the chipping away of a business' private property rights continues. Late last year, the legislature passed Senate Bill 199 banning employers from prohibiting firearms in private vehicles on their property, also known as parking lot carry. The bill also included a provision preventing an employer or property owner from having a policy that has the "effect" of prohibiting parking lot carry.

While employers were still trying to determine what is and is not allowed under this amorphous has the "effect" of prohibiting language, the legislature took it one step further. Rather than try to clarify the law, the legislature determined it should punish employers for non-compliance and let the courts sort it out. In fact, just over a week ago, the Senate inserted an amendment into House Bill 49, the operating budget, that first provided civil liability for businesses and property owners, including damages, attorneys' fees and court costs, for violations of the statute now allowing parking lot carry discussed above. As previously mentioned, this was while many businesses were still trying to figure out what all the law even prohibited as it had only been in effect three months. At the request of the Ohio Chamber, this provision was later altered to only allow an individual to seek injunctive relief if he or she felt a policy was in violation of the law. Though still problematic, this change was significantly better than the alternative.

However, continuing down this path, HB 233 was reported out of committee July 5 and then passed out of the House just one day later over the objections of the Ohio Chamber, other business associations, the Ohio Prosecuting Attorneys Association, the Ohio Association of Police Chiefs and others. This legislation makes it significantly more difficult for businesses to provide a safe work environment for their employees and customers and infringes on their private property rights. Under current law, an owner of private property, including a business, can post a sign prohibiting visitors, employees, and customers from carrying firearms onto their property. If an individual knowingly violates that prohibition, he or she can be charged and found guilty of criminal trespass (ORC 2923.126(C)(3)(a)).

Proponents of this legislation have stated the purpose of HB 233 is to allow individuals who have a concealed handgun license (CHL) and unintentionally forget to remove their firearm prior to entering a place where firearms are prohibited to avoid criminal charges if they leave when asked. However, current law already accommodates this as a person can only be charged with criminal trespass if the person **knowingly** takes a firearm into a place where it is prohibited.

HB 233 goes far beyond the simple "I forgot" scenario to decriminalize all areas where guns are prohibited for CHL holders. This is a clear infringement upon the private property rights of businesses and their ability to prohibit firearms on private property.

The language in this provision also goes well beyond handguns. HB 233 allows a CHL holder to carry any "deadly weapon" onto or into private businesses and face no criminal repercussions provided that the individual leaves upon request. A "deadly weapon" is defined under ORC 2923.11(A) as "any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon." Thus, this would allow an individual to intentionally bring **any instrument capable of inflicting death** into a place that prohibits weapons and potentially face absolutely no repercussions. In addition to not facing any criminal penalties, the new language in HB 233 also takes away the ability for a business or property owner to pursue any civil action for trespass against the person.

We believe this legislation is unnecessary, unjustified, and unacceptable. The bill now moves on to the Ohio Senate for further consideration this fall.