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Testimony in Support of HB 221
Megan O'Dell, Attorney
Ohio Poverty Law Center
House Civil Justice Committee
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Chair Hambley, Vice Chair Patton, Ranking Minority Member Brown, and members of the House Civil Justice Committee, my name is Megan O'Dell, and I am an attorney at the Ohio Poverty Law Center. The Ohio Poverty Law Center advocates for evidence-based policies that protect and expand the rights of low-income Ohioans. We are a non-profit law firm working closely with Ohio's legal aid community, serving Ohioans who are living, working, and raising their families in poverty. Thank you for the opportunity to provide testimony in support of House Bill 221, to allow anonymous wage discrimination complaints.

Legal aid offices throughout Ohio represent indigent individuals in a wide variety of civil cases, including those concerning wage theft. However, wage discrimination and theft victims rarely come forward with these cases because they fear retaliation from their employers. This fear of retaliation is not unfounded – a national study found that 43% of workers who complained about their wages or working conditions experienced retaliation.¹ Examples of possible retaliation in these situations include employers reducing the claimant's working hours or terminating them altogether. The subtler forms of retaliation, such as a decrease in working hours because "business is slow", are particularly hard to prove.

Wage discrimination is especially rampant in Ohio, and often happens through minimum wage violations and wage theft. The Economic Policy Institute estimates that 217,000 Ohioans experience this every year and rank Ohio second out of the ten states studied.² These losses not only directly harm the employees, but also the state and local governments. Unjustly lowering or withholding a person's pay leads to lower income tax revenue for the state and can cause families to fall below the poverty line. This then leads individuals to rely on public assistance, especially since wage theft disproportionately affects low-income and minority minimum-wage workers.

National organizations such as the National Employment Law Project and the Economic Policy Institute recommend anonymous filing as a policy solution to wage theft and discrimination. Allowing anonymous complaints will reduce the fear and threat of retaliation and increase employer

1 Annette Bernhardt et al., *Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities* (New York: Center for Urban Economic Development at UIC, National Employment Law Project and UCLA Institute for Research on Labor and Employment, 2008). www.nelp.org/page/-/brokenlaws/BrokenLawsReport2009.pdf.

2 Cooper, David and Teresa Kroeger, *Employers steal billions from workers' paychecks each year*. May 10, 2017. <https://www.epi.org/publication/employers-steal-billions-from-workers-paychecks-each-year-survey-data-show-millions-of-workers-are-paid-less-than-the-minimum-wage-at-significant-cost-to-taxpayers-and-state-economies/#epi-toc-18>.

compliance. Therefore, I urge you to pass House Bill 221. Thank you for your time and consideration, and I am happy to answer questions you may have.