Senator Sandra Williams
21st Ohio Senate District

Committees:
- Public Utilities – Ranking Member
- Ways and Means – Ranking Member
- Energy and Natural Resources
- Insurance and Financial Institutions
- Finance Subcommittee on Higher Ed - Vice Chair

Senate Bill 47 Sponsor Testimony
Transportation, Commerce and Workforce Committee
November 15, 2017

Chairman LaRose, Vice Chair Kunze, Ranking Member Tavares and members of the Senate Transportation, Commerce and Workforce Committee, thank you for the opportunity to present sponsor testimony on Senate Bill 47.

Senate Bill 47 would prohibit the use of non-compete provisions in employment contracts in the broadcast industry. This legislation was introduced on behalf of several Ohio broadcast employees who would like the flexibility to continue to work and live in their preferred geographic area immediately after leaving an employer without taking a hiatus from the broadcast industry.

Certain employers in the broadcast industry have boiler-plate contracts that contain non-compete clauses. Our economy is built on the free flow of goods and labor. The open market requires robust and uninhibited competition to act most efficiently. Competition is at the core of our economy and there are absolutely no good reasons we should continue to place imitations on employees through the Ohio Revised Code.

Agreements inhibit competition and serve to tie an employee to an employer without regard to that employee's market value. Some employers claim that if an employee does not like the clause, they can easily find work with another employer. However, it is not that easy. Around the state there are approximately 60 television stations and hundreds of radio stations in the media market, yet the number of parent companies that control Ohio markets are significantly lower, which limits broadcasters, radio, and television personalities. By not taking any action in this area and thereby sanctioning non-compete agreements, our state is essentially putting its thumb on the free market scale and picking winners and losers.

As some individuals have suggested, a potential employee should be savvy enough to negotiate-out any non-compete clause before agreeing to employment. However for those who are new to the business or are in a small media market, this may not be an option. By allowing non-compete clauses, a broadcast employee has a few choices, either move to another media market not in direct competition, or not work in the field. This can cause great stress and uncertainty to the employee and their family.

There are ten states and the District of Columbia that have enacted some form of legislation barring non-compete agreements in the broadcast industry: Arizona, California, Connecticut, Illinois, Maine, Massachusetts, New York, North Dakota, Oklahoma and Washington**.** It is time for Ohio to join these states and have a competitive and free media market.

Mr. Chairman and members of the committee, this is why I ask for favorable consideration of Senate Bill 47, and with that, I am happy to answer any questions.