



*BEFORE THE HOUSE CIVIL JUSTICE COMMITTEE  
PROPONENT TESTIMONY ON HOUSE BILL 352*

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for the opportunity to provide testimony in support of House Bill 352 (HB 352). My name is Kevin Shimp and I am the Director of Labor and Legal Affairs for the Ohio Chamber of Commerce.

The Ohio Chamber is the state's leading business advocate, and we represent over 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans.

In our efforts to champion economic competitiveness, the Ohio Chamber supports HB 352 because better aligning our statutes with federal law and the laws of other states will improve our business and legal climates.

The reforms included in HB 352 will benefit all Ohioans by creating a standard process for bringing workplace discrimination claims that will utilize the proven alternative dispute resolution processes at the Ohio Civil Rights Commission (OCRC) and maintain the right of an employee to file a lawsuit regardless of the findings of the Commission.

Under HB 352, the nation's longest statute of limitation for workplace discrimination will be lowered from 6-years to 2-years, the filing deadline at the OCRC will extend from 180 days to 2 years, all workplace discrimination claims will start at OCRC unless only injunctive relief is sought, individual supervisors will no longer needlessly become defendants in lawsuits, the *Faragher-Elterth* affirmative defense will become part of Ohio law, and Ohio's age discrimination statutes will be modified to eliminate unnecessary confusion.

Additionally, HB 352 codifies current common-law (*Luri v. Republic Servs.*, 2011-Ohio-2389 (8th Dist.)) by amending the definition of a tort action to include unlawful discriminatory practice related to employment.

The legislation before this committee today has been a longstanding priority of the Ohio Chamber and through the work of past sponsors and collaboration with interested parties there have been numerous changes to the bill that the Ohio Chamber believes fairly considers the interests of employees and employers.

Following my remarks will be the testimony of four practicing employment attorneys in Ohio. They are here to provide their expertise and share why HB 352 improves our state's workplace discrimination laws.

In closing, HB 352 strikes the appropriate balance for the needed reform to Ohio's workplace discrimination statutes. The Ohio Chamber urges your favorable consideration of HB 352 because its passage will benefit all Ohioans, whether they are an employee or job creator.

Thank you for your time, and I will be happy to answer any questions from the committee.