



HB 606 Proponent Testimony Senate Judiciary Committee June 24, 2020

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, my name is Tom Balzer and I am the President and CEO of the Ohio Trucking Association (OTA). Collectively, we represent over 1,000 trucking, moving, logistics and warehouse companies and allied vendor members. I would like to thank you for this opportunity to present testimony in support of HB 606, which would protect healthcare workers and businesses from frivolous lawsuits resulting from the COVID-19 pandemic.

The COVID-19 crisis has shown Ohioans first-hand how vital the trucking industry is during an emergency. While certain sectors of the logistics industry were extremely busy ensuring the need for groceries and basic necessities were met, the vast majority of the industry was not as fortunate, and many in the transportation industry saw a dramatic decrease in freight movement as the supply chain was virtually shut down.

Providing businesses with liability protection is critical, not only to protect those businesses that have remained open during the crisis like my members, but also to those businesses looking to reopen and rebuild after being closed. As more businesses return to work, the supply chain will reopen, which will increase freight movement and help Ohio's economy recover.

While we support language in HB 606 that will help protect businesses from frivolous lawsuits, it is important to note that the House did add language that would extend workers' compensation coverage for certain employees infected with COVID-19. This amendment changes state policy so that COVID-19 infections in certain employees are presumed to be work-related and covered under workers' compensation. Such a significant policy change could be devastating to businesses, who would be forced to prove that the infection was not work-related. This provision seems to go against the legislature's efforts to provide relief for businesses working to recover from the pandemic.

The potential for lawsuits resulting from the COVID-19 pandemic is real. Ohio's lawmakers can help businesses recover from this pandemic by giving them confidence to reopen by lowering the risk of any unwarranted lawsuits. For this reason, we urge your support for the bill with the removal of the workers' compensation provision in the legislation.

Sincerely,

A handwritten signature in black ink that reads "Tom B". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Thomas A. Balzer, CAE
President and CEO
Ohio Trucking Association