

THE OHIO COUNCIL OF

Retail Merchants

The voice of retail since 1922

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June 24, 2020

The Honorable John Eklund, Chairman
Senate Judiciary Committee
Ohio Statehouse, 1 Capitol Square
Columbus, OH 43215

Dear Chairman Eklund and members of the Senate Judiciary Committee:

On behalf of our over 7,000 members, I write in support of the version of Substitute House Bill 606 that was passed by the House Civil Justice Committee.

As passed by the committee and sent to the House floor, Substitute House Bill 606 provides an anchor of certainty as retailers and businesses navigate between the difficult balance of facing financial ruin by remaining closed and the reality of lawsuits and claims of liability premised on vague or unknown “standards of care” when (if) they reopen. The sub bill provides protection against suits by anyone who has been affected by the transmission of the COVID-19 virus, which is critically important to our members.

The reason we are unable to support the bill as passed by the House is the addition of a floor amendment that would require workers’ compensation coverage for COVID-19 for grocery and convenience store employees, food processing facility employees, first responders and corrections officers. It is our understanding that the Bureau of Workers’ Compensation has already approved 77% of all COVID-related workers’ compensation claims without this amendment being in statute. It seems as though the amendment is a solution in search of a problem. It also raises the possibility of constitutional concerns.

The bottom line is that our members need certainty. Uncertainty of the law is a very difficult landscape for our members to operate their businesses. We have been successful as a country because we have a solid and predictable legal system. Like the uncertainty caused by COVID-19, retailers seek to avoid the legal uncertainty that surrounds reopening their stores, their shops, their markets, and their myriad other businesses. Substitute House Bill 606 provides much-needed certainty about what standard of care retailers and other businesses would have during the COVID-19 pandemic.

Mr. Chairman and members of the committee, we appreciate the opportunity to share our support for Substitute House Bill 606 absent the House floor amendment. We urge you to expeditiously remove the workers’ compensation mandate language and then favorably report the bill to the committee on Rules and Reference. Thank you in advance for your support.

Sincerely,



Lora Miller
Director of Governmental Affairs and Public Relations

Council Affiliates

 Ohio Association of Wholesaler-Distributors



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