



10 West Broad Street, Suite 450  
Columbus, Ohio 43215-7415  
(614) 464-1266  
fax (614) 464-9281  
[www.iuc-ohio.org](http://www.iuc-ohio.org)

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**BEFORE THE HOUSE COMMERCE & LABOR COMMITTEE**

**REPRESENTATIVE DICK STEIN  
CHAIR**

**TESTIMONY  
OF  
BRUCE JOHNSON  
PRESIDENT  
INTER-UNIVERSITY COUNCIL OF OHIO**

**OCTOBER 7, 2021**

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**The Public Universities of Ohio**

The University of Akron  
University of Cincinnati  
Miami University  
Ohio University  
Wright State University

Bowling Green State University  
Cleveland State University  
Northeast Ohio Medical University  
Shawnee State University  
Youngstown State University

Central State University  
Kent State University  
The Ohio State University  
The University of Toledo

Chair Stein, Vice Chair Johnson, Ranking Minority Member Lepore-Hagan, and members of the House Commerce & Labor Committee, thank you for allowing me to provide opponent testimony on House Bill 435 on behalf of the state's fourteen public universities, all of which are members of the Inter-University Council of Ohio (IUC). My name is Bruce Johnson, and I am the President of the IUC. The IUC was established in 1939 as a voluntary educational association of Ohio's public universities.

I am submitting written testimony today in opposition to House Bill 435 sponsored by Representatives Carfagna and Seitz. While the IUC appreciates that there is no language in the bill prohibiting an employer from requiring a vaccine, the state's public universities – which would qualify as an “employer” under the bill as defined in Section 3792.07(A)(1) – believe the legislation does not sufficiently recognize the right of an employer to determine its own policies for its own employees with respect to their health and safety. Protection of an employer's rights to make decisions to protect the health and safety of our campus is vitally important to the university's survival.

We believe that House Bill 435, as drafted, would impinge upon the rights of employers in Ohio to implement important safety measures meant to protect their employees and customers – including our students. Many businesses have seen enormous fallout because of the pandemic and are working to rebuild and move forward – including the state's public universities.

For most of the last academic year, in direct response to the pandemic and the state's health orders, nearly all in-person classes, except for some clinical courses and essential research operations, were canceled and academic programs were switched to online instruction. We converted a residential, in-person, on-campus experience to one that was virtual. New technologies and capabilities were added, and existing technology was upgraded to continue providing a meaningful education to our students. Health care measures were put into place to facilitate a safe return to campus. Our students are now back, and we believe they are safer because university leadership has the ability to encourage important safety measures like vaccines.

Fortunately, Ohio's public universities had the flexibility, then, to make the tough but necessary decisions to get us through those most challenging times. That is why we express concern with House Bill 435 in its current form. We must continue to have that flexibility, now, and in the future. We can be creative and resilient, but an employer should not have to operate under a law that limits its ability to carefully evaluate the unique circumstances it faces and make its own determinations about what is best for keeping the workplace healthy.

Thank you Mr. Chairman and members of the Committee for your consideration of our concerns.