

**Affiliated Construction Trades Ohio Foundation**

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June 8, 2021

Rep. Scott Wiggam, Chairman  
State & Local Government Committee  
Ohio Statehouse  
Columbus, Ohio 43215

Re: HB 203

Chairman Wiggam, Vice-Chair John, Ranking Member Kelly:

Please be advised that the Affiliated Construction Trades Ohio Foundation (“ACT Ohio”) is a 501(c)(5) organization created to facilitate economic and industrial development opportunities, and to promote industry-best practices for Ohio’s public and private construction.

ACT Ohio currently has 137 local affiliates across the state, who in the aggregate represent more than 94,000 building trades members. ACT Ohio has invested hundreds of thousands of dollars to promote careers in construction to Ohioans of all ethnic and socio-economic circumstances. We are aggressively recruiting the best and the brightest to seek an apprenticeship and develop skills that can sustain a family. We strongly support the concept of getting young people, minorities, females and veterans involved and interested in Ohio’s construction industry.

Please be advised that ACT Ohio is opposed to HB 203 due to the bill’s negative impact on Ohio’s construction industry.

Construction is an ultra-hazardous activity. Given the liability and costs of workplace injuries/fatalities, reputable contractors place safety as their absolute top priority. Any bill that impacts the overall safety of an industrial, commercial or heavy-highway construction site needs to be approached with the utmost of caution.

Please note that numerous Ohio Building Trades Regional Councils have received national recognition for many years as a result of our members’ and contractors’ excellence with regard to safety on numerous large-scale industrial projects in Ohio. This type of national recognition is what has given Ohio’s Building Trades the reputation within the industry that it has – and that reputation is one of the driving forces behind numerous large-scale industrial projects that have selected Ohio for their investments. These achievements do not occur randomly – but rather as a result of our members having undergone extensive 4-5 year apprenticeship and safety training along with Ohio’s reasonable licensing requirements for specific crafts.

Pursuant to R.C. 4740, the Ohio Construction Industry Licensing Board (“OCILB”) issues licenses to qualified electrical, heating-ventilating-cooling (HVAC), plumbing, hydronics

and refrigeration contractors that meet certain specific guidelines for experience and safety. The Board is made up of equal members of union and non-union representatives, and the staff has decades of experience in construction. The OCILB is efficient, fair, business-friendly, safety-conscious and professionally run. It is a prime example of a Board or Commission that needs no adjustment.

Insofar as construction is concerned, HB 203 unnecessarily interferes with a process that is already streamlined and working efficiently and thoroughly. The OCILB already works diligently with other states to obtain reciprocity for Ohio contractors. Currently, there are 6 states with which Ohio has reciprocity for the licensed crafts: W. Virginia, Kentucky, N. Carolina, S. Carolina, Tennessee and Louisiana. These states will issue their license to Ohio contractors without testing, and vice-versa pursuant to RC 4740.08:

#### **4740.08 Reciprocity.**

When a written reciprocity agreement between the states exists, and an individual who is registered, licensed, or certified in another state applies to the appropriate specialty section of the Ohio construction industry licensing board submits a copy of the reciprocity agreement, and pays the licensure fee determined pursuant to section 4740.09 of the Revised Code, the appropriate specialty section of the board shall authorize the administrative section to issue, without examination, a license to that individual if the appropriate specialty section of the board determines, pursuant to rules it adopts, that the requirements for registration, licensure, or certification under the laws of the other state are substantially equal to the requirements for licensure in this state and that the other state extends similar reciprocity to persons licensed under this chapter. The appropriate specialty section of the board may withdraw its authorization to the administrative section for issuance of a license for good cause prior to the administrative section's issuance of the license.

HB 203 would require Ohio to grant licenses to contractors above and beyond these reciprocity states, but the remaining 43 states would not need to recognize Ohio contractors. This is not reciprocity – this is opening the floodgates to unlicensed or inadequately licensed out of state contractors to take work from Ohio-based companies and Ohio construction workers. Simply put, HB 203 puts Ohio contractors and building trades workers in a competitive disadvantage in an ultra-competitive arena. This is not good public policy for Ohio's construction industry.

At the direction of the Legislature, the OCILB has developed and implemented screening and testing processes to make sure out of state contractors have what it takes to work in Ohio competently and safely. Reciprocity is occurring, but in a format that is fair to Ohio contractors and workers and consistent with state law.

Accordingly, ACT Ohio opposes HB 203.

Thank you for your time and consideration. Please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew A. Szollosi", with a horizontal line extending to the right.

Matthew A. Szollosi