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June 21, 2023

Representative Haraz Ghanbari
Chair, Ohio House Homeland Security Committee
77 South High Street, 13th Floor
Columbus, OH 43215

Dear Chairman Ghanbari,

I am writing on behalf of the 20,000 governing members of the Ohio NFIB to express our opposition to House Bill 205. This bill interjects state government into the employer/employee relationship by establishing government-mandated training requirements and hiring quotas of individuals that meet these requirements for certain Ohio businesses. House Bill 205 is an unnecessary labor mandate.

We believe it is neither appropriate nor the purview of government to dictate who a private employer employs. These decisions belong with the employer based upon their determination of what skill sets are essential to fit their workplace needs. The private sector, not a governmental agency or entity must retain control of hiring criteria. Although House Bill 205 is currently limited in scope, this legislation sets a dangerous precedent for every industry in Ohio.

Your committee has heard House Bill 205 is needed because businesses are not hiring appropriately skilled labor to ensure safe workplaces. We find this to be illogical. Of course, Ohio employers are focused on safety; they care about their employees and contractors. The consequences for not doing so are significant, including fines and penalties from existing government agencies like OSHA. Likewise skilled workers would not want to work in a place that doesn't have an emphasis on safety.

Additionally, the record-keeping and policing of the hiring practices of all contractors and subcontractors in the bill creates an administrative framework akin to a game of regulatory gotcha, accompanied by excessive fines. Further, this scheme allows any individual who believes a violation has occurred to file a complaint, regardless of merit, potentially wasting considerable time from both employer and enforcement agency.

This letter may look familiar. We sent nearly identical correspondence to the last general assembly. The bill has not been changed, except for the addition of one new requirement: the workers mandated to be hired under the bill need demonstrate fluency in English (lines 205-208). The addition of this language does not indicate who will determine fluency nor what constitutes fluency. This language adds to the concerns we have with the other provisions of the bill. It will become another opportunity to levy the hefty fines contemplated under the bill.

We urge the committee to jettison House Bill 205 as it is an unnecessary government intrusion into the hiring practices of private sector employers and sets a troubling precedent that may lead to the government assuming the role of the hiring manager for all private sector employers.

NFIB may consider a vote on this bill a key vote for the 135th General Assembly.

Thank you for your consideration. Please feel free to contact me with any questions.

Sincerely,



Christopher J. Ferruso
State Director