



THE VOICE OF OHIO'S HIGH-TECH CHEMISTRY COMMUNITY...  
MAKING A BETTER WORLD FOR ALL OHIOANS.

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January 26, 2022

**Ohio Chemistry Technology Council Testimony  
In Opposition to House Bill 235**

Chairman Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan and members of the House Commerce and Labor Committee, my name is Andy Swaim. I am the Director of Government and External Affairs for the Ohio Chemistry Technology Council (OCTC). Thank you for the opportunity to testify in opposition to House Bill 235 (HB 235).

OCTC is the leading advocate for Ohio's chemistry industry. Ohio is the third largest chemical manufacturing state in the United States. The chemistry industry in Ohio employs over 40,000 people, pays an average wage of over \$85,000, and ships more than \$5.6 billion in products worldwide every year. Our membership includes two of Ohio's four refineries, PBF Energy's Toledo refinery and Cenovus' Lima refinery.

The OCTC represents manufacturers that have the utmost regard for the safety of our facilities, especially the employees and contractors whom work in and around our sites. The environmental, health, and safety protocols at our members' facilities are robust, and our members work tirelessly to continuously improve the checks and balances that keep all our workers safe. The potential consequences of unsafe work practices at our facilities are severe, and thus we take all conversations about worker safety very seriously.

HB 235 unfortunately falls short of making any changes that would improve worker safety at Ohio's refineries. While OCTC is supportive of apprenticeship programs as an excellent pathway to develop skills and safety training in the construction trades, apprenticeship is not the only route to develop those important skills. The 80% hiring requirement for apprenticeship workers in this bill could effectively push out a significant portion of qualified skilled tradespeople from being eligible for contracts at these facilities. For instance, an individual with 10 years of construction experience would likely be favored over a first-year or second-year apprentice, however, under the bill that 10-year veteran could only legally



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make up 20% of the total workforce. OCTC is concerned that this could actually have a harmful impact on overall worker safety at our facilities.

It is vitally important that Ohio's refineries have the ability to hire the safest and most qualified workforce when they enter into contracts for maintenance and construction work at their facilities. Currently, these contractors are scrutinized on both their safety and performance records, their training practices, and the skills and safety training of every member of their workforce. The processes put in place over the long history of petroleum refineries has directly resulted in a nearly 10-fold reduction in OSHA recordable incident rates in the past 25 years, making petroleum refining one of the safest industry sectors, even when compared with other manufacturing operations.

OCTC is also concerned that this bill could provide a slippery slope to impacting the Ohio manufacturing industry at large. Versions of this bill have been seen in other states that include a much broader swath of industries than just petroleum refining. OCTC believes that if this bill were to be expanded to include other manufacturers, the impacts would put even more downward pressure on our current workforce challenges. The need for workers in the skilled trades in the manufacturing sector cannot be overstated. If a bill like this were to pass, our members could be put in a position to have to sever contracts with existing contractors and be forced to find apprenticeship workers to comply with these provisions. This could have devastating impacts on not only those displaced workers, but also on our manufacturers who are already struggling with numerous other workforce challenges.

HB 235 is not the correct approach to improving worker safety in Ohio's refineries. As such, OCTC respectfully requests that the committee not advance this potentially harmful legislation. Thank you for the opportunity to testify on this measure. I am happy to answer any questions at this time.