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June 18, 2019

Representative Steve Hambley
Chair, Ohio House Civil Justice Committee
77 South High Street, 11th Floor
Columbus, OH 43215

Dear Chairman Hambley:

On behalf of the nearly 22,000 governing members of NFIB in Ohio, thank you for the opportunity to provide written comments on House Bill 221. House Bill 221 (HB 221) permits anonymous wage discrimination complaints to be filed via a toll-free phone line at the Ohio Civil Rights Commission (OCRC). The bill further obligates the OCRC to review all complaints received through the system in a timely manner. We question its necessity given existing remedies in law and how this bill will impact our members.

According to the LSC bill analysis, wage complaints may already be filed through the OCRC. These complaints, however, are not anonymous. The current process allows for an independent preliminary investigation by the OCRC, a process we believe is appropriate. The OCRC can decide how to proceed with the complaint. Individuals may also seek redress through the courts.

HB 221 requires OCRC to follow up on all anonymous complaints received through their system. This may lead to former employees of a business or a competitor filing complaints that are without merit but must be pursued, costing a small business owner time and money, and diverting OCRC resources away from their current process for evaluating complaints.

We also question how OCRC will handle a potentially larger number of complaints they must investigate. While the fiscal note indicates they can absorb one-time startup costs, will they be able to sustain? We urge this committee to evaluate the true need for this bill. Existing processes are already in place to address the issue of wage discrimination. We do not believe House Bill 221 is necessary.

Sincerely,

A handwritten signature in blue ink that reads "Christopher J. Ferruso".

Christopher J. Ferruso
Legislative Director