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February 12, 2020

Sen. Kirk Schuring, Chairman
General Government & Agency Review Committee
Ohio Statehouse
Columbus, Ohio 43215

Re: SB 246

Chairman Schuring, Vice-Chair Rulli, Ranking Member O'Brien:

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.

Collectively, the Building Trades and our partner contractors invest \$60 million dollars per year in apprenticeship and safety training, of which \$0 is taxpayer subsidized. According to the State of Ohio Department of Job and Family Services, 82% of Ohio’s construction apprentices are registered in Building Trades’ training programs including 86% of minority and 91% of Ohio’s female apprentices.

Let me preface my comments by stating that I’m sensitive to the bill sponsors’ intentions. Our partner-contractors are facing many of the same headwinds as the bill’s proponents in a tight labor market. Please be advised however, that ACT Ohio is opposed to SB 246 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.



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Please see the attached list of Building Trades Regional Councils that received national recognition in 2019 for 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, SB 246 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.



ACT OHIO
AFFILIATED CONSTRUCTION TRADES

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SB 246 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. Simply put, SB 246 puts Ohio contractors and building trades workers at 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 SB 246.

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

Sincerely,

Matthew A. Szollosi



Ohio Building Trades Councils Win Zero-Injury Safety Awards

ACT Ohio member councils receive 38 national ZISA honors for completing high-quality construction projects with zero injuries.

The Zero Injury Safety Awards, presented annually by the National Maintenance Agreements Policy Committee, are the nation's most prestigious construction safety awards. ZISAs recognize the Building Trades' uncompromising commitment to public safety, and the highly skilled workforce trained in Ohio State Building Trades apprenticeship programs. In 2019, ACT Ohio and Ohio State Building Tradespeople completed over 11.7 million construction work hours without a single injury.



"Congratulations to our members for bringing home 38 ZISA awards," said Mike Knisley, Executive Secretary Treasurer of the Ohio State Building and Construction Trades Council. "Your record for completing projects without a single injury speaks to the success of the Ohio Building Trades' safety-first apprenticeship training and the union trades' commitment to public safety."

BUILDING TRADES COUNCIL / LOCAL UNION	CONTRACTOR + CLIENT	PROJECT + LOCATION	SAFELY COMPLETED WORK HOURS
ZISA GOLD STAR			
Northwest Ohio Building Trades Council	RMF Nooter, Inc. BP Products North America, Inc.	Toledo Refinery Oregon, OH	2,305,174 Work Hours
Lima Building Trades Council	RMF Nooter, Inc. Husky Energy, Inc.	Lima Refinery Lima, OH	1,379,425 Work Hours
Upper Ohio Valley Building Trades Council	Enerfab Power & Industrial, Inc. American Electric Power	Mitchell Power Plant Moundsville, WV	1,218,737 Work Hours
ZISA SILVER STAR			
Upper Ohio Valley Building Trades Council	George V. Hamilton, Inc. Cardinal Operating Company	Cardinal Plant Brilliant, OH	862,527 Work Hours
ZISA BRONZE STAR			
Upper Ohio Valley Building Trades Council	Enerfab Power & Industrial, Inc. FirstEnergy Corp.	W. H. Sammis Plant Stratton, OH	496,054 Work Hours
East Central Ohio Building Trades Council	BMWC Constructors, Inc. Marathon Petroleum Corporation	Canton Refinery Canton, OH	435,000 Work Hours
Tri-State Building Trades Council	Enerfab Power & Industrial, Inc. American Electric Power	Big Sandy Plant Louisa, KY	400,544 Work Hours
Tri-State Building Trades Council	Day & Zimmermann NPS, Inc. American Electric Power	Mountaineer Power Plant New Haven, WV	345,529 Work Hours
Painters (IUPAT) District Council 53	MPW Environmental Services, Inc. FirstEnergy Corp.	Bruce Mansfield Plant Shippingport, PA	340,361 Work Hours
East Central Ohio Building Trades Council	Industrial Contractors Skanska American Electric Power	Conesville Power Plant Conesville, OH	333,210 Work Hours
Cleveland Building Trades Council	Norris Brothers Company, Inc. Arconic	Cleveland Works Cleveland, OH	322,009 Work Hours
Upper Ohio Valley Building Trades Council	Chapman Corporation Covestro LLC	New Martinsville Plant New Martinsville, WV	242,293 Work Hours
Lima Building Trades Council	Smart Energy Insulation-Toledo Mechanical & Husky Energy	Lima Refinery Lima, OH	207,933 Work Hours

BUILDING TRADES COUNCIL / LOCAL UNION	CONTRACTOR + CLIENT	PROJECT + LOCATION	SAFELY COMPLETED WORK HOURS
ZISA CERTIFICATES OF MERIT			
Tri-State Building Trades Council	StructSure Scaffold Solutions, LLC American Electric Power	Big Sandy Plant Louisa, KY	193,123 Work Hours
Upper Ohio Valley Building Trades Council	Chapman Corporation The Williams Companies, Inc.	Moundsville Plant Moundsville, WV	172,251 Work Hours
Painters (IUPAT) District Council 53	MPW Environmental Services, Inc. FirstEnergy Corp.	W. H. Sammis Plant Stratton, OH	161,766 Work Hours
Upper Ohio Valley Building Trades Council	Chemsteel Construction Company FirstEnergy Corp.	W. H. Sammis Plant Stratton, OH	160,958 Work Hours
Boilermakers Local Union No. 105	Enerfab Power & Industrial, Inc. Vistra Energy	William H. Zimmer Station Moscow, OH	158,349 Work Hours
Tri-State Building Trades Council	Enerfab Power & Industrial, Inc. Ohio Valley Electric Corporation	Kyger Creek Power Plant Cheshire, OH	156,113 Work Hours
Tri-State Building Trades Council	Thermal Solutions, Inc. Ohio Valley Electric Corporation	Kyger Creek Power Plant Cheshire, OH	147,370 Work Hours
Painters (IUPAT) District Council 53	MPW Environmental Services, Inc. Cardinal Operating Company	Cardinal Plant Brilliant, OH	147,299 Work Hours
Butler County Building Trades Council	Thermal Solutions, Inc. AK Steel	Middletown Works Middletown, OH	145,491 Work Hours
Lima Building Trades Council	Construction & Turnaround Services Husky Energy, Inc.	Lima Refinery Lima, OH	137,401 Work Hours
Boilermakers Local Union No. 105	Enerfab Power & Industrial, Inc. Vistra Energy	Miami Fort Power Station North Bend, OH	129,836 Work Hours
Tri-State Building Trades Council	Thermal Solutions, Inc. American Electric Power	Big Sandy Plant Louisa, KY	127,254 Work Hours
Lima Building Trades Council	BMWC Constructors, Inc. Nutrien	Lima Nitrogen Plant Lima, OH	112,000 Work Hours
Upper Ohio Valley Building Trades Council	Burnham Industrial Contractors FirstEnergy Corp.	W. H. Sammis Plant Stratton, OH	102,494 Work Hours
Lima Building Trades Council	Construction & Turnaround Services Husky Energy, Inc.	Lima Refinery Lima, OH	93,077 Work Hours
Cleveland Building Trades Council	Stevens Engineers & Constructors ArcelorMittal	Cleveland Plant Cleveland, OH	92,885 Work Hours
Upper Ohio Valley Building Trades Council	Chapman Corporation TC Energy	Lone Oak Compressor Station Cameron, WV	83,971 Work Hours
Lima Building Trades Council	Nooter Construction Company Husky Energy, Inc.	Lima Refinery Lima, OH	83,844 Work Hours
Painters (IUPAT) District Council 53	MPW Environmental Services, Inc. FirstEnergy Corp.	Harrison Power Station Haywood, WV	81,803 Work Hours
Upper Ohio Valley Building Trades Council	George V. Hamilton, Inc. American Electric Power	Mitchell Power Plant Moundsville, WV	80,746 Work Hours
Tri-State Building Trades Council	StructSure Scaffold Solutions, LLC American Electric Power	Mountaineer Power Plant New Haven, WV	79,043 Work Hours
Parkersburg-Marietta Building Trades Council	Pioneer Pipe, Inc. Constellium Rolled Products	Ravenswood Plant Ravenswood, WV	73,825 Work Hours
Tri-State Building Trades Council	Babcock & Wilcox Construction Co. Lightstone Generation LLC	Gavin Power Plant Cheshire, OH	69,531 Work Hours
Northwest Ohio Building Trades Council	Commercial Contracting Corporation General Motors Company LLC	GPS, Toledo Transmission Operations, Toledo, OH	67,499 Work Hours
Butler County Building Trades Council	BMWC Constructors, Inc. Duke Energy Corporation	Woodsdale Generating Station Trenton, OH	58,000 Work Hours



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