

Ohio House Commerce and Labor Committee
Marvin Cochran, Past President, Mid-States District Council of Roofers & Waterproofers
November 17, 2021
Proponent Testimony HB 88

Chairman Stein, Vice Chair Johnson, and Ranking Member Lepore-Hagan and Members of the House Commerce and Labor Committee:

My name is Marvin Cochran and I serve as the Business Manager of Roofers Local 86 and represent over 200 active members and retirees. Additionally, I serve as Past President of the Mid-States District Council of Roofers and Waterproofers which represents approximately over 2,200 members in Ohio. I am also a member of ACT Ohio.

We are pleased to submit this testimony today to express our enthusiastic support of HB 88. Because of the lack of licensure in the roofing industry, there are very serious quality issues within the industry, systemic employment fraud with independent contractor abuse, and all too often serious safety issues.

Far too often, I've seen contractors with little to no experience be awarded commercial roofing projects with disastrous results for the customer. In the Central Ohio region alone, I'm personally aware of several school districts that have had to spend millions of dollars in repairs to their roofing systems only years after the initial construction cost. Roofers unions across the state report similar incidents costing taxpayers potentially millions due to poor workmanship.

Because of the lack of licensure in the roofing industry, it's difficult for a school district or other public owners to determine the good contractors from the bad. HB 88 puts in place a modest licensing system to ensure roofing contractors meet some minimum standards of competency. Under the requirements of the bill, a roofing contractor must hold or be assigned a license from the Ohio Construction Industry Licensing Board (OCILB). The OCILB has provided licensing to various crafts in the construction industry for over 20 years and I believe is well suited to do the same for the roofing industry.

Under the requirements of HB 88 a roofing contractor applicant must meet several basic requirements, including having experience in the industry and proof of liability insurance, and pass an examination by the OCILB. Again, while these licensing requirements are basic in nature, they will go a long way to ensure contractors have a minimum level of competency.

The roofing industry has been ripe with independent contractor abuse for decades. All too often unscrupulous contractors wrongfully classify their employees as independent contractors, simply to avoid paying their fair share into the workers compensation, unemployment compensation fund, and other taxes. OCILB licensure will help crack down on these abuses.

Finally, the roofing industry can be a dangerous place for workers. Without the proper training standards in place; serious accidents can occur. According to the Occupational Safety & Health Administration (OSHA), roofing is the fourth most dangerous occupation in the United States¹.

¹ <https://www.bls.gov/iif/oshcfoi1.htm>

Additionally, the most common safety violation issued by OSHA in 2020 was the lack of fall protection provided to workers by contractors². The lack of adequate fall protection can easily lead to worker losing their life.

Earlier this year, OSHA cited a contractor working on a Canton, Ohio apartment building for failing to provide sufficient fall protection to prevent serious or fatal injuries³. Unfortunately, this is all too common in our industry and the contractor cited in this situation, it was the sixth time they were cited for this safety hazard since 2012. This is just one example of a contractor that failed to meet basic safety standards, which repeatedly put workers lives in jeopardy.

HB 88 would put into place minimum standards to help make sure that contractors clearly understand their obligations to provide a safe workplace for their employees. In an industry as dangerous as roofing, I believe a basic licensing standard is a common-sense reform that can and will save lives.

HB 88 is also supported by the roofing industry contractors. The Ohio Roofing Contractors Association (ORCA), which represents both union and non-union roofing contractors, supports this legislation. The ORCA support of this legislation demonstrates that the industry itself is eager for licensing requirements.

In conclusion, HB 88 will help raise industry quality, address independent contractor abuse, improve basic safety standards, and is supported by both workers and employers. Accordingly, I urge your support for HB 88. Thank you for your consideration.

² <https://www.osha.gov/data/commonstats>

³ <https://www.osha.gov/news/newsreleases/region5/02262021-0>