



March 24, 2017

The Honorable Tom Brinkman
Chairman, Insurance Committee
Ohio House of Representatives
77 S. High St., 11th Floor
Columbus, OH 43215

RE House Bill 27 – Illegal Alien Amendment

Dear Chairman Brinkman:

The Ohio Manufacturers' Association (OMA) believes that Ohio's efficient and effective workers' compensation system benefits workers, employers, and the Ohio economy.

In recent years, the BWC has made tremendous progress in improving all facets of its service delivery: increased investments in employer safety programs, dollars generated by its investments returned to employers in a prudent fashion, reduced base premium rates, medical management model improvements, and projects that continue to modernize the operations.

Regarding House Bill 27, the BWC biennial budget proposal, the agency is proposing a flat budget while continuing to invest in important strategic programs. The OMA applauds the BWC leadership on this.

In addition, OMA supports the sub bill amendment which reduces the statute of limitations for injured workers to file claims from two years to one year after sustaining a workplace injury or illness.

However, OMA is concerned about the potential amendment that would ban illegal aliens from receiving workers' compensation benefits in Ohio.

Workers' compensation laws were created to balance employees' need for safe workplaces and adequate compensation and medical care when warranted versus employers' requirements to be protected from excessive litigation, cost, and immunity from tort actions.

Ohio has made great strides in reforming its civil justice system over the past decades. A primary goal of the General Assembly should be to preserve tort reform gains. It is our understanding that the proposed amendment which would deny workers' compensation benefits to illegal or unauthorized aliens would generate a new civil cause of action against an employer if they knowingly employ an illegal alien or unauthorized alien.

As stated above this goes against the principal tenant of Ohio's workers' compensation system which is paid by employers. It would vacate the no-fault aspect of the system for employers and expose them to litigation risk. It would also erode gains Ohio has made on civil justice.

We hope there will be careful examination of potential unintended consequences to manufacturers, and all employers, as this amendment is carefully considered. We'd welcome the opportunity to be part of this discussion. Thank you for your work on this important bill.

Sincerely,

A handwritten signature in blue ink that reads "Robert A. Brundrett". The signature is written in a cursive style with a large initial "R".

Robert Brundrett
Director, Public Policy Services

cc: Representative Bill Seitz