

# Ohio Matters

An Official Publication of *The Ohio Chamber of Commerce*

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## DAYMOND JOHN 2019 ANNUAL MEETING KEYNOTE SPEAKER



This year's Ohio Chamber Annual Meeting & Legislative Reception will feature Daymond John, star of ABC's Shark Tank. Daymond will participate in a fireside chat facilitated by Ohio Chamber member Linda Hondros and will talk about building his company FUBU. He will also provide his business expertise to three companies selected from local chamber nominations. These companies will have three minutes to give a business pitch (on stage), and Daymond will provide a critique of the pitches.

From his wildly successful role on ABC's smash hit Shark Tank, to his distinguished status as a Presidential Ambassador for Global Entrepreneurship, Daymond has become globally recognized for his relentless commitment to promoting and supporting entrepreneurs. He initially made his mark as the entrepreneur and branding expert behind the groundbreaking lifestyle brand FUBU, which has eclipsed more than \$6 billion in global retail sales. From the streets of Hollis, Queens, New York, he started a global movement from the basement of his mother's house by capitalizing on the then-fledgling hip-hop culture. FUBU was a key development for the streetwear market, which today is a \$20 billion industry.

Since then, Daymond has continued to challenge himself and the business world in which he operates. In 2009,

he was tapped by lauded television producer Mark Burnett to join the cast of a new business-reality concept, Shark Tank. Now, after nine seasons, four Emmy Awards, multiple Critic's Choice Awards and millions of dollars in investments, the show has become one of the most successful business reality series of all time. Over the course of the series, Daymond has been a mainstay of the cast of Sharks and is now affectionately referred to as "The People's Shark."

Resolved to share his hard-learned lessons — from major successes and failures — Daymond has written four books. While his previous books, "Display of Power" and "The Brand Within," were national best-sellers, "The Power of Broke" (2016) and "Rise And Grind: Outperform, Outwork and Outhustle Your Way to a More Successful and Rewarding Life" (2018) are the only New York Times best-selling books from any of the Sharks.

Beyond the brands, the television series and the books, Daymond's commitment to entrepreneurship has been celebrated on a global level. In 2015, he was named a Presidential Ambassador for Global Entrepreneurship and was part of an exclusive group that joined President Barack Obama at the Global Entrepreneur Summit in Kenya. In March 2016, he accompanied the president on his historic trip to

Cuba, which represented the first time a sitting U.S. president had visited the island since Calvin Coolidge in 1928.

One of Daymond's proudest accomplishments is his continued fight against dyslexia. He has worked with the Yale Center for Dyslexia and he sits on the advisory board of Understood.org. He has embraced his dyslexia, allowing it to be a catalyst for his career as a public speaker and author.

As a dynamic speaker with more than 25 years of proven business experience, Daymond has become one of the most highly sought-after speakers in the country. He regularly speaks at *Fortune* 100 companies, conferences, universities and independent businesses. Whether he's speaking about entrepreneurship, marketing and branding, financial literacy or goal-setting strategies, his high-energy presentations give audiences relatable advice and practical takeaways. Daymond has delivered keynote speeches for organizations such as General Mills, Johnson & Johnson, Samsung, AT&T, Yale, Georgia State University, Purdue University and dozens more.

The recipient of more than 35 awards, including the Brandweek Marketer of the Year and Ernst & Young's Master Entrepreneur Of The Year, Daymond serves as CEO of the brand consultancy The Shark Group, which specializes in brand strategy and development, artist relations and talent development. Under his leadership, The Shark Group has rewritten the script on how companies, brands and products can seamlessly work together to yield a sum greater than their parts. The Shark Group works with a wide range of businesses and brands, including Capital One, HSN, Forbes, Miller Lite, Gillette, Shopify and

### CHAMBER DAY, ANNUAL MEETING AND LEGISLATIVE RECEPTION SCHEDULE

- Noon** Board meeting at the Ohio Chamber headquarters for members of the Ohio Chamber of Commerce's Board of Directors
- 1 p.m.** Chamber Day at the Capitol for local chambers and their members
- 3:30 p.m.** Annual Meeting, with keynote speaker Daymond John of Shark Tank at the Jo Ann Davidson Theatre in the Riffe Building
- 5 p.m.** Legislative Reception for all Annual Meeting attendees and members of the Ohio General Assembly at the Sheraton Columbus Hotel at Capitol Square

Infusionsoft and has worked with Muhammad Ali, the Kardashians, Pitbull, Stan Lee, Carlos Santana, Jillian Michaels and others.

To register, go to [www.ohiochamber.com](http://www.ohiochamber.com) and click on the Annual Meeting link in the center of the page. The cost to attend is \$100 for Ohio Chamber members and \$150 for nonmembers. Registrations must be received by May 1, 2019. Registration includes Annual Meeting and the Legislative Reception. Sponsorship opportunities are also available, and a form is included in this issue. 📄



*You're creating jobs to  
strengthen your community.*

*We're creating policy to  
strengthen free enterprise.*

*We're All for Ohio.*

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At the beginning of each legislative session, we develop a list of Public Policy Priorities that make it clear to legislators what Ohio employers expect from them. All members and members of the General Assembly receive this publication so that we are all on the same page. The priorities that comprise this member-driven agenda underscore and emphasize the Ohio Chamber's mission to "aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans." These priorities will guide our work for the next two years.



By Keith Lake, Vice President, Government Affairs

# LEGISLATIVE PRIORITIES FOR THE 133RD GENERAL ASSEMBLY

As is typical when Ohio goes through a transition from one governor to the next, the new two-year session of the Ohio legislature has gotten off to a rather slow start. Nonetheless, activity is beginning to pick up.

In late February, Gov. Mike DeWine unveiled his two-year transportation budget, which contains a proposed 18 cent increase in the state's Motor Fuel Use Tax, better known as the gas tax. The increase would be effective July 1, 2019. The governor made this recommendation after learning that the Ohio Department of Transportation will run out of money for new projects and fall behind on regular maintenance and preservation of existing roads without additional new revenue. The projected shortfall is approximately \$1 billion annually. The Ohio Chamber supports efforts to ensure adequate and reliable funding for Ohio's transportation system and is carefully considering the governor's recommendations.

Work on the transportation budget by the Ohio General Assembly must be completed by March 31, by which time it will also have the governor's proposal for how to fund the state's other operations for the next two years. Most of the subsequent legislative attention during the first half of 2019 will be focused on producing this new two-year budget. This is typical in an odd-numbered year, as the state's current fiscal year ends at midnight on June 30.

The DeWine administration is likely to seek additional resources for priorities set forth during the campaign, specifically early childhood development programs, overcoming the drug problem and addressing Lake Erie water quality concerns. While Gov. John Kasich — who made lowering personal income tax rates a key theme of his administration throughout his eight years in office — used each of his four budgets to push for major tax policy changes, there are none anticipated as part of DeWine's budget package.

Beyond the required work on the transportation budget and the state's operating budget, the legislature has its own priorities. Senate President Larry Obhof, of Medina, has categorized two issues in particular as Senate priorities: Reforming drug sentences and cutting state regulations. Specifically, he said he's interested in looking at sentences for minor drug crimes and reducing some penalties, and cutting regulations that can interfere with business operations by as much as a third.

New Speaker of the House Larry Householder has said his goals include reshaping the school funding formula, restoring prior cuts to the Local Government Fund and exploring whether to provide financial support for Ohio's two struggling nuclear plants, which are scheduled to close beginning in 2020. On education funding, he wants to bring about a more equitable and easily understood funding formula for K-12 education that doesn't rely so heavily on property taxes.

Senate Democrats have been less specific, declaring that they have "a singular priority this General Assembly — ensuring that every bill that passes puts workers first." House Democrats, who did not formally choose Rep. Emilia Sykes, of Akron, as the new minority leader until early February, have not yet shared a formal agenda.

In addition, the Ohio Chamber has our own list of priority items to pursue. At the beginning of each new legislative session, the Ohio Chamber develops a list of Public Policy Priorities in order to make it clear what Ohio employers expect from their state legislators. Our Public Policy Priorities were released in late February, and a copy was mailed to every Ohio Chamber member, as well as to each member of the Ohio General Assembly.

The Ohio Chamber strives to be a member-driven organization, and these priorities were developed with input from business leaders like you through our eight policy committees, and unanimously approved by our board of directors in December. They focus on nine issue areas.



1. Education & Workforce
2. Energy & Environment
3. Health Care
4. Labor & Employment
5. Legal Reform
6. Public Affairs
7. Small Business
8. Taxes
9. Workers' Compensation

Taken together, our priorities represent an ambitious agenda of changes that must be made to create a more competitive and business-friendly environment. Among the highest priorities are fixing our broke and broken unemployment compensation system, protecting businesses from the escalating costs of energy efficiency mandates, making health care more affordable for employers and strengthening the talent pipeline so we can successfully build the workforce for both today and tomorrow.

*Our priorities represent an ambitious agenda of changes that must be made to create a more competitive and business-friendly environment.*

In recent years, working with state lawmakers, the Ohio Chamber advocated for and helped achieve numerous public policy victories that have contributed to improving the state's economy and enhancing Ohio's business climate. However, there's still more to accomplish, and the Ohio Chamber will — as we have for the past 125 years — remain a strong voice for business at the Statehouse, focus policymakers' attention on further strengthening our economy and encouraging job creation in order to make Ohio an even better place to do business. 📌

## LOCAL CHAMBER NOMINEES TO PLAY A PART IN ANNUAL MEETING

Because we have Daymond John, star of ABC's Shark Tank, as our Annual Meeting keynote speaker, we wanted to create our own Shark Tank experience.

For his keynote address, Daymond will do a fireside-type chat interview with Ohio Chamber member and former chairwoman of our board of directors Linda Hondros. He will talk about how he took a business that he started in Hollis, Queens, New York and turned it into a \$6 billion retail giant — FUBU. Then we have allowed time in the program for him to give his professional business advice — on stage — to three Ohio companies that are just starting out. It's our version of Shark Tank.



That's where the local chambers come in. We are asking local chambers to nominate a company that they feel is worthy of Daymond's business expertise. The companies should have been in business no longer than three

years, as we are focusing on businesses in the incubation stage. Leadership will give a three-minute business pitch about their company to Daymond on stage, in front of attendees, and he will provide free business advice.

Only three companies from those nominated will be selected. Those nominated will be given two free tickets to attend our Chamber Day and Annual Meeting & Legislative Reception.

Nomination information was mailed to the local chambers in late February and nominations must be received by the Ohio Chamber by Monday, April 22. If you have questions, contact Ashley Brown at (614) 228-4201 or [abrown@ohiochamber.com](mailto:abrown@ohiochamber.com).

We think this interesting twist to our Annual Meeting will be exciting for participants and attendees alike, as everyone can benefit for Daymond's business acumen. 📌

By Sam Lillard, partner, Fisher Phillips

## FROM DRIVE-BY TO SURF-BY

The wave of website ADA litigation continues to swell for businesses



Businesses in Ohio — and across the United States — increasingly are experiencing lawsuits filed by plaintiffs who do little more than surf the internet in search of websites that are not compliant with the Americans with Disabilities Act. The primary claim in these lawsuits is that the websites are not accessible to individuals with sight or hearing disabilities. In 2018, nearly 2,000 more of these website-accessibility cases were filed than in 2017, and most expect this upward trend to continue in 2019.

The ADA is a sweeping civil rights act protecting people with disabilities from discrimination in employment, government services, transportation, telecommunications and commercial facilities. Title III of the ADA and its regulations apply to places of public accommodation, which include businesses, commercial facilities and other private entities offering services to the general public. The ADA requires private businesses to remove barriers to access and make reasonable modifications to their services so that the goods, services, privileges or activities provided by places of public accommodation are equally accessible to people with disabilities.

Businesses also must comply with an extensive set of detailed regulations and guidance relating to nearly everything, including, but not limited to, the number of handicap parking spaces, Braille signage, accessible bathrooms, door width, counter height, pool lifts and, yes, even websites. While there are extensive regulations and guidelines for ADA compliance, perhaps surprisingly, there is no government agency that handles accessibility issues. Instead, the ADA allows individuals to bring lawsuits to enforce compliance. Successful plaintiffs in these cases can be awarded their attorney fees, which has resulted in a lucrative legal industry for attorneys who often file hundreds of website-accessibility cases each year.

During the past decade or two, businesses became quite familiar with similar ADA lawsuits over a failure to comply with architectural guidelines related to handicap parking, ramps, bathrooms, pool and spa lifts and other physical features. In these cases, in order to bring a lawsuit, the plaintiff generally must at least visit the business and actually encounter the barriers to access. These cases have

been derisively named “ADA drive-by litigation,” because in some cases, the plaintiff needed only to drive by the business to observe the deficiency.

Today, a large amount of business is conducted online, without the need for an individual to leave home. With this change, website-accessibility cases have evolved from drive-by to surf-by litigation. Many people with sight or hearing disabilities use computer programs and other technology in order to access online and business website content. A typical program will convert photos and text to speech for those with visual impairments and closed captioning of online music and video content for the deaf. To permit this, business websites should include embedded code to provide this extra online information.

While the ADA and its regulations have not adopted a specific accessibility standard, the World Wide Web Consortium has created Web Content Accessibility Guidelines (WCAG) 2.0, which is now the de facto standard for most website developers. In 2016, New York City became the first major municipality to require the use of WCAG 2.0 or a successor standard for all of its government websites. It is also the standard used by federal agencies.

In the private sector, businesses that do not provide web content that also is accessible to the blind, deaf or other persons with disabilities are now at risk in this rising tide of new ADA litigation from online plaintiffs. Businesses that use noncompliant websites are very easy to identify by a growing army of plaintiffs and their counsel.

However, there is some good news. To avoid this risk, compliance is relatively easy. A number of professional online services provide ADA website compliance checks and fixes for a relatively low cost. Regardless, it is critical for businesses to take time to review and test their websites, particularly with regard to accessibility by individuals with sight- and hearing-related disabilities. By initiating these precautionary measures, businesses can avoid becoming a part of this booming litigation wave.

Sam Lillard is a partner in the Columbus office of Fisher Phillips. He may be reached at (614) 453-7612 or [slillard@fisherphillips.com](mailto:slillard@fisherphillips.com).

By Susan C. Rodgers, Employment &amp; Labor Practice Group, Doolittle &amp; Burroughs LLC

## FOUR KEY INSIGHTS ABOUT ADA ACCOMMODATIONS FOR EMPLOYERS

A recent Federal Americans with Disabilities Act (ADA) case highlighted some of the most frequent issues that employers have regarding ADA compliance. This case, heard before a federal judge, provides guidance on what practices should be implemented to prevent or help defend against ADA claims.

In the case of *Turcotte v. Comcast Cable Communications Management, LLC*, a New Hampshire federal judge dismissed the lawsuit of former employee Brenda Turcotte, who claimed that Comcast violated the ADA when it did not accommodate her disability. Turcotte alleged that she suffered from a social phobia that prevented her from fielding a high volume of incoming calls, which was an essential part of her dispatch position. Because she could not perform the dispatch position, Turcotte asserted that as an accommodation, Comcast should have reassigned her to one of nearly a dozen other positions she applied for and claimed she was qualified to perform.

To succeed on a “failure to accommodate a disability” claim, an employee must establish the following three things.

1. She was disabled within the meaning of the ADA.
2. She was qualified to perform the essential functions of either her existing position or another available position, with or without reasonable accommodation.
3. The employer knew of her disability and did not reasonably accommodate it.

### THE IMPORTANCE OF THE ADA INTERACTIVE PROCESS

The Turcotte case shows the importance a court can place on an employer’s ADA interactive process. Although the ADA does not dictate a specific interactive process that must be followed by employers, courts seem to favor employers that undertake a good faith and meaningful interactive process. The Turcotte case gives guidance of key aspects of the interactive process.

#### 1 Establish an interactive process

Have a well-established process of which the employees are aware, how they can alert an employer when the interactive process has been triggered and what accommodations must be considered as part of that process. An employer’s duty to accommodate a disability is triggered when it is on notice that the employee is seeking an accommodation. Although no special words are required, an employee must provide an employer with sufficient notice of a condition and of the causal link between the restriction resulting from the claimed disability and the accommodation being sought. In the Turcotte case, Comcast had established a process for employees who sought accommodation to use and of which Turcotte was aware. The court found that Turcotte failed to utilize the accommodation process when she applied for five positions she claimed should have been reassigned to her. Her failure resulted in those claims being dismissed.

**Guidance.** Although a policy and process will assist in ADA compliance,

employers must also train supervisors and managers to recognize when an employee has provided notice of the need for help because of a medical condition and what steps to take to initiate and carry out the interactive process.

#### 2 Commendable effort to accommodate

Second, based on the Turcotte decision, Comcast was able to demonstrate commendable efforts to accommodate Turcotte. Comcast’s efforts included providing leaves of absence, training, retraining and conducting an extended internal job search for a vacant position to which she could be reassigned.

**Guidance.** An employer should have representatives who understand the complexities of the interactive process so that efforts are undertaken and documented in order to demonstrate ADA compliance and defend against a claim of failure to accommodate.

#### 3 Importance of essential job functions

Third, as part of the interactive process and internal job search, Comcast lawfully did not consider Turcotte qualified for vacant positions, which had an essential function of taking a high volume of inbound calls.

**Guidance.** The Turcotte case illustrates the importance of an employer being able to identify the essential functions of jobs, both the employee’s existing position and positions that the employee may claim reassignment to is a reasonable accommodation. Employers should be proactive and make sure their handbooks, job descriptions, advertisement and other employment documentation accurately reflect what the essential functions of the position are before receiving any request for accommodation. Understanding the essential functions of positions will facilitate an effective interactive process.

#### 4 Breakdown of the interactive process

Fourth, in the Turcotte case, the court found that Turcotte’s refusal to sign a medical release form, which Comcast reasonably requested to obtain information regarding her work restriction, caused a breakdown in the interactive process. Because Turcotte was responsible for the breakdown, the court found that Comcast was permitted not to consider her for the reassignment she claimed would be an accommodation.

**Guidance.** Both an employer and an employee have a duty to participate in the interactive process in good faith. If an employee breaks down the process, it can prevent an employer from being liable under the ADA. Courts have found that an employee who refuses to comply with an employer’s lawful request for medical information regarding the disability or accommodation can be found to have frustrated the interactive process. An employer should expect an employee to comply with reasonable requests for information and participate in the interactive process in good faith.

Susan C. Rodgers is the Employment & Labor Practice Group Chair at the business law firm of Buckingham, Doolittle & Burroughs LLC. Reach her at (330) 258-6552 or [srodgers@bdblaw.com](mailto:srodgers@bdblaw.com).

By Dee Mason, Founder and CEO, Working Partners

## THE RISE OF A NEW DRUG(S) OF CHOICE

Employers beware, and keep your drug-free workplace program operations broad-focused and vigilant. As the headlines, government and community efforts have sharply focused on the devastation of opiates, semi-synthetics, heroine and fentanyl (the opioid epidemic), other culprits are quietly taking a solid hold.

Cocaine and methamphetamine are the second- and third-highest ranking drugs of abuse (marijuana is first), and each has multiple-year records of escalation. According to Quest Diagnostics, the leading provider of diagnostic testing services conducting approximately 10 million workplace drug tests a year, these two substances have gained major ground as the preferred drugs of choice showing up in workplace drug tests.

Quest documented that in 2016, cocaine positive tests went to a seven-year high, up 12 percent from 2015 levels. And in 2017 to 2018, it reported an additional 7 percent increase. Methamphetamine increased 167 percent between 2013 and 2017. What's going on?! How is this happening under our noses, and why aren't we talking about it?

Most of us haven't even noticed meth and cocaine because the damage around the opioid problem is so lethal and the noise so loud. The death toll for 2017 due to cocaine was 14,446 and for meth 10,721. Yet the Centers for Disease Control and Prevention project the toll in 2017 alone for opioid-related deaths to be 60,322. And opioid abuse knows no socioeconomic boundaries — virtually everyone has been touched by the opioid crisis.

However, in the workplace, Quest shared that over the last five years, we've seen a decline in the rate of positive drug tests for opiates, semi-synthetic opiates and heroin. Although the counts of those dead and those needing treatment are still astronomical, the workplace has apparently realized benefits from the massive efforts to contain and control opioid abuse, including laws to limit prescriptions, crack down on opioids being illegally diverted and trafficked, education of the public and much, much more.

Another phenomenon that substance misuse professionals talk about is the cyclical swing a culture often demonstrates as it migrates to the "next popular drug of abuse," in this case, moving from opioids, which are painkillers creating relaxation and feelings of euphoria, to drugs that make the user feel more alert and stimulated, such as cocaine and meth. This may, in part, explain this swing from opioids to stimulants.

With the prevalence of these drugs on the rise, it's time for employers to take stock. There are safety risks to the workplace during and after use of these two drugs. The behaviors of people who use meth include carelessness, unreliability, involvement in numerous accidents that result in damage to equipment or property or injury to themselves or others, inability to focus on the details of routine duties or follow directions, argumentative and taking risks with disregard to safety. All of



these behaviors can last six to eight hours after taking the drug. Workplace safety can also be compromised for much longer because of the immediate after-effects of meth use, including drowsiness and sleep deprivation.

Users of cocaine can manifest poor or impulsive decision making, frequent mood swings, unusual excitement or euphoria, leaving the office frequently to use the bathroom or take phone calls, talking endlessly, often about seemingly unrelated subjects, aggressiveness and paranoia.

Whether these drugs are smoked, snorted or injected, they each create a strong craving for their euphoric effects. Because both act directly on the central nervous system, withdrawal symptoms can be severe. Medical researchers are feverishly working on "cures" for meth or cocaine addiction, but they have not developed a medication or vehicle that helps manage addiction as methadone does for heroin addicts or suboxone does for substance use disorder of opioids.

Throughout the years, there have been other efforts to control the damage caused by these two drugs. For example, the government has enacted restrictions on pseudoephedrine, the main ingredient in the production of meth. Also, law enforcement and international treaties have worked to limit the importation of cocaine, but there are always avenues around such efforts. In fact, one contributing factor for meth coming back with such force is that Mexican cartels are obtaining pseudoephedrine in mass quantities from overseas suppliers, then "cooking" it to create more potent meth than our country has previously experienced.

The bottom line is that there will always be a favorite drug-of-the-day trying to wreak havoc on our workforces and workplaces. Once again, the mantra of Working Partners, "There is a single antidote that workplaces can use to defend against any of these popular drugs and any that are coming down the pike with the next wave, and that's to operate a comprehensive, drug-free workplace program." This practice will limit your exposure and manage your risk of these ever-pervasive corporate raiders.

Working Partners, together with the Ohio Chamber of Commerce, the Ohio Chamber Research Foundation and Anthem BlueCross/BlueShield, has developed an employer's opioid toolkit. A Dose of Reality for Employers is a free online toolkit to help employers not only combat the opioid crisis but also all drugs that come into the workplace. The toolkit can be accessed on the Ohio Chamber's website at [www.ohiochamber.com/opioid-toolkit](http://www.ohiochamber.com/opioid-toolkit).

*Working Partners is a member of the Ohio Chamber of Commerce. It collaborates with businesses and communities to create behavioral change in adults and ultimately improve the quality of the workforce. It can be reached at (614) 337-8200, or contact Dee Mason at [dmason@workingpartners.com](mailto:dmason@workingpartners.com).*

## OEPA'S OFFICE OF COMPLIANCE ASSISTANCE AND POLLUTION PREVENTION PROVIDES SERVICES TO BUSINESSES

Many businesses hear "Ohio EPA" and cringe at the thought of a regulatory agency coming to visit their facility; they think they're going to have to spend a lot of money and jump through hoops to achieve environmental compliance. While it's true that some businesses are subject to several environmental regulations, Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) has been working on creating a more positive view of and interaction with the agency by providing exemplary customer service in several programs. Here are some ways your business may be able to participate in or take advantage of the services that OCAPP provides.

**Free and confidential compliance assistance.** Are you worried that something your company is doing might not be environmentally friendly? Are you a new business trying to sort through the legalese of a permit you need? OCAPP's Compliance Assistance program has multimedia specialists in five district offices who offer free and confidential services such as site visits and assistance with reporting and permitting needs of Ohio's businesses. Your local compliance assistance specialist serves as a one-stop shop for all your environmental regulation needs and keeps you from being transferred around the agency phone directory looking for answers.

**Ohio Materials Marketplace.** The Materials Marketplace is a free online platform for Ohio businesses and organizations to connect and find re-use and recycling solutions for waste and byproduct materials. Since its launch, the Materials Marketplace has grown to over 900 members and has helped save over \$200,000 through virgin material substitution costs and avoided landfill costs. Join today and see what materials are waiting for you.

**Pollution Prevention (P2) Assessments.** Being sustainable could actually save your company money. A P2 assessment provides on-site assistance to businesses by reviewing their process operations and identifying where changes can be made to reduce waste and associated costs. They can also provide feedback on meeting corporate sustainability and environmental goals.

**Encouraging Environmental Excellence (E3) Program.** If your company is already doing awesome environmentally friendly things, you should apply to be recognized for your efforts. The E3 program has four levels of recognition: Achievement, Silver, Gold and Platinum. Visit our website at [www.epa.state.oh.us/ocapp](http://www.epa.state.oh.us/ocapp) to see what benefits accompany each level of excellence.

**Recycling & Litter Prevention Grants.** If you are a business, community, local government or nonprofit organization in Ohio, you could be eligible to apply for grant money to establish and implement recycling, recycling market development, litter prevention and scrap tire recycling programs. This is a highly competitive program, so be sure to bring your best project ideas to the table. More information about the grant program can be found at [RecycleOhio.gov](http://RecycleOhio.gov).

**Recycling Directory.** If your company offers recycling services, get added to Ohio EPA's new Recycling Directory, which allows users to find recycling opportunities close to them by searching for the material they are looking to recycle.

*For more information, contact the Office of Compliance Assistance and Pollution Prevention at (800) 329-7518 or visit our website at [www.epa.state.oh.us/ocapp](http://www.epa.state.oh.us/ocapp).*

## OHIO'S COMMON SENSE INITIATIVE

Are there rules or regulations that are hindering you from growing your business? Do you want to change Ohio's regulatory framework to help spur innovation and job creation? The Ohio Common Sense Initiative (CSI) needs your help.



Mike DeWine, Governor  
Jon Husted, Lt. Governor

Common Sense Initiative

Carrie Kuruc, Director

CSI's mission is to look at state regulations from the perspective of job creators in order to make Ohio a better place to do business. CSI is tasked with reviewing Ohio's regulatory system to eliminate excessive and duplicative regulations that hinder job creation.

While regulations play an important role in ensuring fair competition and protecting public health and safety, regulations also should facilitate economic growth. Ohio's regulatory process should be built on transparency, accountability and performance, and should hold state agencies accountable to those foundations as they develop and renew regulations that impact business.

Since the program was launched, CSI has reviewed nearly 15,000 state agency regulations and has identified 60 percent of those regulations as potential obstacles to job creation and economic growth. Those regulations were amended or rescinded thanks to more than 7,200 comments from businesses and other stakeholders. The effect this public input had on changing Ohio's regulatory framework illustrates the ability of the CSI rule review process to engage industry stakeholders in the development of more effective regulations.

*To subscribe to receive alerts from the agencies that affect your industry and be a part of the conversation by submitting comments through the Business Impact Analysis, go to our website at <https://www.apps.das.ohio.gov/RegReform/enotify/subscription.aspx>.*

*You can also help identify areas where government hinders your ability to create jobs by submitting your solutions to [CSIOhio@governor.ohio.gov](mailto:CSIOhio@governor.ohio.gov) or by calling (855) 821-8898.*

## CHAMBER HIRES THREE

The Ohio Chamber recently hired three new employees, who took the time to answer questions about themselves so you could get to know them. The first is Justin Giaimo, who was hired as a director of external relations. He most recently worked as an account sales manager at Coventry, where he helped increase revenue for the company. His diverse background more than prepares him to successfully work with Ohio Chamber members.

Giaimo's favorite place in Ohio is Columbus. He believes it's an up-and-coming, exciting city to live in and loves the diversity of the people. He also enjoys cooking and won the Ohio Chamber's staff chili cookoff.

### Do you have pets?

I have three lovable mutts — a lab mix, Luna; a shepherd mix, Stannis; and a Chihuahua mix, Gatsby.

### Where did you grow up?

In Rossford, Ohio, a small city outside of Toledo that most people have driven through but have no idea it's there.

### What's your favorite part of your job?

My coworkers. They have been very friendly and welcoming, which is very helpful when joining a new workplace.

### What do you do when you're not working?

I try to spend as much time with my wife and 6-month-old son as possible, especially with him as he continues to do new things almost daily.

### Who is your hero?

My dad. He taught me everything I know about being a good husband, father and all-around decent, hardworking person.

### If we asked your family and close friends to describe you in one word, what do you think they would say?

Determined

### Where is your favorite place to dine out?

I love eating, so it really depends on my mood. But I'd say the one place I'm always willing to go is Rooster's.

### Where is your favorite place to vacation?

Anywhere warm with a beach

### Name three of your favorite sports teams.

I'm really a Columbus guy — Buckeyes, Blue Jackets and Clipper's. (I also like the Crew, but that's four.)

### Are you afraid of anything?

Not that I can think of off the top of my head. I used to be afraid of heights, but I spent two years painting houses, so I got over that quickly.

The chamber also hired Justin Zink as a director of external relations. He most recently worked as a partner at JEZ Consulting, where he advised political and corporate clients through complex public relations, crisis communications and media relations campaigns to ensure positive results.

His favorite place in Ohio is First Energy Stadium (the Cleveland Browns' stadium). He is a dedicated Browns fan and enjoys going to games. In his free time, he enjoys spending time with his friends and family.

### Do you have pets?

Yes, a nine-week-old Goldendoodle named Percy

### Where did you grow up?

Canton, Ohio (Jackson Township)

### What three websites do you visit most?

ESPN, Drudge Report and The Cleveland Plain Dealer

### Who is your hero?

Both my parents



Justin Giaimo



Justin Zink



Kevin Shimp

### If you could have dinner with two people, living or dead, who would they be?

Winston Churchill and President George H.W. Bush

### What do you think has been the most significant change in society during your lifetime?

Technology and its impact, not only in the way we communicate, but also the way we behave and live our day-to-day lives

### Where is your favorite place to vacation?

Key West

### Name three of your favorite sports teams.

Browns, Cavs, Indians

### What is your favorite part of your job?

The people and the mission of the Ohio Chamber

### Are you afraid of anything?

Heights

Finally, the chamber hired Kevin Shimp as director of labor and legal affairs. He previously worked for state Sen. Jay Hottinger as his senior legislative aide and for the Republican Senate Campaign Committee as deputy political director. Shimp also has his Juris Doctorate degree from Capital University Law School.

His favorite place in Ohio is Ohio Stadium; he's a big Buckeyes fan and loves to go to games.

### Do you have pets?

I have a cat named Nimbus.

### Where did you grow up?

I grew up in Powell, Ohio.

### What is your favorite part of your job?

Working in a beautiful office with incredible people who all believe in making Ohio a better place to do business

### What do you do when you're not working?

I'm golfing, skiing, or watching Netflix.

### What is your favorite quote?

"When in doubt, tell the truth."  
— Mark Twain

### Where is your favorite place to dine out?

Milestone 229

### Where is your favorite place to vacation?

Charleston, South Carolina

### Name three of your favorite sports teams.

Ohio State Buckeyes, Cleveland Browns and Cincinnati Reds

### What is your career highlight?

In 2016, I was the campaign manager for Sen. Frank Hoagland, and we upset incumbent Sen. Lou Gentile.

### Tell us one thing that most people don't know about you.

As a child, I was on America's Funniest Home Videos. 📺

## FINDING ANOTHER WAY

### B&B Music has expanded its reach to stay ahead of the curve

B&B Music has a rich heritage that dates back to an era when video arcade games were all the rage. Times change, however, and the growth of mobile technology led players to largely abandon arcades for games they could play right in the palm of their hand.

"The money was decreasing so much, we had to find another product that could serve the same people or go out of business," says Jordan Brown, whose family has owned B&B Music since 1957. "It was sad to see these games just sit in our warehouse, but they didn't really serve a purpose in our daily operation. If we had stayed with it, we might not be here today."

### A NEW BUSINESS MODEL

In the past 15 years, B&B Music has evolved from being solely an operator of coin-operated arcade games, pool tables and claw machines. Today, 60 percent of its revenue comes from a division that supports and maintains about 700 ATMs in the Greater Cleveland area; jukeboxes, video games and air machines make up the other 40 percent.

Brown says the ATM work is similar in some ways to the former model, but there are some very distinct differences in how the new business model functions.

"You need a lot of checks and balances because you have a lot of cash going in and out of the machines," says Brown, who manages the company's ATM division. "Not only do you have to track the cash, we need systems to hold our staff accountable. The physical theft of machines is another big challenge. We operate in places where stores might not have the best security."

B&B has taken steps to strengthen the machines and make them harder to steal or break into. Despite the difficulties involved, Brown says he and his family feel a sense of duty to continue serving a market that has provided them a livelihood for so many years.

"A lot of customers in urban areas don't have access to banks," Brown says. "We're providing ATMs to people who might not have the ability to drive to a bank."

ATMs can also be a revenue generator for the owner of the facility in which the machine is maintained.

### SEPARATION OF DUTIES

The company is owned by Jordan's father, Evan, who serves as president, and his uncle, Greg, vice president. Jordan's brother, Brad, is the fourth member of the leadership team and handles most of the sales responsibilities. It's a tight-knit bunch — sometimes a little too much so.

"We're all involved in managing this company, and often we struggle with separation of duties," Jordan says. "We all care so much, but it's not always productive to be doing the same thing. That's our biggest internal struggle."

The Browns have become more receptive over the years to organizational practices that assign duties to individuals and ensure things get done.

Brown is hopeful that he'll learn even more effective business practices through his involvement with the Ohio Chamber of Commerce.



"I like meeting people from different walks of life," he says. "It's a great opportunity to learn about other industries and both learn and share ideas with other people. It's a way to get more involved in the Ohio business community." 📺

## MEMBER NEWS

This year started off with two heavily attended educational programs developed by the Manufacturers' Education Council in conjunction with the Ohio Chamber of Commerce. In January, several of our members spoke at and many more attended the annual Ohio Tax Conference at the Hyatt Regency. This two-day event is the most all-encompassing tax conference in the state.

- The Columbus Renaissance Hotel was the location for this year's Ohio Energy Conference, where again, several of our members spoke and many more were in attendance.
- Our educational programming continues in March with the 28th annual Sustainability & EHS Symposium. This event will take place March 26-27 at the Sharonville Convention Center in Cincinnati.
- The 29th annual Environmental Permitting in Ohio Conference will take place July 24-25 at the Crowne Place Columbus North.
- The 14th annual Ohio Employee Health and Wellness Conference is at the Embassy Suites Columbus Airport on Aug. 20.

For more information on these educational opportunities, go to [www.mecseminars.com](http://www.mecseminars.com).

### HR ACADEMY WEBINARS AND LUNCH & LEARNS

Our HR Academy Webinars and Lunch & Learns are great ways to learn about state and national human resources laws and regulations while also earning credits toward human



Former Ohio Tax Commissioner and current Ohio Chamber board member Tom Zaino, current Ohio Tax Commissioner and former Ohio Chamber team member Jeff McClain, Lt. Gov. Jon Husted and Ohio Chamber President and CEO Andy Doehrel at the Ohio Tax Conference



resources certifications. Our first Lunch & Learn of the year will be held in conjunction with the Fayette County Chamber of Commerce on Thursday, March 21. The topic of the program is Hot Topics for Small & Large Businesses, presented by attorneys Bill Wahoff and Michael Flowers, with Steptoe & Johnson.

The Lunch & Learn is at the Mahan Building at the Fayette County Fairgrounds, with registration starting at 11:30 a.m. and the program with lunch starting at noon. The cost is \$20 and reservations can be made by calling (740) 335-0761.

Watch your email for future Lunch & Learns and webinars. If you are interested in hosting a Lunch & Learn or presenting a webinar, contact Scott Colby at the Ohio Chamber of Commerce, (614) 228-4201.

### DOSE OF REALITY FOR EMPLOYERS

Last March, the Ohio Chamber of Commerce Research Foundation, with support from member companies Working Partners and Anthem BlueCross/BlueShield, launched A DOSE of Reality for EMPLOYERS: A Toolkit to Help Mitigate the Risks Associated with Ohio's Opioid Epidemic.

The free online employer toolkit includes a five-module course (13 to 16 minutes per module), which gives an overview of the legal and operational issues an employer must consider in dealing with an employee's use of opioids and other substances. The modules include best practices that employers can use in their workplace, from how to implement a drug-free workplace program, to crafting an employee assistance program and much more. Although each module contains valuable information, it is not necessary that they be watched in order or in their entirety. Each module also has printable resources that employers can use in the workplace. Also included is the Dose of Reality for Employees, a similar online training program specific to employees, with a section for additional resources.

The toolkit can be found on the Ohio Chamber's website at [www.ohiochamber.com/opioid-toolkit](http://www.ohiochamber.com/opioid-toolkit). It is available to all companies in Ohio, and we encourage everyone to use and share the information.

For more information, please contact Julie Wagner Feasel, vice president of communications for the Ohio Chamber of Commerce, at (614) 228-4201 or [jfeasel@ohiochamber.com](mailto:jfeasel@ohiochamber.com).

## NEW MEMBERS

Welcome new members to the Ohio Chamber of Commerce! These companies joined the Ohio Chamber between Dec. 19, 2018, and Feb. 21, 2019. Welcome!

- 11th Hour Staffing Inc., Huber Heights
- Boehringer Ingelheim, Dublin
- C & N Contractors Inc., Springfield
- Chadwell Coppus Technologies, Fostoria
- Farmers Portable Service Inc., Middlefield
- Harsh & Associates Financial Advisory A Financial Advisory Practice of Ameriprise Financial Services Inc. Jason S. Harsh, Toledo
- Holt Mechanical, Westerville
- Invotec Engineering Inc., Miamisburg
- Magellan Aerospace Middletown Inc., Middletown
- Magog Consulting, Marble Cliff
- Ohio Vapor Trade Association (OHVTA), Gahanna
- Smythe Cramer Co., Mayfield Heights
- Stykemain Chevrolet Pontiac LLC, Paulding
- The Allison Group, Columbus
- The Ottoville Mutual Telephone Co., Ottoville
- Tincher's Welding LLC, Harveysburg
- Turn Key Tunneling Inc. Columbus
- Walnut Grove Country Club, Dayton
- Wolf Financial Group LLC, Canton

## GET YOUR COMPANY NOTICED. SPONSOR!

### The Ohio Chamber of Commerce 2019 Annual Meeting & Legislative Reception.

Choose the sponsorship level right for you:

This year's event is on May 8 with keynote speaker Daymond John of ABC's Shark Tank. If you work for, own or are an advocate for business, there are many sponsorship opportunities you may want to explore. Your support sends a strong signal that the business community stands united in working to maintain a positive business climate and excellent quality of life in Ohio.

REWARDS	Platinum	Gold	Silver	Bronze	Medallion	Partner
Full conference registrations	10	8	6	4	2	1
Highlighted on the Ohio Chamber's Web site	✓	✓	✓	✓	✓	✓
Recognition in conference materials	✓	✓	✓	✓	✓	✓
Reserved seating for keynote address	✓	✓	✓	✓	✓	
Recognition in Ohio Chamber publications	✓	✓	✓	✓	✓	
Recognition on signs displayed during Annual Meeting	✓	✓	✓	✓		
Acknowledgment by program moderator	✓	✓	✓			
Recognition in video presentation prior to keynote address	✓	✓				
Recognition on signs displayed during Legislative Reception	✓	✓				
Meet & Greet with keynote speaker - limit 2 people	✓					

To sponsor the 2019 Annual Meeting & Legislative Reception, complete and return the following:

SPONSORSHIP LEVELS: (check one)

- Platinum \$10,000
- Gold \$6,000
- Silver \$4,000
- Bronze \$2,000
- Medallion \$1,000
- Partner \$500

#### SPONSOR INFORMATION:

Name of Sponsoring Organization \_\_\_\_\_

Contact Person \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

#### PAYMENT OPTIONS:

- Check enclosed  Invoice me



Return completed form by mail or email to:

Ashley Brown  
Ohio Chamber of Commerce  
34 S. Third St. Ste 100  
Columbus, OH 43215  
[abrown@ohiochamber.com](mailto:abrown@ohiochamber.com)

**WE'RE ALL FOR OHIO**



# STARTING OFF STRONG

As we move into spring, Ohio's legislators "shower" us with proposed legislation, most of which we do not want. By now you should have received our Public Policy Priorities agenda. This piece outlines our legislative goals for the current General Assembly.

I would like to thank the members of our eight policy committees and our board of directors who contributed their voice in determining our priorities. These same committee members will weigh in on the hundreds of bills that will be introduced at the Ohio Statehouse by helping us determine which bills we should support and which we shouldn't, while advocating for a pro-jobs creation climate.

We have also opened registration to our May 8 Annual Meeting & Legislative Reception. This year's event has a different twist, as keynote speaker Daymond John — star of ABC's Shark Tank — will do an on-stage "fireside chat," led by former Ohio Chamber Chair of our Board of Directors Linda Hondros. Then, Daymond will hear business pitches

from three Ohio companies nominated by local chambers of commerce. The companies selected will have three minutes to pitch their business idea to Daymond, and he will then provide them with his business advice. It's our version of the hit show Shark Tank. Our Annual Meeting starts at 3:30 p.m. and will be held at the Jo Ann Davidson Theatre in the Riffe Building.

Following the Annual Meeting is our ever-popular Legislative Reception for all meeting attendees and members of the Ohio General Assembly. The reception will take place at the Sheraton Columbus Hotel at Capitol Square. Again, we are offering special Annual Meeting pricing for our members. To register, visit [www.ohiochamber.com](http://www.ohiochamber.com) and click on the Annual Meeting link in the center of the website.

I am proud to report that our opioid tool kit *A Dose of Reality for Employers* has received national attention. Our toolkit is included in the U.S. Chamber of Commerce Foundation's Sharing Solutions website. This website provides businesses with national

resources that can be used to combat the opioid crisis. Visit the website at <https://sharingsolutions.us>. It continues to be one of the most visited pages of our website.

We have several new staff members at the Ohio Chamber, three of which are profiled in this publication. Watch for more new staff profiles on our [allforohio.com](http://allforohio.com) blog and future issues of Ohio Matters. They all look forward to serving our members and meeting you at Ohio Chamber events.

Finally, knowledge is power. Be sure to follow the Ohio Chamber on social media for the latest information. Like us at Ohio Chamber of Commerce on Facebook, follow us @OhioChamber on Twitter, follow us on LinkedIn at Ohio Chamber, and yes, we are even on Instagram at OhioChamber. Also, don't forget our All for Ohio blog, where we post the latest Statehouse happenings at [www.allforohio.com](http://www.allforohio.com).

*Andrew E. Deebel*

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Please send address changes to *Ohio Matters*, Attn: Database Manager, Ohio Chamber of Commerce, 34 S. Third St., Suite 100 Columbus, Ohio 43215

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## What if we had the solution to your healthcare challenges?

The plans utilize local medical networks providing you innovative coverage and allowing you to keep your doctor.

You benefit from exclusive pricing, and a fully integrated wellness program with cash incentives and deductible credits.

Contact the Ohio Chamber to learn more!

**Scott Colby**

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