

# Ohio Matters

An Official Publication of *The Ohio Chamber of Commerce*

By Rich Thompson, Director, Political Programs

## GET INFORMED. 1

2018 election preview

Chamber-endorsed General Assembly candidates

OCCPAC statewide endorsements

Front and center issues in 2019

Strategic recommendations for economic growth Ohio BOLD

## SHARE SUCCESS. 5

Bring your own device policies

OhioMeansJobs new features

Global trade uncertainty

Ohio businesses and medical marijuana

## STAY CONNECTED. 7

GREENCREST rises above the competition

New members

Celebrating 125 years with open house and gala

## 2018 ELECTION PREVIEW

A look at the tickets on the 2018 ballot



Two years ago, Ohio was the lynchpin that secured the presidency for Donald J. Trump. However, following a special election in August that saw Republican Sen. Troy Balderson win an open congressional seat by an uncharacteristically narrow margin in a district that has not elected a Democrat since 1980, our state's political climate looks to be friendly to Democratic candidates in a way we have not seen for a decade.

At the top of the ticket, Attorney General Mike DeWine is running against Richard Cordray, a former Ohio attorney general who most recently served as head of the federal Consumer Financial Protection Bureau during the Obama

administration. This race will be a rematch of the 2010 contest for attorney general that saw DeWine victorious by a narrow margin of 48 percent to 46 percent, and a similarly close, competitive race is expected this year.

DeWine and Cordray look to replace outgoing Gov. John Kasich, who is currently embroiled in a bitter feud with Trump over the soul of the GOP. Along with his running mate, Ohio Secretary of State Jon Husted, DeWine's leadership in creating a healthier business climate for our state throughout his career has earned him the endorsement of the Ohio Chamber of Commerce Political Action Committee (OCCPAC).

Down the ticket, there are open seats for each of the statewide executive offices: attorney general, secretary of state, auditor and treasurer. OCCPAC endorsed candidates in the races for attorney general and secretary of state in both 2010 and 2014, but not for auditor or treasurer. That's the same approach we've taken in 2018, as OCCPAC endorsed State Sen. Frank LaRose for secretary of state and Auditor Dave Yost for attorney general. Both candidates are the clear pro-business choices this fall.

For the past two decades, the Ohio Chamber has played a central role in raising awareness about the role and importance of the Ohio Supreme Court and in rallying the business community to help elect Supreme Court justices who refrain from judicial activism and legislating from the bench. This ensures a fair and predictable legal climate for entities that choose to do business in our state. In 2018, OCCPAC has endorsed Justice Mary DeGenaro and Appellate Judge Craig Baldwin to carry on this tradition.

In the Ohio General Assembly, House and Senate Republicans will put their super-majorities to the test against strong political headwinds. In the Senate, Democrats have three potential pickup opportunities in districts that were carried by Hillary Clinton in 2016. Senate Democrats hope to narrow the GOP super-majority, which stands at 24-9. There are also a handful of competitive races in the House for Democrats to start clawing away at the current 66-33 GOP majority. In addition to the individual races between the two parties, the outcomes in certain House races may determine whether Speaker Ryan Smith retains the gavel for the 133rd General Assembly, or whether enough Republican candidates who support Rep. Larry Householder win and provide him with the necessary votes to supplant Smith.

*DeWine and Cordray look to replace outgoing Gov. John Kasich, who is currently embroiled in a bitter feud with Trump over the soul of the GOP.*



More than the partisan makeup of the Ohio House or Senate, the Ohio Chamber is focused on electing legislators who understand the concerns of Ohioans tasked with signing both the front and back of a paycheck. This year, OCCPAC endorsed 76 candidates for the General Assembly, some Democrat, some Republican. If these pro-business candidates are elected on Nov. 6, the legislature can continue its work to strengthen Ohio's business climate.

Whether requesting an absentee ballot ahead of time, or when you head to the polls on Nov. 6, be sure to vote for the pro-business candidates who will promote a business climate that allows your business to succeed, grow and create jobs. 🗳️



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*You have been with us  
over the years.*

*We appreciate our members.*

*We want to celebrate you.*

*We're all for Ohio.*

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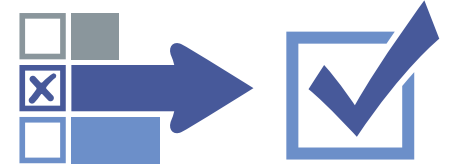
Register now for our official Open House and Member Gala Thursday, Nov. 8. This free event celebrating our 125th anniversary starts at 4 p.m. with an open house at our new location, 34 S. Third St., Columbus, followed by a reception at 6 p.m. and dinner at the Renaissance Hotel, 50 N. Third St., Columbus. The dinner will include special guests and a video presentation.

There is no cost for our members and a guest to attend, but registration is required by going to our website at [www.ohiochamber.com](http://www.ohiochamber.com) and clicking on the Member Gala link.

Sponsorship information is available by contacting Ashley Brown at (614) 228-4201.



# THE OHIO CHAMBER OF COMMERCE ENDORSED CANDIDATES FOR THE OHIO GENERAL ASSEMBLY



District	H or S	Party	First	Last	City
1	H	R	Scott	Wiggam	Wooster
2	H	R	Mark	Romanchuk	Ontario
3	H	R	Theresa	Gavarone	Bowling Green
4	H	R	Bob	Cupp	Lima
5	H	R	Tim	Ginter	Salem
6	H	R	Jim	Trakas	Independence
7	H	R	Tom	Patton	Strongsville
16	H	R	David	Greenspan	West Lake
18	H	D	Kristin	Boggs	Columbus
19	H	R	Tim	Barhorst	Westerville
20	H	D	Richard	Brown	Canal Winchester
21	H	R	Stu	Harris	Dublin
22	H	D	David	Leland	Columbus
23	H	R	Laura	Lanese	Grove City
24	H	R	Erik	Yassenoff	Columbus
27	H	R	Tom	Brinkman, Jr.	Cincinnati
28	H	R	Jonathan	Dever	Cincinnati
29	H	R	Louis	Blessing, III	Cincinnati
30	H	R	Bill	Seitz	Cincinnati
36	H	R	Anthony	DeVitis	Uniontown
37	H	R	Mike	Rasor	Stow
38	H	R	Bill	Roemer	Richfield
40	H	R	Phil	Plummer	Dayton
41	H	R	Jim	Butler	Dayton
42	H	R	Niraj	Antani	Miamisburg
43	H	R	Todd	Smith	Germantown
47	H	R	Derek	Merrin	Maumee
48	H	R	Scott	Oelslager	North Canton
50	H	R	Reggie	Stoltzfus	Minerva
51	H	R	Sara	Carruthers	Hamilton
52	H	R	George	Lang	West Chester
55	H	R	Gayle	Manning	North Ridgeville
57	H	R	Dick	Stein	Norwalk
61	H	R	Jamie	Callender	Concord
62	H	R	Scott	Lipps	Franklin
63	H	D	Glenn	Holmes	McDonald
65	H	R	John	Becker	Cincinnati
67	H	R	Kris	Jordan	Ostrander
68	H	R	Rick	Carfagna	Westerville
69	H	R	Steve	Hambley	Brunswick
70	H	R	Darrell	Kick	Loudonville
71	H	R	Scott	Ryan	Newark
72	H	R	Larry	Householder	Glenford



Rep. Kristen Boggs  
House District 18



Rep. Jack Cera  
House District 96



Sen. Jay Hottinger  
Senate District 31



Sandra Williams  
Senate District 12

74	H	R	Bill	Dean	Xenia
76	H	R	Sarah	LaTourette	Chesterland
77	H	R	Tim	Schaffer	Lancaster
78	H	R	Ron	Hood	Ashville
79	H	R	Kyle	Koehler	Springfield
80	H	R	Jena	Powell	Arcanum
81	H	R	James	Hoops	Napoleon
82	H	R	Craig	Riedel	Defiance
83	H	R	Jon	Cross	Kenton
84	H	R	Susan	Manchester	Lakeview
86	H	R	Tracy	Richardson	Marysville
87	H	R	Riordan	McClain	Upper Sandusky
88	H	R	Bill	Reineke	Tiffin
89	H	R	Steve	Arndt	Port Clinton
90	H	R	Brian	Baldrige	Winchester
91	H	R	Shane	Wilkin	Hillsboro
92	H	R	Gary	Scherer	Circleville
93	H	R	Ryan	Smith	Bidwell
94	H	R	Jay	Edwards	Nelsonville
96	H	D	Jack	Cera	Bellaire
97	H	R	Brian	Hill	Zanesville
1	S	R	Rob	McColley	Napoleon
3	S	R	Anne	Gonzales	Westerville
5	S	R	Stephen	Huffman	Tipp City
7	S	R	Stephen	Wilson	Maineville
13	S	R	Nathan	Manning	North Ridgeville
17	S	R	Bob	Peterson	Sabina
19	S	R	Andrew	Brenner	Powell
21	S	D	Sandra	Williams	Cleveland
27	S	R	Kristina	Roegner	Hudson
29	S	R	Kirk	Schuring	Canton
31	S	R	Jay	Hottinger	Newark

## OCCPAC STATEWIDE ENDORSEMENTS



### FOR GOVERNOR: MIKE DEWINE

Mike DeWine has a substantial body of pro-business decisions during his time as an elected official, and his tenure as Ohio attorney general has been no different. Along with his running mate Jon Husted, DeWine is committed to making Ohio the best state in the Midwest in which to do business.



### FOR ATTORNEY GENERAL: DAVE YOST

As Ohio's chief defender of laws, OCCPAC believes Dave Yost will resist the judicial activism seen by other states attorney general across the country to give employers more confidence in Ohio's legal system. Yost recognizes that free enterprise and economic growth depend upon a stable, predictable business environment and is therefore dedicated to maintaining the rule of law and applying it with an even hand.



### FOR SECRETARY OF STATE: FRANK LAROSE

Frank LaRose is the right candidate to continue building upon the successful modernization efforts of the office of secretary of state. During his time in the Ohio Senate, he was a champion of regulatory reform and was twice endorsed for those efforts by OCCPAC. In addition, LaRose has compiled an excellent 88 percent lifetime pro-business voting record during his time in the Ohio legislature.



### FOR OHIO SUPREME COURT: JUSTICE MARY DEGENARO

Justice Mary DeGenaro's judicial philosophy is to stay within her limited role to interpret the law, not rewrite statutes or add to the common law unnecessarily. Her experience gained on the Seventh District Court of Appeals will continue to serve her well on our state's highest court.



### FOR OHIO SUPREME COURT: JUDGE CRAIG BALDWIN

During his time as an appeals court judge, Judge Craig Baldwin authored a variety of opinions that resulted in valid yet favorable decisions in important areas of law impacting employers. Prior to serving on the bench, Baldwin spent approximately 10 years in private practice representing primarily business clients. He will add to the Ohio Supreme Court's recent tradition of providing a fair and predictable business climate for Ohio employers.



# LOOKING AHEAD: WHICH ISSUES WILL MOVE FRONT AND CENTER IN 2019?



Elsewhere in this issue of Ohio Matters, we highlight the endorsements the Ohio Chamber’s Political Action Committee bestowed upon candidates for statewide executive office, for the Ohio Supreme Court and for the state legislature. Whether or not some, any, or all of our endorsed candidates win in November obviously remains to be seen. However, what is certain is that those who win will have a number of issues to address upon assuming office in January.

As it is in virtually every odd-numbered year, preparing and passing the state’s next biennial budget will be the first order of business, especially for our new governor and the General Assembly. Work on the last budget was complicated by ongoing revenue shortfalls, with tax receipts for the previous fiscal year coming in significantly under forecasts. As a result, the budget Gov. John Kasich signed was about \$1.1 billion less than what he called for in his original executive budget proposal five months earlier.

However, what actually happened during the first fiscal year of that two-year budget was that state revenue outperformed projections also underspent. Ultimately, there was a year-end surplus of \$657.5 million, which was deposited into the state’s “Rainy Day” fund. Further, the state is now projecting another budget surplus of \$368 million for the current fiscal year, which ends June 30, 2019.

All of this signals a budget cycle that shouldn’t require lawmakers to impose painful spending reductions to fashion a balanced budget. Nonetheless, that doesn’t mean there won’t be some important policy decisions made in the context of the budget — or that these decisions will be easy.

Chief among these is an ongoing debate over what is the appropriate amount of state revenue-sharing with local governments. Local governments and their advocates continue to clamor for more funding generally, but also specifically for additional funding to help combat the opioid crisis.

Also certain to again be a subject of the budget deliberations is the fate of Medicaid expansion. While both major party gubernatorial candidates have expressed their plans to continue Medicaid expansion, not all legislative Republicans agree (and Republicans are likely to maintain their legislative majorities following this fall’s elections), and some would like to end it. Under the federal Affordable Care Act, states have had the option of providing Medicaid coverage to low-income individuals under age 65 with incomes up to 138 percent of the federal poverty level, with the federal government paying a greater share of the costs than the traditional Medicaid rate. This rate phases down, ultimately falling to 90 percent by 2020. It is during the next two-year budget that this final phase-down of federal dollars will occur, which means the next budget will

have to contemplate how to pay for a greater state share.

Strengthening Ohio’s workforce is a major concern to Ohio Chamber member companies and one of the most pressing economic challenges we face. While no solitary officeholder and no single policy proposal is going to solve all of Ohio’s workforce challenges, both candidates for governor have announced comprehensive workforce development plans. As a result, efforts to develop a skilled workforce to fill current and future jobs is sure to continue to be a top priority. The Ohio Chamber of Commerce Research Foundation’s recently released study, “Ohio Bold: A Blueprint for Accelerating the Innovation Economy,” will help drive the workforce conversation, as well. The report proposes a new statewide organizational approach to strategic innovation opportunities for Ohio and contains a variety of critical recommendations focusing on addressing workforce and new talent generation.

Other efforts to strengthen Ohio’s business climate are also certain to get attention next year. Topping this list — barring unexpected action late this year — is the unfinished business of fixing Ohio’s broke and broken unemployment compensation system. Reforms are urgently needed to update and strengthen the system for the benefit of Ohio’s employers, employees and economy.

One issue that hasn’t gotten serious

attention but that seems likely to bubble up next year is infrastructure funding. The Ohio Department of Transportation has projected a \$213 million funding shortfall by 2020, which means that the state will not have enough revenue to finance maintenance and preservation of existing roads, bridges and other assets, let alone fund major new projects. This means lawmakers will face mounting pressure to increase the motor fuel tax and develop other options to secure long-term, adequate infrastructure funding.

The presence of yet another proposed constitutional amendment on the November ballot also is likely to drive an overdue and much-needed conversation about ballot access in Ohio. Whatever the merits of State Issue 1 — which addresses drug and criminal justice policies — it can be argued that it is not an issue that belongs in a fundamental governing document like the Ohio Constitution. Further, this year’s proposal comes on the heels of other recent unsuccessful attempts by outside special interests to hijack the constitution, including last year’s effort to impose price controls on prescription drugs and the 2015 scheme to establish a marijuana monopoly. Many of these issues are transparent attempts to manipulate voter turnout, with public policy changes almost of secondary importance. Nonetheless, the proposals are more often than not harmful to Ohio’s business climate or economy, and the business community has to spend time and resources simply to preserve the status quo. This is not a recipe to help grow Ohio’s economy.

When January 2019 arrives, Ohio will have a new governor, four other new statewide executive officeholders, a revamped Ohio Supreme Court and a reconfigured Ohio General Assembly. No shortage of issues awaits their leadership and attention. 📌

## STRATEGIC RECOMMENDATIONS TO ACCELERATE OHIO’S ECONOMY

On July 18, 2018, the Ohio Chamber Research Foundation released its newest study, “Ohio Bold: A Blueprint for Accelerating the Innovation Economy,” which offers recommendations for the next governor of Ohio to accelerate the state’s position in the innovation economy.

Ohio has a critical role to play in ensuring its ability to leverage disruptive change. “Ohio Bold” proposed that the state focus on three strategic priorities.

- **Innovation**
- **Entrepreneurial/risk capital ecosystem**
- **Talent**



Specifically, the three strategies should focus on:

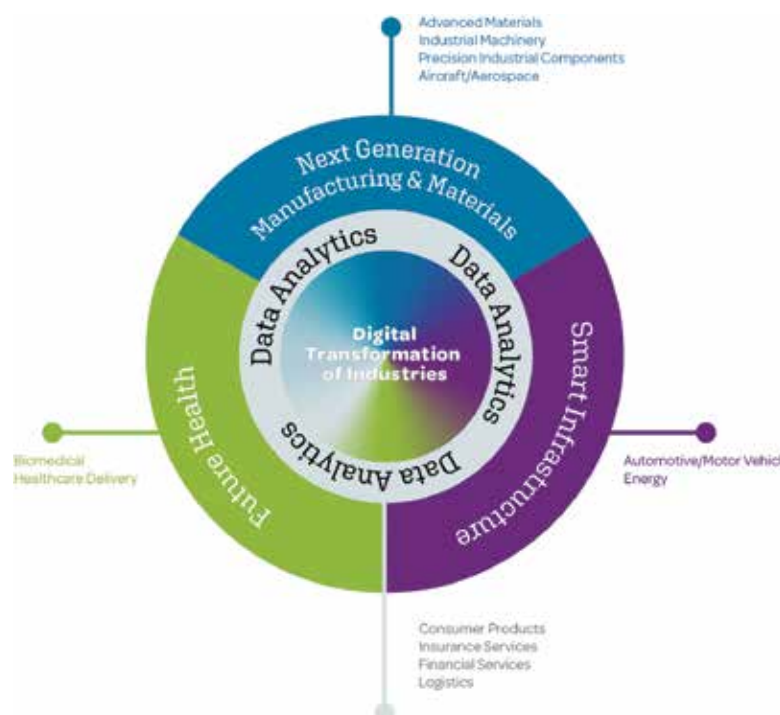
- Infusing innovation into Ohio’s economic drivers
- Elevating the entrepreneurial/risk capital ecosystem
- Developing, retaining and attracting top talent

A key recommendation of Ohio Bold was for the creation of four statewide innovation hubs focused on four specific opportunity platforms that represent areas of convergence for most all of Ohio’s industries.

- Next gen manufacturing and materials
- Future health
- Smart infrastructure
- Data analytics

These four innovation hubs would work statewide and focus on industry-facing activities. These hubs would help accomplish the following.

- Advancing technological convergence and innovation capacity
- Attracting the top talent that our industries need



- Fostering the growth of existing firms, creation of new firms and attraction of other firms
- Branding and proactive outreach of Ohio
- Addressing workforce and new talent generation

The four innovation platforms demonstrate more opportunities

for convergence in the way they interact with one another to create combination technology solutions. Each hub could have a profound impact on the future of Ohio’s economy and our quality of life. 📌

To read more about Ohio Bold, please visit [www.ohiochamberfoundation.com/ohio-bold/](http://www.ohiochamberfoundation.com/ohio-bold/).

Susan Rogers, Partner, Buckingham, Doolittle & Burroughs LLC

## HOW DO EMPLOYERS BALANCE THE BENEFITS AND RISKS OF A BRING YOUR OWN DEVICE POLICY?

The horror stories we hear about using a personal device at work make a “bring your own device” (BYOD) policy sound scary to employees and employers alike. Employees do not want their employers looking at their personal texts, emails or social media accounts, but employers carry a huge risk by having less control over the security and monitoring of devices that store the company’s information.

On the other side, an employer permitting the use of personal devices also brings many advantages. Allowing employees to use the same device and technology at home and at work gives them more flexibility and allows them to be more efficient and productive. It also gives employers more accessibility to their employees, while reducing the costs of providing a device.

So how do employers take advantage of the benefits, while also balancing the risks?

### SECURITY AND BYOD

The use of personal devices by employees opens an organization up to security concerns, such as exposure to breaches, which can be more easily avoided with a work-issued device. To address the security risks, companies should carefully evaluate their existing security policies and see how those policies align with an employee’s use of a personal device for work. For example, if your policy requires certain security controls for company-owned devices, such as password-protected access, then consider making those same requirements apply to personal devices through a BYOD policy. Also consider whether the information employees are storing on their personal devices could trigger the breach notification laws if the device is lost or if someone outside of the company gained access to the device.

A BYOD policy should include the security requirements and settings that a personal device must have for an employee to use it for work purposes. In order to protect the company’s information and ensure that the company is in compliance with any breach notification requirements, the policy should also require employees to report lost or stolen devices within 24 hours (or in an appropriate amount of time) and provide a process to ensure that company information is completely removed from the device upon termination, resignation or retirement. This means that employers need to be aware of which employees are using a personal device at work.

### PRIVACY AND BYOD

Security is not the only concern for employers that allow the use of personal devices. There are many privacy challenges that arise, too. It’s clearly acceptable for an employer to monitor an employee’s use of a work network or a work-issued device, but it’s less clear how an employer should handle monitoring the activities of an employee on a personal device. The



employee’s expectation of privacy on a personal device is much higher than it is on a work-issued device, so the same level of surveillance may not always be appropriate. If the employer chooses to monitor employees who use personal devices in the workplace, then the BYOD policy should disclose that information and the employer should obtain consent from the employee. This ensures that the employer put the employee on notice of his reduced expectation of privacy on the device if the employee chooses to use it for work purposes. To obtain employees’ consent, the company can circulate a form with the policy that employees are required to sign and give to the IT department before their email or other applications can be loaded onto the device.

The recurring question is whether an employer can search the employee’s device in the event of an investigation or a security breach because, in addition to accessing the company’s information on the device, the employer will gain access to the employee’s personal and nonwork information. Typically, an employer can search an employee’s personal device if it is being used for work purposes. The employer should try to limit the scope of the search, while still being thorough enough to gather the necessary information. If the employer comes across personal information during the search, the employer should keep that information confidential when it’s appropriate to do so.

BYOD policies are so important for employers who want to take advantage of the benefits that come with allowing employees to use their personal devices at work. The policies give the employer some control over the security of company information, while also being transparent with employees about what to expect if they choose to use their personal devices for work. While there is no guarantee the policy will protect against every challenge that comes with a BYOD system, it is a great tool for employers to minimize the risk. ■

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## OHIOMEANSJOBS.COM

New and improved employer tools coming soon



Over the next several months, OhioMeansJobs.com, the state’s premier online career and employment center, will be getting a variety of new features and enhancements that will make it easier for employers to post jobs and manage candidate searches.

At any given time, OhioMeansJobs.com lists millions of resumes, with advanced filtering tools that allow employers to quickly narrow many resumes down to the most promising ones. Last year, the website had nearly 3 million unique visitors, and employers used it to conduct more than 300,000 resume searches.

Right now, employers can use the website to:

- Post job opportunities
- Easily save resumes of potential candidates
- Find career fairs, workshops and other events in their area
- Research wage trends, economic indicators and demographic data
- Learn about employee training, tax incentives and other state and federal programs that can help their business grow
- Learn about hiring and/or making accommodations for employees with disabilities
- Designate themselves a military-friendly employer and find skilled veteran candidates for jobs
- Request one-on-one help posting jobs and screening resumes, through the website’s Business Support Center

Once the updates start taking effect, from September through next spring, employers also will be able to use OhioMeansJobs.com to:

- Pull in data from other sources to assist with job descriptions
- Add screening questions to job postings
- Extract a summary Skills Report from an individual’s resume, with one click
- Use customizable auto-reply letters to communicate with candidates
- Track how many customers click on a job posting, through a new dashboard feature
- Immediately receive resumes that match a new job posting
- Identify candidates who have been awarded the OhioMeansJobs Readiness Seal, a formal designation that students can earn on their high school diplomas and transcripts indicating they have the personal strengths, strong work ethic and professional experience that businesses need
- Store information in an employer “briefcase,” similar to the “backpack” for individuals



- More easily access information from the Ohio Supply Tool, which connects employers with local colleges that offer training for in-demand occupations
- Identify themselves as a possible source of mentors for a given occupation or industry

The Ohio Department of Job and Family Services operates OhioMeansJobs.com in partnership with Monster.com, and all services for both employers and individuals are free.

Employers can also visit their local OhioMeansJobs centers for one-on-one assistance. The centers can help with all of the following and more.

- Organizing a job fair or mass recruitment
- Performing skill assessments and prescreening candidates
- Establishing an apprenticeship or internship program
- Connecting with educators and job training programs
- Applying for training programs, hiring incentives and tax credits
- Using on-site conference rooms and computer labs for interviews and assessments

For individuals, a new OhioMeansJobs.com mobile phone application allows them to apply for jobs on the spot, 24/7, sign up for alerts and search more than 150,000 job openings at any given time. OhioMeansJobs.com also has a resume builder and rater; a budget calculator; free online assessments, trainings, and GED and college entrance practice tests; and special sections for veterans, college students, younger students, unemployment claimants, workers with disabilities and restored citizens. ■

*For more information, employers can call (888) 385-2588, email employerassistance@jfs.ohio.gov or contact their OhioMeansJobs center directly. To find the nearest OhioMeansJobs center, visit jfs.ohio.gov/county, or click on the “OhioMeansJobs Centers” icon at OhioMeansJobs.com.*

By Daniel Ujcz, Dickinson Wright PLLC

## 'A FALL OF REBALANCED RESUMPTION' IN GLOBAL TRADE, OR SIMPLY A FALL?

President Donald Trump will chart one of two paths for Ohio businesses over the coming weeks: (1) a transition from the “summer of disruption” in global trade to a “fall of rebalanced resumption”; or (2) simply a fall in sales, profits and earnings.

On the positive side, the Trump administration potentially will sign a renovated North American Free Trade Agreement (NAFTA) in November 2018 that will enhance trade with Ohio’s largest customers, namely Canada and Mexico. On the negative side, this fall likely will witness the United States entrench itself in a protracted trade dispute with China, with U.S. tariffs imposed on nearly \$300 billion worth of China-sourced goods.

In the middle are uncertain conclusions regarding trade conflicts with the European Union (EU) and Japan, as well as looming threats of automotive tariffs. Given Ohio’s economic and political importance, no state has a greater role to play in shaping these outcomes. Enhanced engagement is the key, and it all starts with the new NAFTA.

### NAFTA NEXT

Canada and Mexico purchase more than 60 percent of Ohio’s exports, and the Buckeye State must ensure its competitiveness with these trading partners. The Trump administration notified Congress on Aug. 31, 2018, that an agreement in principle had been reached with Mexico, thereby paving the way for the two countries to sign the deal 90 days later (late November 2018). The deal then will move to the US Congress for ratification in 2019.

The U.S.-Mexico agreement in principle has surface appeal for Ohio companies. Multiple provisions of the deal provide greater competitiveness opportunities in areas such as intellectual property, customs and trade facilitation, chemical and polymers, food processing and a number of red-tape-cutting measures.

The major change is the modification of the automotive rules of origin that now require 75 percent (up from 62.5 percent) of a vehicle to be composed of North American-made content. Additionally, 70 percent of all steel, aluminum and glass used in the vehicle must be derived from North American sources, and companies will need to track employees making less than \$16 an hour. The immediate policy impacts of these changes are unknown; what is certain is that auto suppliers and manufacturers throughout the supply chain will have new compliance obligations and costs. Every Ohio company engaged in North American trade must review the new text of the agreement, which will be published by Oct. 1, 2018, to determine the impact on its operations.



At the time of writing, the U.S. still had not concluded a deal with Canada. Ohio has no better trading partner than Canada, with Canadian companies purchasing more than 40 percent of Ohio exports. Additionally, more than 300,000 Ohio families make their livelihood from trade with Canada. Ninety-nine percent of trade with Canada is mutually beneficial and free of disputes. The remaining 1 percent consist of longstanding issues relating to dairy, softwood lumber and a few minor skirmishes. President Trump has called for “renovating” NAFTA. Abandoning Canada is the equivalent of tearing down the entire home in order to renovate the guest room. Ohio’s congressional delegation has been firm in requiring a deal with Canada to proceed with NAFTA. Ohio companies should continue this call for a trilateral deal.

### SECTION 232 STEEL AND ALUMINUM TARIFFS

The new NAFTA bears the promise of resolving the Section 232 steel and aluminum tariffs that have subjected Ohio goods to nearly \$2.5 billion in retaliatory tariffs from Mexico and Canada. The steel and aluminum guarantees in the new NAFTA, coupled with the domestic actions taken by Canada and Mexico to stop China-sourced steel from entering through North America’s back doors, eliminate the need for the U.S. to further impose the tariffs.

### SECTION 232 AUTO TARIFFS

Unfortunately, the discussions around the new NAFTA demonstrate that the U.S. likely will impose Section 232 national security tariffs on the auto sector. Specifically, the U.S. and Mexico agreed to a contingency plan whereby the U.S. agreed to exempt 2.4 million Mexican-made vehicles from new Section 232 auto tariffs, if imposed.

The lengthy negotiations over this issue should put all countries and companies on notice that the U.S. is serious about the imposition of auto tariffs. The U.S. strategy will be to build a tariff wall around the auto sector — particularly in technology-sensitive areas such as autonomous and connected vehicles — and only those countries (e.g., NAFTA, and potentially the European Union and Japan) that agree to new, rebalanced trade deals with the U.S. will have protections from these tariffs. Auto tariffs are neither theatrics nor tactics; rather, they are a tenet of the new U.S. trade policy.

### CONCLUSION

The potential resolution of a trilateral NAFTA is paramount to Ohio companies that will face ongoing disruptions in global trade. Resolving trade issues in our North American backyard will provide some stability as the U.S. addresses issues with the EU, Japan, and China. Companies, meanwhile, will need to review their supply and value chains, as well as monitor the various product exclusion processes announced by the United States trade representative to rebalance their operations.

*Dan Ujcz is an international trade and customs attorney at Dickinson Wright PLLC. He is president of the Ohio-Canada Business Association (Ohio-Can) and a board member of the American Chamber of Commerce in Canada (AM-CHAM Canada), as well as the North American Strategy for Competitiveness (NASCO). He can be reached at [dujcz@dickinson-wright.com](mailto:dujcz@dickinson-wright.com).*

By Working Partners

## OHIO BUSINESSES NEED TO MAKE A DECISION ABOUT MEDICAL MARIJUANA



Ohio House Bill 523 becomes operational in September. This law will make medical marijuana legal under qualifying circumstances and conditions. Employers need to determine their stance on this issue, and then take action.

The law contains several protections for employers. Under the new law, employers may choose to permit or accommodate an employee’s use. However, employers are also free to maintain and enforce a drug testing policy, drug-free workplace policy or zero-tolerance policy.

Other employer obligations, such as the U.S. Department of Transportation or the Ohio Drug-Free Safety Program, which mandate that employers continue to test for marijuana and deal with a positive test, will still be enforced, even if the employee has a medical marijuana recommendation from a physician. Ultimately, unless your company has such an obligation from a governing authority, Ohio employers can determine the direction they want to go.

Generally, we’re finding employers are fairly certain where they stand on this subject until they begin to put a face to it or explore various scenarios that could arise as a result of their decision.

- An employer who has been adamant that an employee testing positive will not be tolerated in the workplace may now be confronted with a long-time, popular employee who uses medical marijuana to relieve PTSD suffering that is a result of serving in the Armed Forces. What happens then?
- An employer who has had difficulty finding qualified applicants to fill vacant positions, mainly due to positive pre-employment tests for marijuana, believes it may have a windfall if it removes marijuana from the testing panel. What

does that mean for the rest of its drug-free workplace program?

- Another employer intends to treat medical marijuana as it does any prescription drug, counting on a Medical Review Office (MRO) to rule a test as positive or not after scrutinizing the veracity of the employee’s claim to taking a legitimate medication. However, this safeguard is not applicable regarding marijuana.

At that point, employers begin to realize the myriad factors that confuse the issue.

Until this point in history, employers have been able to rely on long-established best practices that provide a level playing field, logical policies across drug-free workplace programs and make the operations of such programs run smoothly. We’re finding that it is a different story when it comes to marijuana. Much more of the burden and risk falls on the shoulders of the employer.

It is imperative that employers educate themselves on their options, ask the hard questions and consider all the ramifications of their decisions. Additionally, talk with your corporate counsel to understand the legal challenges of your decisions.

Medical marijuana is coming to Ohio. Make sure your business is prepared, regardless of how you decide to approach this issue.

*Working Partners collaborates with businesses and communities to create behavioral change in adults and ultimately improve the quality of the workforce. Its efforts are primarily related to drug-free workplace issues, but it is also called upon to address other workforce issues, such as fiscal literacy. Contact Working Partners at (614) 337-8200 or [www.workingpartners.com](http://www.workingpartners.com).*

# RISING ABOVE THE COMPETITION

**GREENCREST**  
embraces every opportunity to help its clients grow and thrive

Kelly Borth has built GREENCREST into a full-service marketing agency that gives clients the honest perspective they need to grow their businesses.

“One of our promises to our clients is that we will always provide our voice of experience and we may, at times, challenge their thinking,” says Borth, founder, CEO and chief strategy officer. “They respect us as the expert in the room and as their consultant they listen to if we have a difference of opinion. But we will always be respectful. At the end of the day, it’s always their decision.”

A wide variety of clients have benefited from this approach, coming out on the other side a better, more strategically focused company as a result of their experience with GREENCREST. For Borth and her team, that ability to make a difference is what it’s all about.

“We prove we know what we’re doing by earning industry certifications and by providing outstanding results to our clients, and that has to be constant,” Borth says. “That’s every day.”

**DOING WHATEVER IT TAKES**  
Borth has seen significant changes in the marketing industry since she started GREENCREST in 1990, and

this constant evolution informs the way she leads the business, manages her team and services clients. She and her team focus on bringing value to clients rather than billing every hour, and the agency doesn’t have services contracts with its clients. That creates a level of accountability that Borth says effectively keeps GREENCREST functioning at a high level.

“Our industry is unregulated, so the barrier for entry is very low, which is unfortunate,” Borth says. “Sometimes smaller businesses end up getting hurt by some of the self-proclaimed experts who really aren’t experts at all. That’s where we try to stand out, by proving that we’ve earned the right to say that we can do this work and do it at a level of excellence. It’s not easy. It’s constant learning; we’ve seen constant change and it takes constant investment.”

Survival in the marketing space requires that agencies be on the leading edge of technology in order to meet what the market demands. In 1999, GREENCREST hired its first in-house web developer, which was almost unheard of at the time in the agency world, Borth says. By 2005, the firm was creating and managing Google Ads, and monitoring online marketing trends for its clients, and in 2007, social media was emerging as a new medium. “Our industry hasn’t stopped evolving,” Borth says.

“In 2008, we became a brand-certified agency,” she says. “We hold numerous certifications and we are a Google badged Partner.”



## MUCH TO LEARN

As a new Ohio Chamber of Commerce member, Borth is still learning about the impact the organization can have on Ohio’s business community. Her early impressions have her excited about the future.

“I can see the impact that they have had on advocating for small businesses and businesses throughout Ohio,” she says. “I’ve gotten involved with Kevin Boehner on the Ohio Small Business Council, and I’ll be serving on a committee focused on small business taxation. I’m excited to serve the Ohio business community in this capacity.”

*“That’s where we try to stand out, by proving that we’ve earned the right to say that we can do this work and do it at a level of excellence!”*

*– Kelly Borth, Founder, CEO and Chief Strategy Officer, GREENCREST*

## EVENT PHOTOS



President and CEO Andrew E. Doehrel introduces Ohio gubernatorial candidate Mike DeWine.



In August, the Ohio Chamber of Commerce Political Action Committee (OCCPAC) announced its endorsement of Mike DeWine for Governor.



Vice President of Government Affairs Keith Lake opens the Manufacturers’ Education Council’s Employee Health & Wellness Conference.



Director, Business Development Scott Colby greets attendees at the Manufacturers’ Education Council’s Employee Health & Wellness Conference.

## NEW MEMBERS

The following companies have joined the Ohio Chamber of Commerce this year. We welcome them into the Ohio Chamber of Commerce and look forward to serving them well into the future.

- |  |   |
|--|---|
| Ambulatory Medical Care Inc., Milford        | Kerr Connect LLC, Wilmington                            |
| Amy Sigg Davis et al, Lebanon                | Korrek Plumbing Heating & Air Conditioning Inc., Dayton |
| Blevins Fabrication Inc., Mansfield          | Mid-State Bolt and Nut Co. Inc., Columbus               |
| Bresco Broadband, Columbus                   | National Door & Trim Inc., Van Wert                     |
| Cargill Inc., Wayzata, Minnesota             | Ohio Custodial Maintenance Corp., Columbus              |
| Crown Holding, Philadelphia                  | Precise Sales LLC, Chardon                              |
| D & L Recycling LLC, Valley City             | Proto Precision Additive, Worthington                   |
| Encore Industries Inc., Cambridge            | Reset Business Consulting, Winchester                   |
| GREENCREST, Columbus                         | T.R. Gear Landscaping, Willow Grove                     |
| Grieser Interiors Inc., Wauseon              | Three Dog Bakery, Mayfield Heights                      |
| Helping Hands Contracting Inc., Mt. Pleasant | Wayne Machine, Wooster                                  |
| Horan, Cincinnati                            |   |
| Imperial Tree and Stump Inc., Kirtland       |   |
| JDT Cole Inc., Warren                        |   |
| Jones Day, Cleveland                         |   |
| Ka Sims Enterprises, London                  |   |





# JOIN THE CELEBRATION WITH A FREE DINNER

In November 1893, with concerns of a looming depression, business leaders from all over the state met in Cleveland to form what was then called the Ohio State Board of Commerce. The summary of the founding resolution said, "We believe that such an organization is of great advantage to the business interests of Ohio. 1. By concentrating the influence of the various boards of trade. 2. By securing a consensus of opinion and concert of action upon matters affecting the prosperity and development of the state as a whole. 3. By securing the enactment of just and equitable laws and providing a protection against unwise and hasty legislation or anything else tending to weaken the competitive ability of the state. 4. By increasing the power and usefulness of the various local boards. 5. By fostering the establishment of one strong commercial body in each important trade center."

The founding members — who are still members today — include:

PNC (National City, Ohio National Bank) — Merged

Macy's (May Department Stores)

Owens-Illinois (Libbey Glass)

BP America (Standard Oil)

Cincinnati USA Regional Chamber

Canton Regional Chamber of Commerce

Columbus Chamber

FirstEnergy Corp (Cleveland Electric)

Greater Cleveland Partnership (Greater Cleveland Growth Association)

Toledo Regional Chamber of Commerce

Root (A. I. Root)

FirstEnergy (Cleveland Electric & Illuminating/Centerior)

Cliffs Natural Resources (Cleveland Cliffs)

Huntington Bancshares Inc. (Huntington National Bank)

Marietta Area Chamber of Commerce

The Chamber of Greater Springfield

On Thursday, Nov. 8, 2018, the Ohio Chamber of Commerce will celebrate our 125th anniversary by hosting a free event for all of our members. We will start at 4 p.m. with a reception and

open house at our new headquarters, 34 S. Third St., Columbus. The festivities will continue at 6 p.m. at the Renaissance Hotel at 50 N. Third St. for our Member Gala dinner. The program will include a video presentation, special guest speakers and recognition of our members. Even though the event is free, those planning to attend will need to register by going to our website at [www.ohiochamber.com](http://www.ohiochamber.com).

Being around for 125 years is quite an accomplishment. Though much has changed, the focus of the Ohio Chamber has not. In fact, our original logo included this mission: Our purpose is to make Ohio the best state in the union in which to earn a living, to operate a business and to own property. Those same words apply to our focus today.

I would like to personally thank all of our members for their support and look forward to continuing our advocacy efforts as we continue to champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans. 🇺🇸

*Andrew E. Deebul*

#### EDITORIAL POLICY

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#### POSTMASTER

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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We've got you covered.

DENTAL BENEFITS



## INTRODUCING THE OHIO CHAMBER OF COMMERCE INSURANCE PROGRAM – DENTAL BENEFITS

We are excited to announce our partnership with Delta Dental of Ohio to offer dental benefit plans exclusively for Ohio Chamber members!

Delta Dental of Ohio benefits provide:

- Coverage for small businesses with two to 99 employees
- Multiple plan designs to fit your company's needs
- The largest dental network with Delta Dental of Ohio

Member-exclusive dental benefits from Delta Dental of Ohio can be purchased as a standalone plan. If you already have a plan with Delta Dental, you can switch to this new one at any time.

For more information, go to [www.ohiochamber.com/insurance](http://www.ohiochamber.com/insurance).



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