124TH ANNUAL MEETING IN THE BOOKS

Treasurer and chair-elect of the Ohio Chamber Board of Directors Jeff Walters presented the chamber’s financial report. The chamber’s dues and program revenue for 2016 were just over $3 million and expenses were in line with budgeted amounts. Net assets increased by approximately 4.5 percent as a result of dues and program revenue, increasing slightly, in addition to considerable improvements in 2016 investment market conditions. Walters will serve as chair-elect for the next two years.

Finally, during the business portion of the meeting, the members elected 16 business leaders to the board of directors. (See listing in this issue). Those elected will serve three-year terms.

The highlight of the day, though, was the keynote speaker, former football coach and retired ESPN analyst Lou Holtz. Coach Holtz mesmerized the crowd by instilling in them his rules for life, making them laugh with his one-liners and entertaining them with a magic trick.

Holtz began by telling the crowd how he grew up in East Liverpool, Ohio, in a one bedroom home, where he lived with his parents and sister. “I was born with a silver spoon in my mouth because I was born in this country,” he told the crowd.

He graduated from East Liverpool High School and earned a bachelor of science degree in history from Kent State University in 1959 and a master’s degree from Iowa in arts and education in 1961. He played linebacker at Kent State for two seasons before an injury ended his career. While at Kent State, he was a member of the Reserve Officer Training Corps (ROTC) and served as a first lieutenant in the U.S. Army. He has received 14 honorary doctorate degrees and written three books.

“The words in my books are short so the people in Michigan can read them,” he told the crowd of Ohio business leaders.

He doesn’t dwell on the challenges he has overcome in his life.

“It isn’t the fact you have problems, it’s what you do with them,” he said.

He told the audience that 22 months ago, the home he shared with his wife, Beth, burnt to the ground due to a lighting strike in the middle of the night.

“We lost everything,” Holtz said, “but nothing we were going to take with us to heaven.”

Going through life, Holtz believes winning is important. “What’s Important Now,” which ironically spells out win — something as a football coach he got used to doing.

Holtz is the only coach in the history of college football to take six different teams to a bowl game, win five bowl games with different teams and have four different college teams ranked in the final Top 20 poll.

While he was an assistant coach on The Ohio State University’s 1968 National Championship team, he is best known for the 11 seasons he spent coaching at the University of Notre Dame. As the head coach at Notre Dame, his 1988 team went undefeated and won the National Championship, beating the Mountaineers of West Virginia University in the Fiesta Bowl. He told the crowd that after achieving a life-long contract with the Fighting Irish, he stepped away because, even though his teams were winning every year, he felt like he was just maintaining. “Any time you try just to maintain, you lose your enthusiasm,” he said.

Holtz surprised the audience by doing a magic trick in which he tore a section of newspaper up and then opened it to show the audience it was really still all together. This left the audience with an important lesson: “Winning in life isn’t complicated. Just emerge each day to be the best you can and do the right thing.”

Photos continued on page 3
You want to hear from top-name speakers.

WE HOST NATIONALLY RECOGNIZED EVENTS.
WE’RE ALL FOR OHIO.

A special thank you to all of our sponsors for helping us make the 124th Annual Meeting & Legislative Reception such a huge success!
2017 OHIO CHAMBER ANNUAL MEETING

Our members enjoyed our Annual Meeting.

Another Great Legislative Reception

Ohio Chamber Chairman Larry Kidd takes a selfie with attendees.

Former member of the Ohio Chamber Board of Directors J. Van Carson, retired partner with Squire Patton Boggs, is recognized for his 28 years of service by Chairman Larry Kidd and President and CEO Andy Doehrel.

Lou Holtz performs magic by tearing a newspaper to shreds and then putting it back together again.
Ohio Chamber WELCOMES NEW CHAIRMAN

Larry J. Kidd, principal and CEO of Reliable Staffing Services, advocates for business

Larry J. Kidd, 53, a native of Jackson, is a man of action.

After previous jobs had taken Kidd and his family to California, Tennessee and Florida, they returned to Ohio in 1997 to establish roots. Kidd found what he was looking for in a job as director of purchasing for a large food processing company, which brought him home to Jackson.

He then bought two businesses with which he saw an opportunity to do it better: a warehousing and logistics company (2003) and a light manufacturing company (2004). But he couldn’t find the hourly workers he needed to staff his businesses.

The result was the launch of a new business. In 2006, Kidd founded Reliable Staffing Services to provide staffing to the light industrial, manufacturing and warehousing markets in Southeastern Ohio.

“My first priority was to decide which staffing services to supply to our clients. The clients I was serving were in the warehousing and manufacturing industries. I also wanted the services to be successful in that business.”

“We decided to create our own staffing firm to supply our own needs,” says Kidd. “Shortly after that, I noticed that there were others needed what I was doing.” Reliable Staffing Services has twice been named “one of the fastest-growing staffing companies in the United States” by staffing industry analysts.

“Kidd says his background and business experience contributed to the quick success of his business. We were users of our staffing firm, so we knew all the trials and tribulations, especially in warehousing and manufacturing,” he says. “We knew what it took to be successful in that business.”

Kidd says that was a result of the way workers’ compensation costs are calculated in Ohio. The costs to a business are based on its payroll and average claims over the previous four years. His firm had only been in business a few months and didn’t have a claims history to average. The unfairness of the system frustrated him, so he reached out to his state senator, who suggested that Kidd get involved in the Ohio Chamber of Commerce.

“He told me, ‘You’ll have access to legislators and help influence change,’” Kidd says.

After joining the chamber’s Workers’ Compensation and Legislative Employment Law committees in 2009, Kidd found he enjoyed the advocacy work. When he was asked to join the board of directors, he gladly accepted and saw it as a honor for his hard work on behalf of his fellow businesspeople in Ohio.

Kidd says all the candidates the chamber supported in the 2016 election won, a success he hopes to continue in the future in his new role as chairman of the board.

“As chair of the chamber, I would like to be able to maintain that level of success,” he says. His other goals include expanding both diversity on the chamber board and its marketing efforts.

Kidd holds other positions of civic and community leadership as well. He was appointed by Gov. John Kasich as a director of JobOhio, a quasi privately run economic development board for Ohio, and is a trustee of Rio Grande Community College and a director of Holzer Health Systems.

A past director of the Ohio Staffing Association, Kidd is a founder of a local business council designed to serve as a roundtable for ideas on how to improve the business environment in the region.

His favorite nonbusiness activities are water sports (more swimming and boating, and less fishing), which he enjoys from his second home in Longboat Key, Florida, and running. Having completed three half-marathons, Kidd tries to run at least 20 to 30 miles a week.

Kidd lives with his wife, Cindy. Together, they have three children, Alex, 20, Carly, 21, and Mitchell, 35.
NEWLY ELECTED BOARD MEMBERS

At the Ohio Chamber’s Annual Meeting, the following members were elected to three-year terms on the Ohio Chamber’s Board of Directors.

NORTHEAST
Jeff Gorman, President & CEO
The Gorman-Rupp Co., Mansfield
Michele L. Connell*, Partner
State Auto Insurance Co., Columbus

SOUTHWEST
Walt Davis, Partner
Shakerland Farms LLC, Lebanon
Steve Ringel
President – Ohio Market
CareWorks, Dublin

SOUTHEAST
Robb Reder
VP Finance & Assistant General Manager
Glatfelter, Chillicothe
Matt Sheppard
Sr Director – Corporate Development & Gov’t Affairs
Durable Corp., Norwalk

CENTRAL
Steve English
Sr VP Government Affairs
Nationwide Insurance, Columbus
Blake Thompson
VP Government Affairs
The Ohio State University Columbus

NORTHWEST
Joe Gorman, President & CEO
The Gorman-Rupp Co., Mansfield
Wes Jetter, Chairman & CEO
Fort Recovery Industries Inc.

By Rob Gilmore, partner, Kohrman, Jackson & Krantz LLP

OHIO BUSINESS GATEWAY MODERNIZATION PROJECT OVERVIEW

The Ohio Business Gateway is an online filing and payment system that processed more than 5 million transactions and $12.4 billion in online payments in 2016.

The Gateway Modernization Project began in 2015, when Gov. John Kasich appointed Lt. Gov. Mary Taylor as chair of the Ohio Business Gateway Steering Committee. In her role leading the Common Sense Initiative to streamline business regulations and improve the business environment in Ohio, Taylor has heard a great deal from Ohio businesses about the need to modernize the Gateway. As a result, she is leading a project to do so and make it even more responsive to the needs of its business users.

By working closely with the Steering Committee and members of the broader business community, the project team went through an intensive project planning process to pinpoint the needs and expectations business users had of the Gateway. Those requirements were then used to develop an implementation roadmap to transform it into a more user-friendly, reliable and secure portal. The implementation of the transformation is currently under way.

FEDERAL CIRCUIT COURT HOLDS TITLE VII PROTECTS LGBT WORKPLACE RIGHTS

On April 4, 2017, the Seventh Circuit Court of Appeals held that Title VII of the Civil Rights Act of 1964 prohibits workplace discrimination on the basis of sexual orientation. In Hively v. Ivy Tech Comm. College, No. 15-1720 (7th Cir. 2017) Title VII prohibits employment discrimination “based on race, color, religion, sex and national origin.” This is the first time a federal circuit court held that “sex” refers to sexual orientation, in addition to gender.

The plaintiff, Kimberly Hively, was a part-time adjunct professor at Ivy Tech Community College. Hively alleged she was denied a full-time position at the college on six separate occasions due to the fact that she was openly gay. She brought a discrimination charge on the basis of sexual orientation with the Equal Employment Opportunity Commission (EEOC), which eventually made its way to a federal district court.

The district court, following past precedent, held that Title VII does not apply to sexual orientation, and a three-judge panel for the Seventh Circuit affirmed. However, the Seventh Circuit agreed to hear the case en banc (the entire panel of Seventh Circuit justices), where it then held that sexual orientation was included in the reference to “sex” and thus protected under Title VII.

Prior to Hively, various states and the EEOC had reached this conclusion. In 2015, the EEOC stated “[t]he question is not whether sexual orientation is explicitly listed in Title VII as a prohibited basis for employment actions. It is not.”

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BENEFITS OF THE MODERNIZED GATEWAY

Phase I of the Gateway Modernization Project is focused on designing and building an improved user experience and simplifying transaction flows.

When the Modernized Gateway goes live in fall 2017, business users will experience the following improvements:

• A modern look and feel will make the Gateway more intuitive and easier to use.
• Prepopulated information and fewer required clicks will reduce the time it takes to complete transactions.
• Online help functionality will provide real-time information and the ability to request assistance any time, from any page on the Gateway.

Phase II of the Gateway Modernization Project, scheduled to go live in spring 2018, will introduce a more reliable, flexible and secure system architecture, featuring:

• An increased ability to add new transactions quickly, increasing the state’s ability to offer additional services to Gateway users.
• Incorporating user feedback into the Modernized Gateway design.

Obtaining and incorporating user feedback has been an important part of the Gateway Modernization Project. In September 2015, the results of a survey of more than 2,400 Gateway users were used to determine specific pain points of the current Gateway and critical new functionality that should be incorporated into the Modernized Gateway. Since then, the Gateway Modernization Project has circulated targeted user experience surveys and will be conducting in-person previews to gather even more feedback from business users.

For more information about the Gateway Modernization Project, visit business.ohio.gov/gatewaymodernization or email gatewaycommunications@governoiohio.gov.
FEDERAL CIRCUIT COURT HOLDS TITLE VII PROTECTS LGBT WORKPLACE RIGHTS

MEMBER NEWS

POLICY CONFERENCE AT SALT FORK – SAVE THE DATE – OPENING SPEAKER SET

Since 1989, the Ohio Chamber of Commerce has hosted a biennial policy conference that brings together state legislators and governmental affairs professionals to explore pressing issues coming before Ohio. The solitute of Ohio’s largest state park, coupled with attendees of all backgrounds, lends itself to a unique, yet productive, event, to which past attendees return again and again.

This year’s conference is Sept. 6-8. While the full agenda is still in the planning stages, we are excited to announce that the opening night speaker is New York Times best selling author J.D. Vance, author of “Hillbilly Elegy.”

We have reserved the entire lodge and many cabins. All members of both the Ohio General Assembly and the Ohio Chamber of Commerce are invited to attend. There are sponsorship opportunities available now, including everything from gift bags to table ideas. For more information, contact Stephanie Lake at klake@ohiochamber.com.

FEDERAL CIRCUIT COURT HOLDS TITLE VII PROTECTS LGBT WORKPLACE RIGHTS

But rather, “[s]exual orientation discrimination is sex discrimination because it necessarily entails treating an employee less favorably because of the employee’s sex.”

In the majority opinion for the Seventh Circuit, Chief Circuit Judge Diane Wood held that “discrimination on the basis of sexual orientation is a form of sex discrimination” and that “it is actually impossible to discriminate on the basis of sexual orientation without acting so as to discriminate on the basis of sex.” The majority rested its decision on two theories: (1) sex stereotyping and (2) the associational theory.

The term “sex stereotyping” comes from the Supreme Court decision Price Waterhouse v. Hopkins, in which the court held that discrimination for failing to act in a manner that is stereotypically of a certain gender is discrimination on the basis of sex. In that case, a female employee was discriminated against for being too “masculine.”

Here, the majority wrote that discrimination on the basis of sexual orientation is the “ultimate” form of sex stereotyping. "Any discomfort, disapproval, or job decision based on the fact that the complainant — woman or man — dresses differently, speaks differently, or dates or marries a same-sex partner is sex stereotyping purely and simply based on sex.”

Associational theory states “that a person who is discriminated against because of the protected characteristic of one with whom he associates is being disadvantaged because of his own traits.” Hively faced discrimination because her partner (with whom she associates) was a woman. Therefore, Hively was also being disadvantaged and discriminated against because Hively was a woman.

Judge Richard Posner, in his concurrence, took a different approach. He admitted that when Title VII was passed, the term sex “undeniably meant man or woman,” but that the term over time has broadened and we now understand discrimination against homosexual men and women to be a form of sex discrimination. “Ponser asserted the courts are not bound by the obedient servants of the 88th Congress (1963–1965), carrying out their wishes.”

Unsurprisingly, the dissenters argued the new rule “does not derive from the text of Title VII in any meaningful sense.” The dissenters stated that “common-law liability rules may judicially evolve in this way, but statutory law is fundamentally different,” and the court “is not authorized to amend Title VII by interpretation.”

This issue is likely to make its way to the Supreme Court, as the federal circuit courts are divided. Each of the other circuit courts has ruled that sexual orientation is not protected by Title VII. Most recently, in March 2017, the Eleventh Circuit reached such a conclusion. Because the laws surrounding this issue are currently in a state of flux and differ across the country, employers would be wise to review their current workplace discrimination policies to ensure they conform with the laws of the jurisdiction in which they reside.

Rob Gilmore is chair of the Labor and Employment Law Practice Group of Kohrman Jackson & Krantz LLP, with offices in Cleveland and Columbus.
Echoing Hills Village is described as a Christian ministry for individuals with disabilities, but it is so much more. With a focus on Live, Learn, Connect, Play, Worship, Echoing Hills is committed to revolutionizing lives.

Celebrating its 50th anniversary this year, the organization was founded in 1967 by the Rev. D. Cordell Brown, who was born with cerebral palsy. His parents owned 80 acres of farmland in Warsaw, Ohio, and Cordell’s goal was to create a premier summer camp experience for those with special needs.

“He had a great vision,” says Echoing Hills CEO Buddy Busch. “We continue to carry on that legacy of commitment to creating opportunities for individuals with disabilities to know and experience Jesus Christ.”

What started as a summer camp flourished into other programs, and Echoing Hills became a village. Today, the nonprofit has locations in five regions statewide and offers residential services, day programs, education programs, vocational services and recreational services, in addition to its seven-week summer camp program in Warsaw.

“We give people the tools they need to live their own lives,” says Kate Conway, development project coordinator.

Echoing Hills’ reach even extends to West Africa. While traveling in Ghana, Cordell was overwhelmed to learn that children with disabilities were often abandoned. So 50 years ago, the organization began partnering with ministries to offer programs there.

IMPROVING LIVES

Echoing Hills’ philosophy is based on four values: Choice, fulfillment, dignity and relationships.

Relationships are important. Busch says, because many people with disabilities have limited opportunities to interact with other people.

“God created us to have a relationship with us,” he says. “It can be lonely. They often don’t have many friends.”

That’s where Echoing Hills comes in. The programs and camps create opportunities for relationships with other people and with God.

When 70 campers of all ages and abilities arrive each week from mid-June to early August, they have opportunities to connect with others while swimming, riding in go-karts or shooting a paintball gun.

“When you see a 10-year-old catch a fish and jump up and down, it’s one thing,” says Busch of the camp experience. “But when you see a 60-year-old man catch a fish, you realize it’s one of the most exciting experiences for him, even though he’s 60 years old. You see that same joy and excitement.”

INDEPENDENT LIVING

In 2012, the organization established echoingU. Now operating with two Ohio campuses, this transitional program helps young adults work toward higher education, independent living and employment.

Echoing Hills also operates residences. Initially, 18 to 36 people lived in larger homes. Then about 10 years ago, they started moving people into smaller community homes. Today, 20 to 30 homes house four to eight people each.

“It was a watershed moment for us,” Busch says. “It changed our view of how to best serve people with disabilities in the future.”

In addition to being more personal, smaller homes afford residents more freedom. As an example, Conway cites a resident who moved into one of the smaller homes. She says that for the first time in her life, the 65-year-old woman has a bedroom to herself.

Although Echoing Hills is a Christian-based organization, its services are available to people of all faiths.

“Our goal is not to buttonhole or evangelize everybody,” Busch says. “We want to ensure they experience the love of God on a daily basis.”

To celebrate its landmark anniversary, Echoing Hills will kick off a celebration during a camp in July, with the other regions hosting dinners in September and October.

For more information or to get involved, visit www.chs1.org.

Each issue, we feature a member of the board of the Ohio Chamber of Commerce. This month, we spotlight Thomas M. Zaino, JD, CPA, managing member of Zaino Hall & Farm LLC and ZHF Consulting LLC.

What does your company do?

We are a boutique business law firm that focuses on tax and government affairs. In the tax area, we primarily assist taxpayers with state and local tax planning, compliance and lobbying on all types of issues at the federal, state and local levels. What makes us unique compared to other firms is the extent to which our attorneys leverage experienced non-attorney professionals, such as accountants and former government/appointed officials, to provide our services.

How does your company impact the Ohio economy and benefit the Ohio business community?

We defend taxpayers from overreaching governmental tax authorities by defending them on audit, reviewing taxpayer compliance and identifying and structuring client opportunities to ensure a tax-efficient legal structure. Our lobbyists advocate for all types of positive governmental policies that impact our clients, including at the federal, state and local levels.

What is your role at your company?

I serve as the managing member of the law firm and its wholly owned consulting subsidiary. I am blessed to manage a team of uniquely experienced attorneys and non-attorney professional accountants and lobbyists who provides our clients with value-added advice and services.

What do you hope to gain from your membership with the Ohio Chamber?

The Ohio Chamber of Commerce is the leading business association in Ohio and fosters the development of valuable relationships among business and government leaders. We hope to leverage these relationships to improve our effectiveness at advocating for positive, pro-business government policies in Ohio.

How has serving as a member of the Ohio Chamber helped your company achieve those goals/objectives?

Serving as chairman of the board has been a great honor and has helped highlight our company as a leader in the business community. The Ohio Chamber, through its excellent staff and committees, has helped us serve our clients better. For example, our firm successfully represented a coalition of business associations to provide more uniformity to Ohio’s municipal tax system (i.e., H.B. 5). This effort for our clients would not have been as successful without the support and commitment of the Ohio Chamber of Commerce, its Tax Committee and its excellent staff of professionals.

BOARD MEMBER SPOTLIGHT

What are some of the latest goals/objectives of your company?

Our goal is to be the go-to tax and government affairs firm in Ohio. We make every effort to provide high-value legal and consulting services to our clients that seek a competitive business environment in Ohio. For example, we continue to work on ways to make Ohio’s state and local tax system more efficient and less burdensome on Ohio businesses.

How has the Ohio Chamber helped your company achieve those goals/objectives?

Serving as chairman of the board has been a great honor and has helped highlight our company as a leader in the business community. The Ohio Chamber, through its excellent staff and committees, has helped us serve our clients better. For example, our firm successfully represented a coalition of business associations to provide more uniformity to Ohio’s municipal tax system (i.e., H.B. 5). This effort for our clients would not have been as successful without the support and commitment of the Ohio Chamber of Commerce, its Tax Committee and its excellent staff of professionals.
INVOLVEMENT OPPORTUNITIES FOR MEMBERS

Having just finished our Annual Meeting, I started thinking about all of the ways our members have to interact with not only our staff, but also other Ohio Chamber members and elected officials. Although our Annual Meeting is our signature event, we have many opportunities throughout the year for our members to participate in and I hope you will consider trying any or all of these forums.

Almost monthly, we have Ohio Chamber committee meetings taking place, usually at our headquarters in downtown Columbus. As a member-driven organization, we rely on the expertise of our members to provide input on topics in the areas of education and workforce development, energy and the environment, health care, labor and employment, small business, public affairs, taxation and public expenditures and workers’ compensation. The Ohio Chamber’s committees guide the policy priorities and legislative issues that we undertake.

To educate business leaders on human resources issues, we partner with local chambers of commerce to provide business symposiums. At these symposiums, we take the information to our members. Our next symposium is Friday, June 30, at the Gary Anderson Competitive Center in Port Clinton. The topic is 10 Management Mistakes to Avoid, presented by Bill Wahoff, of Ohio Chamber member Steptoe & Johnson PLLC. This symposium is free. To register, email admin@PortClintonChamber.com.

This summer we will again travel the state meeting with our members on our All for Ohio Tour. On this tour, Ohio Chamber staff members will visit our member companies and host members of the Ohio House and Senate from their area. It’s a great opportunity for us to get to know our members and for our members to get to know their elected officials. The tour will begin in July. If your company would like to participate, please email our vice president of communications, Julie Feasel, at jfeasel@ohiochamber.com.

In September, we will again host the Policy Conference at Salt Fork. This biennial event is something that our members and members of the Ohio General Assembly look forward to attending every other fall at Salt Fork State Park. Thai year’s policy conference is scheduled for Wednesday, Sept. 6, through Friday, Sept. 8. I’m very excited to announce that our Wednesday night speaker is New York Times best-selling author J.D. Vance, who penned the story about growing up in Hillbilly Elegy. Vance has just moved back to Columbus from the West Coast to establish a foundation that helps Ohio battle the opioid epidemic, among other things. Registration for this event will be available in late June.

This is just a summary of events we have going on throughout the year. We always post our events on our webpage at www.ohiochamber.com and include additional information in this publication and our Chamber Update emails. I encourage all of you to get involved in the Ohio Chamber, as we do have something for everyone.