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GOVERNMENT AFFAIRS UPDATE

Associated General Contractors (AGC) of Ohio's *Government Affairs Update* provides information about government related matters of interest to the commercial building industry and AGC's advocacy efforts. It is e-mailed to AGC of Ohio members and available online at www.agcoho.com/advocacy.html. Direct questions and comments to Andrea Ashley, VP of Government Relations: andrea@agcoho.com or (614) 486-6446.

April 26, 2018

DON'T FORGET TO VOTE IN THE PRIMARIES ON MAY 8

Ohio's primary elections will be held on Tuesday, May 8. Statewide polls will open at 6:30 a.m. and close at 7:30 p.m. The Ohio Secretary of State's [website](#) provides a plethora of voting resources, including links to absentee ballots, voter registration, and sample ballots. Make your voice heard and vote!

OHIO EPA ISSUES NEW CONSTRUCTION STORM WATER GENERAL PERMIT; AGC RECOMMENDED CHANGES INCLUDED IN FINAL VERSION

On Monday the [Ohio EPA issued](#) its revised National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity. The [new permit](#) will be in effect for five years, expiring on April 22, 2023.

AGC of Ohio was part of a coalition of six industry and business groups that jointly submitted [comments on the proposed rule changes](#). The Ohio EPA made many revisions to the final permit based on the feedback from the coalition and other entities impacted by the permit (see EPA's [Responsiveness Summary to Comments Received](#)). Some key items that have been changed from the original proposal include:

- Removal of a provision that would require the electronic submission of a stormwater pollution prevention plan (SWPPP) with all notice of intent (NOI) applications
- Clarification and expansion of grandfathering for existing SWPPP's under the new permit
- For projects under two acres, less restrictive post-construction water quality treatment
- Changing the words "perpetual" and "in perpetuity" to "long term," which lessens potential liability and legal ramifications
- Removal of changes for redevelopment; redevelopment will be treated as it was under the previous version of the permit

The Ohio EPA's [construction site stormwater website](#) provides additional information about the [new permit](#), including a [fact sheet](#) and [storm water technical assistance documents](#).

HELP AGC ADVOCATE FOR YOU - Contribute to AGC of Ohio Action!

Fundraising is part of the political process, and a healthy PAC is vital to AGC's success at the Statehouse! Make checks payable to AGC of Ohio Action (non-corporate contributions only). Sole proprietors, partnerships and unincorporated associations, which include limited liability companies under Ohio campaign finance law, may use company funds to contribute; such contributions should include the name of the entity and individual making the contribution.

OHIO HOUSE PLANS TO ELECT NEW SPEAKER ON MAY 16

The Ohio House has announced that it plans to select its new speaker the week after the May 8 primary election. Former Speaker Rosenberger (R-Clarksville) recently resigned, reportedly amid a FBI probe into travel and expenditures, and Speaker Pro-Tempore Kurt Schuring (R-Canton) has assumed the Speaker's duties in the interim.

How the House Republicans plan to proceed is up for debate. Two options: select someone who will serve out the remainder of this year as Speaker; or choose someone who would continue into the next General Assembly, which would begin in January and conclude at the end of December 2020. Two representatives – Ryan Smith (R-Bidwell) and Larry Householder (R-Glenford) – have already been embroiled in a highly publicized and contentious battle to assume the leadership position next year (Rosenberger would have been term limited at the end of 2018).

The Republican caucus will have a closed-door meeting on May 15 in the hopes of coming to some consensus on a preferred candidate, with a full House floor vote scheduled for May 16. Given the current cantankerous Speaker battle and the fact that the 33 Democrats in the House will have a say as to who will become Speaker, the process could make for interesting political theater.

AGC, OCA COLLABORATIVE WORKFORCE INITIATIVE [I BUILD OHIO](#) TO GO LIVE, COINCIDING WITH OHIO'S [IN-DEMAND JOBS WEEK](#)



May 7-11 will mark Ohio's first ever [In-Demand Jobs Week](#). Additionally, AGC of Ohio and the Ohio Contractors Association (OCA) will begin marketing their newly formed initiative to combat the growing workforce shortage in May.

AGC of Ohio and OCA partnered with "I Build America," a nationwide initiative designed to change the perception of construction, to create an Ohio specific campaign: I Build America - Ohio. It features a new [website](#) that serves as the driving force for the initiative's messaging and a related marketing campaign.

I Build Ohio promotes the commercial construction industry to students, as well as provides outreach tools for employers, resources for educators and influencers, and information for parents. A marketing team was hired to create a strategy to maximize messaging and outreach. Efforts will focus on reaching the appropriate audiences through a variety of different platforms. Data will be collected to measure and analyze the impact of each campaign.

The website – www.ibuildamerica-ohio.com – goes live May 1, and the initial marketing campaign will be launched concurrently. Employers can access materials from the [employer toolbox](#) for I Build Ohio by filling out a simple form on the [website](#).

For In-Demand Jobs Week, community leaders and employers are encouraged to plan events and activities that will inspire excitement and awareness among students and job seekers. A [Guide for Businesses and Workforce Professionals](#) has been produced by Ohio Jobs & Family Services. The Ohio Means Jobs [website](#) is another resource with tools for career seekers, including links to in demand jobs (many of which are in construction fields), free assessments and training, practice interviews and tips, and internships and coops.

Spread the word about [I Build Ohio](#) and celebrate In-Demand Jobs Week!
For more information, contact Parker Brown at AGC of Ohio:
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A FOURTH BWC “BILLION BACK” ANNOUNCED

Governor Kasich and Ohio BWC Administrator/CEO Sarah Morrison on Tuesday proposed giving Ohio employers \$1.5 billion in premium rebates this summer, making it the fourth “billion back” under the Administration. The rebate, BWC’s largest in 20 years, will be proposed to BWC’s Board of Directors Wednesday, April 25, with a vote expected at the board’s May 24 meeting. If approved, rebate checks would likely be mailed in July and August.

The proposed rebate equals 85 percent of the premiums paid for the policy year that ended June 30, 2017. Of the \$1.5 billion, an estimated \$48 million would go to schools and \$111 million would go to local government entities. As with previous rebates, BWC is also exploring a significant investment in health and safety services, the details of which will be announced later.

Morrison cautioned that despite recent history, strong investment returns and rebates are a goal, not a guarantee. “Our investments are still growing, but we’re seeing the rate of that growth moderate in 2018,” she said. “There are lots of variables that influence the market.”

With this rebate, BWC will have saved employers \$8 billion in workers’ compensation costs since 2011 after considering other rebates, credits, greater efficiencies and several rate reductions.

More details on the rebate can be found [here](#). An overview of the \$8 billion in workers’ comp savings since 2011 can be found [here](#).

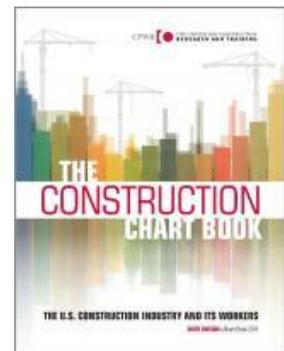
ANNUAL OSHA SAFETY STAND DOWN TO PREVENT FALLS IN CONSTRUCTION

OSHA’s [National Safety Stand-Down to Prevent Falls](#) is scheduled May 7-11 this year. The annual event encourages employers across the nation to pause during their workday for discussions, safety demonstrations, and trainings in hazard recognition and fall prevention. The OSHA [website](#) provides resources for employers to assist them with planning stand-down activities.

THE CONSTRUCTION CHART BOOK

The sixth edition of [The Construction Chart Book – The U.S. Construction Industry and Its Workers](#) is now available. The resource provides complete data on all facets of the U.S. construction industry: economic, demographic, employment/income, education/training, and safety and health issues, plus much more in one place. It can be [downloaded](#) free of charge, and is produced by the Center for Construction Research and Training with support from a National Institute for Occupational Safety and Health grant.

This [new edition](#) not only offers on-demand access to the charts and data, but also includes interactive features that enhance the user’s experience.



LEARN ABOUT CHANGES TO STATE & FEDERAL MOTOR CARRIER RULES AT AGC SAFETY MEETING

Lillian Lancaster, safety investigator for the PUCO’s Transportation Enforcement Division, will provide an update on state and federal Motor Carrier Safety Rules at the next AGC of Ohio Safety Meeting. The meeting is scheduled for May 11 at 9:30 a.m.; it is open to AGC of Ohio members and free of charge.

The motor carrier rules presentation will be first on the agenda and will cover inter- and intrastate rules and changes including the ELD Rule, National Registry of Certified Medical Examiners (Medical Examiner’s Certification Integration Rule), etc. Other regular safety meeting topics include OSHA regulatory and enforcement activities, AGC and division safety efforts, and pertinent safety and health matters.

RSVP to Andrea Ashley at andrea@agcoho.com or (614) 486-6446.



ON THE NATIONAL FRONT... Information courtesy of AGC of America

Learn more about AGC of America's advocacy efforts at <https://advocacy.agc.org>.

SENATE CONFIRMS U.S. EPA'S SECOND-IN-COMMAND POSITION

On April 12, the U.S. Senate confirmed attorney Andrew Wheeler, former lobbyist and congressional aide, to serve as the U.S. Environmental Protection Agency's deputy administrator. AGC had [urged](#) the Senate to confirm Mr. Wheeler's nomination. If EPA Administrator Scott Pruitt were to leave the agency, Wheeler would be next in line to become *acting* administrator.

As AGC's letter states, Mr. Wheeler is an experienced and well-qualified leader on environmental and construction matters, having served in both Congress and the Executive Branch on such issues. He understands that collaborative work between industry and government will further advance and balance environmental stewardship with economic development.

AGC looks forward to working with Mr. Wheeler on the important issue of environmental stewardship in the construction industry and continuing our positive working relationship with EPA.

AGC URGES NLRB TO RECONSIDER "QUICKIE" ELECTION RULE

On April 18, AGC submitted its [response](#) to the National Labor Relations Board's [Request for Information](#) regarding representation-case procedures. AGC also joined a [response](#) submitted by the Coalition for a Democratic Workplace (CDW). Both responses call on the Board to rescind or modify its 2014 rule that changed the procedures for union representation elections. The rule is often called the "quickie" or "ambush" election rule because it expedites the procedures in a way that can disadvantage employers that oppose a union organizing campaign.

CDW's response provides in-depth arguments for rescinding or modifying the rule. It argues that the rule focuses on speed while undermining employers' rights, straining stakeholder resources, confusing employees, and invading employee privacy.

AGC's independent response expresses support for CDW's arguments and provides supplemental points of particular relevance to construction employers. It reiterates concerns laid out in AGC's 2014 comments to the proposed rule about how the changes would be particularly burdensome and impracticable in the construction industry given the complexity of determining unit appropriateness and voter eligibility in construction. The response further conveys information illustrating how those concerns have been validated since the rule has taken effect.

CONSTRUCTION COSTS CLIMB AS INPUT COSTS JUMP; TARIFF THREATS MAY DELAY PROJECTS AND MAKE SOME UNAFFORDABLE

Construction costs climbed again in March, with increases for a wide range of building materials, including many that are subject to proposed tariffs that could drive prices still higher and cause scarcities, according to an analysis of Labor Department data released earlier this month by AGC of America. Association officials warned that tariffs on some items might lead to project delays and cancellations if supplies become unobtainable or too expensive for current budgets.

"Prices increased for many items in March, even before tariffs announced for steel, aluminum and many items imported from China have taken effect," said AGC's chief economist, Ken Simonson. "Steel service centers and other suppliers are warning there is not enough capacity at U.S. mills or in the trucking industry to deliver orders on a timely basis. Thus, contractors are likely to experience still higher prices as well as delivery delays in coming months."

Read full news release [here](#).