March 2, 2011

Describing Ohio as "under siege" after losing 600,000 jobs over the past decade, Gov. John Kasich said in Cincinnati Tuesday that a controversial proposed reform of the state's collective bargaining law could "get Ohio back on its feet again" by saving hundreds of millions of dollars now spent due to generous union contracts.

In brief remarks while in town to appoint a Hamilton County official to his cabinet, Kasich called Senate Bill 5, which would rewrite Ohio's 27-year-old collective bargaining law, part of an overall reform package that could enhance the state's economic climate, boosting his efforts to retain existing businesses and attract new outside investment.

The bill, which would ban public employees' right to strike, ask workers to pay 20 percent of health care costs and restrict police and fire bargaining, has drawn strong protests from public employee unions. An estimated 8,500 protesters gathered at the Statehouse in Columbus Tuesday in opposition to the measure, which would affect about 360,000 workers statewide.

"Ohio needs to be made competitive again," Kasich said at a downtown ceremony. "Ohio has been and still remains under siege. So you need to look at Senate Bill 5 and all these other reforms ... as an opportunity to set the stage to create a platform for job creation, for entrepreneurship."

By reducing Ohio's state and local government expenses, Kasich argued, Senate Bill 5 could make the state more attractive to businesses and economic development investors, "so that we don't have ...everybody moving across the bridge to the other side of the river."

Kasich emphasized that the bill would still allow unions to negotiate on wages and some working conditions.

"But there are a lot of issues that I think it's better for taxpayers to be at the table," Kasich said.
Last year, state officials estimate that provisions inserted in union contracts under the existing collective bargaining law cost Ohio about $1.2 billion, Kasich said.

Kasich made the remarks about Senate Bill 5 while in Cincinnati to appoint Harvey Reed, superintendent of the Hamilton County Juvenile Court Youth Center, to his cabinet as director of the Department of Youth Services, the state’s juvenile corrections system.

At Tuesday’s rally in Columbus, protesters outside the Statehouse shouted "Kill the bill" and "Recall Kasich," while inside, a Senate committee postponed action until today to give senators more time to review proposed amendments.

"We've got to show that there are an awful lot of people in Ohio in the middle class that don't want any part of this," said Steve Turner, a 67-year-old retired teacher from Grove City.

The demonstrations, Kasich said, are "all just part of being an American."

"People expressing their opinions in a very passionate way — that's just part of the process," he said.

The governor added that he believes Senate Bill 5 will enable him to attack what he views as the two major obstacles he faces early in his administration.

"My two enemies are joblessness and poverty," Kasich said.

"If I can put Ohio in a position where all of a sudden instead of people flying over Ohio, that people stop and say, 'You know, with Ohio's values, its location and its great assets, maybe I ought to create a job in Ohio' ... it's not just the non-union families that will be lifted in Ohio, it will be every Ohioan."

The Associated Press contributed to this story.

Local appointee

Ohio Gov. John Kasich today appointed Harvey Reed, superintendent of the Hamilton County Juvenile Court Youth Center, as director of the state's Department of Youth Services.

Reed, a 57-year-old native Cincinnatian who lives in Blue Ash, has more than 32 years' experience in the juvenile corrections system, including work as a detention center youth leader, probation officer and assistant director and director of the Work Detail Community Service Program.
"He's humble, he's gentle, he's determined, he's focused," Kasich said in announcing Reed's appointment at a ceremony at Juvenile Court, downtown.

"He believes in our young people, a lot of stories that don't always have happy endings. But Harvey wants to make sure that every one of these stories can have a happy ending."

Word Count: 685
Senate Bill 5 / Fight over Collective Bargaining Bill Heads to House After Heated Debate
Jim Siegel
THE COLUMBUS DISPATCH

Republicans needed every bit of their huge Senate majority yesterday to pass a major overhaul of Ohio's 27-year-old collective-bargaining law, sparking angry outbursts from a pro-union crowd inside the chamber.

Six Republicans joined all 10 Democrats in voting against Senate Bill 5, which passed 17-16 after about three hours of debate. The measure now heads to the GOP-dominated Ohio House, where Speaker William G. Batchelder, R-Medina, is planning an aggressive committee schedule in hopes of passing it within the next few weeks.

Just to get the bill to a floor vote yesterday, Senate President Tom Niehaus, R-New Richmond, had to stack his deck yesterday, replacing Republican members on two committees because they opposed the bill and could have blocked it.

Bill sponsor Sen. Shannon Jones, R-Springboro, called the bill "long-overdue reform" that would give governments more flexibility to deal with looming budget cuts. She recited some examples that local-government officials raised about collective-bargaining excess, including large sick-day payouts and rising overtime costs even as government revenue is in decline.

"The list of examples goes on, and every one of them is a result of collective-bargaining agreements that are out of control," Jones told her colleagues. "If we fail to take action, many of our state and local governments will have no other option but mass layoffs."

Public-employee union leaders blasted the Senate vote, and some individual lawmakers were shouted down as the crowd inside the chamber left after the vote.

"We have been shut out, but we will not shut up," said Eddie L. Parks, president of the Ohio Civil Service Em-
ployees Association.

If the bill passes the House, Gov. John Kasich said he will sign it. After that, Democrats and union leaders anticipate going to the ballot to ask Ohioans to overturn it.

Kasich called the bill "a major step forward in correcting the imbalance between taxpayers and the government unions that work for them."

But it was a tough sell. Some of the toughest criticism of the bill came from a pair of Republicans not known for pro-labor views: Sens. Bill Seitz of Cincinnati and Timothy J. Grendell of Chesterland. (Seitz was one of the Republicans pulled from a committee; Sen. Scott Oelslager, R-Canton, was the other.)

Each said he liked about 85 percent of the bill. But each verbally shredded the other 15 percent, particularly the proposed process to settle contract disputes, which they characterized as wholly unfair to workers and potentially unconstitutional.

Even a GOP senator who voted in favor of the bill, Karen Gillmor of Tiffin, ripped the hurry-up process as a "radical departure" from past deliberations on proposals making such wide-ranging changes. She said even the Republican caucus, almost half of which are new members, never got a chance to discuss the measure and only a day to consider a 99-page amendment to the 475-page bill.

"This is not government at its finest," Gillmor said.

The bill would ban all strikes for public workers and eliminates binding arbitration -- where an impartial third party is called in to resolve an impasse -- for law enforcement and firefighters, who already are barred from strikes.

Instead, the bill sets up a new settlement process for all public workers that would bring in a fact-finder, who would present a public report. If rejected, the school board, city council or other legislative body would then either accept its own last best offer, or that of the union.

"What a deal," Seitz said, as he and Grendell questioned why a legislative body would ever pick the union's offer over its own. Seitz called it a "heads I win, tails you lose solution."

Seitz and Grendell also said the bill is likely unconstitutional in that it prohibits union members from talking during a negotiation to elected officials about matters related to issues under discussion.

"It's an unfair labor practice if they exercise their First Amendment rights to call up their councilman," Seitz said.
Supporters argued that by making the final fact-finding report and final offers public, it will push local officials to make proper decisions.

"The conversations I've had with many individuals on what post-Senate Bill 5 will look like, a lot of it comes down to do you trust your ... local elected officials who will appear on the ballot again," said Sen. Kevin Bacon, R-Minerva Park.

"I just do not believe that local government entities are going to go out and do all the bad things I keep seeing in all the fliers that are being mailed out about cutting pay in half and things like that."

Sen. Jim Hughes, R-Columbus, also voted no, citing concerns similar to those raised by Seitz and Grendell.

"I was very concerned about some provisions in this bill with regards to police, fire and our teachers," the former assistant prosecutor said.

The bill would limit what public unions could bargain for, taking issues such as health insurance off the table, and some so-called management rights, including staffing levels.

Unions representing police, firefighters and State Highway Patrol troopers gathered with Senate Democrats yesterday to blast the bill and argue that it no longer would allow them to bargain over safety equipment.

"This bill potentially puts my members' safety at risk," said Larry Phillips, president of the Ohio State Troopers Association, who talked about past union efforts to improve bulletproof vests and fire-suppression equipment inside cruisers.

Niehaus said law enforcement and firefighters could still bargain for equipment if the government employer agrees to discuss it.

"Who in their right mind is going to put safety personnel out on the street with inadequate protection?" Niehaus said.

The Senate approved one amendment, removing a possible 30-day jail sentence for an employee who goes on strike.

jsiegel@dispatch.com

How the Senate voted
Senate Bill 5 would gut Ohio's 27-year-old collective-bargaining law for public employees, removing the right to strike that nonsafety forces currently have and eliminating binding arbitration for police and firefighters, who already can't strike.

Passed 17-16

Democrats

No: Brown, Cafaro, Kearney, Sawyer, Schiavoni, Skindell, Smith, Tavares, Turner, Wilson

Republicans

Yes: Bacon, Beagle, Cates, Daniels, Faber, Gillmor, Hite, Jones, Jordan, LaRose, Lehner, Obhof, Schaffer, Stewart, Wagoner, Widener, Nicklaus

No: Grendell, Hughes, Manning, Oelslager, Patton, Seitz

Source: Ohio Senate

* * * *

What is collective bargaining?

It is a good-faith process between management and a trade union for negotiating wages, working hours, working conditions and other matters of mutual interest, according to BusinessDictionary.com.

To the management, this process presents (usually) one set of people to negotiate with; to the employees, it gives greatly enhanced bargaining power. Collective bargaining is the fundamental principle on which the trade-union system is based.

WHAT IS SENATE BILL 5?

The bill would repeal a 1983 Ohio law and end collective bargaining for public workers except for wages. There would be no requirement for government units to bargain with employees over work conditions, ranging from health insurance to safety equipment for first responders. Police and firefighters, who already cannot strike, would lose their recourse of binding arbitration. The bill would remove all step increases and sick days from state law, which would affect mainly teachers.
The bill was passed by the Senate yesterday and now goes to the House. No hearings there have been scheduled, although leaders have said they want the bill passed by mid-March.

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March 31--COLUMBUS-- Gov. John Kasich Thursday night followed through with his pledge to sign into law a bill severely restricting the collective bargaining power of some 350,000 public employees in Ohio. Senate Bill 5, however, is unlikely to go into effect for another seven months, if at all. An expensive, manpower-intensive petition effort is expected to put the issue to voters via a referendum on Nov. 8, a move that would place the law on hold at least temporarily.

"This bill, Senate Bill 5, does not cut anybody's salary," Mr. Kasich said. "This bill, Senate Bill 5, does not take away anybody's pension. This bill, Senate Bill 5, does not destroy anybody's health care, and anybody's who's been out there saying that is just factually wrong. This is an effort to provide balance.

"When your average private sector worker in the state of Ohio pays 23 percent of their own health care costs and when the average city worker in Ohio pays 9 percent, this is frankly an effort to try to restore the balance," he said.

The Statehouse was silent Thursday night compared to recent days when hundreds of protestors cheered and jeered as lawmakers considered the bill. The signing ceremony with key lawmakers took place after the Statehouse had been locked for the night.

Opponents of Senate Bill 5 have joined forces to form "We Are Ohio," a non-profit corporation, to mount the referendum effort. Spokesman Dennis Willard said the broad coalition will include some Republicans who voted for Mr. Kasich last November.

"We have a tremendous amount of energy now in this state, which works in our favor," Mr. Willard said. "The polling shows it. The number of folks who have turned out not only at the Statehouse but all around the state ... shows that people sense this is inherently unfair. They also sense that this is an attack on workers' rights, and because of that we have not had a problem generating large numbers of people coming out to help us."
Repeal referenda have appeared on Ohio's ballot just twice in the last 14 years. In 1999, opponents of a law overhauling Ohio's workers' compensation system successfully overturned that law. But in 2008, voters balked when payday lenders sought to repeal a state law cracking down on their practices.

There have also been several cases when those seeking repeals could not get over the hurdles just to reach the ballot. Presumably, if there's any group that would have the financial and manpower wherewithal to mount such an extensive, labor-intensive effort, it would be labor unions.

Larry Sabato, director of the Center for Politics at the University of Virginia, said the nation is watching.

"I guarantee you it is," he said. "It's an off-year election with hardly anything on the ballot. Inevitably, this is going to attract a lot of money, attention, and organization. It relates to what we've seen in a half dozen states, particularly Wisconsin."

"It will become a test of wills between business and labor and Democrats and Republicans," Mr. Sabato said. "Money will pour in. It's a year ahead of the presidential election, so it will be a test of the organizations for the big presidential race in the critical state of Ohio."

The House passed the bill 53-44 on Thursday with five Republicans defecting to join all Democrats in voting "no." The bill passed the Senate twice by 17-16 votes with six GOP members opposing the bill.

Both sides claim they've got the backs of the middle class on this one.

Among its numerous provisions, Ohio Senate Bill 5 would prohibit public employees from striking, limit the subjects to be negotiated, mandate that workers pay at least 15 percent of health care premiums, and prohibit governments from picking up any portion of an employee's share of pension contributions.

Contracts would be prohibited from containing language allowing unions to automatically deduct "fair share" fees from the paychecks of non-members in the workplace and would make it easier for members to petition for the decertification of a union.

"I don't think public employees really ought to strike," Mr. Kasich said Thursday night. "The provisions in this bill are pretty clear. If you decide to strike, somebody could let you go, or they can say to you, 'We're going to dock your pay'."

To make his point, he recalled the 1981 decision of then-President Ronald Reagan to fire air traffic controllers when they went on strike.

"You know, I think the public was probably with him," he said.
Upon the bill's filing with Secretary of State Jon Husted's office, the 90-day clock for it to take effect will be set in motion. If the petition effort succeeds in putting a repeal question on the Nov. 8 ballot, the law would be put on hold at least through the election.

A Quinnipiac Poll of 1,384 registered voters released week found that 48 percent don't approve of the bill while 41 percent do. When the question was rephrased to use the term collective bargaining "rights," disapproval climbed to 54 percent.

"It means the measure probably starts off with a lead," Mr. Sabato said. "As for whether it maintains that lead, look at California. Those measures start out ahead and then lose. That's the normal process there. But if Kasich remains at [a Quinnipiac-measured approval rating of] 30 percent or close to it, he would be a kiss of death for his side."

Both Mr. Kasich and the Ohio Democratic Party cited Senate Bill 5 in fund-raising e-mails issued Thursday.

"John Kasich campaigned on one central promise: that he was going to create jobs," Democratic Party Chairman Chris Redfern wrote. "After an election in which more people voted against him than for him, Mr. Kasich thought he could defy the will of the people by pushing an extreme, anti-middle class agenda.

"[H]e's about to learn a painful lesson about the will of the people," Mr. Redfern wrote. "He's about to learn a thing or two about checks and balances."

Once the language is approved, opponents would need at least 231,147 valid signatures of registered Ohio voters, the equivalent of 6 percent of those who voted in last year's low-turnout gubernatorial election. The general rule of thumb has been that petitioners strive to file twice as many signatures as the law requires to compensate for a potentially high disqualification rate by county boards of election.

Any referendum would be phrased as a thumbs up or down on the law itself, so the backers of the petition effort would advocate for a "no" vote.

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April 3, 2011

Section: NEWS

Union law fight likely will influence 2011, 2012 races

April 3, 2011

Senate Bill 5 could be more than a powerful piece of policy.

It could turn into a jackhammer that might shake up Ohio's entire political landscape come the 2012 presidential election, experts said.

Gov. John Kasich signed legislation Thursday that dramatically curtails collective bargaining rights for public employees.

The bill passed the Legislature amid a crowd of jeering union supporters, and the political battle that already had heated up reached a boiling point. Opponents vowed to take it to a referendum campaign. Supporters vowed to fight them.

FreedomWorks, a conservative interest group, has started running ads defending the bill. As martial music plays in the background, text in the video reads: "No matter how much they bully, this crisis must be resolved. Ohio's future cannot be bargained. This Tea Party Ain't Over Yet."

On the other side, a fundraising email Wednesday from the Democratic Legislative Campaign Committee declared: "Today the GOP onslaught against workers found its next target: Ohio. And what Ohio Republicans just did is so stunning, at first I couldn't believe it happened."

A matter of ideology

Republicans across the country are passing collective bargaining reform because they think it to be necessary, said Nathan Gonzales, political editor for the nonpartisan, Washington-based Rothenberg Political Report.

"They believe it is the right policy," Gonzales said. "If it leads to more balanced budgets and better fiscal situations for the states, the Republicans end up looking great."
State Rep. Jay Hottinger, R-Newark, who said he supported the legislation with hesitation, agreed it's a philosophical approach to policy that the GOP thinks will lead to savings.

"This does not solve all of our problems. It is something that we were doing to try and help them. How the local governments respond and what they do with these tools is up to them," Hottinger said.

Senate Majority Leader Jimmy Stewart, R-Albany, said he thinks voters will laud Republicans for these efforts.

"The overwhelming majority of people think that doing things like having government employees pay 15 percent of their health insurance premium, being promoted based on job performance in addition to seniority, paying their own share of their own pension and saving well over a billion in taxpayer dollars each year, people support those things," Stewart said.

State Assistant House Minority Whip Debbie Phillips, D-Athens, pointed to a few other provisions in the bill and said they are specifically designed to break the unions, such as elimination of the fair share fee and voluntary payroll deductions.

"In my view the bill is part of a national movement to try and create a permanent Republican majority," Phillips said.

Rallying points

In a backhanded way, the Republicans have given the Democrats a gift: That of momentum, which will help them in 2012, Gonzales said.

Ever since President George W. Bush retired to the Texas, the Democratic base has lacked a common enemy -- something to rally around, he said.

"It's brought energy and enthusiasm to the organized labor movement, thus to the Democratic Party," Gonzales said.

It's a rallying point for the GOP too, he said. Republicans also have found a common enemy.

The effort to recall Wisconsin Gov. Scott Walker, who signed a bill similar to Ohio's, lets Republicans say: "Organized labor is trying to take over."

Labor unions have long been the backbone of the Democratic Party, said William Angel, a political science professor at Ohio State University.

"What weakens the union weakens the Democratic Party," Angel said. "That's the real agenda here. And the $8 billion budget crisis has given (Ohio Republicans) an excuse to do that."

Part of the rush on the GOP's part was to make sure the inevitable referendum on the law happens in 2011 instead of 2012. That was ensured when Kasich signed the bill before April 6, the deadline to put the issue on this November's ballot.

If labor has a reason to get people out to vote in droves, the GOP wants to make sure it happens in a year when statewide and presidential candidates are not on the ballot.
Plus, "Democrats are more confident that in a presidential year they can get people out to the polls," Gonzales said.

However, state Sen. Kris Jordan, R-Powell, said forces will be out to support the bill on both sides.

"The tea parties, those that showed up last November giving us the message that they want limited government, this will energize them," Jordan said.

In 2012

Regardless of the outcome, two schools of thought exist on how a 2011 referendum campaign might affect the 2012 presidential election, experts say.

» Republicans benefit, because labor would be forced to spend greatly on the 2011 referendum, therefore they won't have as much to support President Barack Obama in 2012.

» Democrats benefit, because labor would be so angry that they would use that momentum to defeat the Republicans in 2012. Also, police and fire officials who once supported the GOP could have long memories.

"The unions have a choice," said Dave Levinthal, communications director for the Center for Responsive Politics, a nonpartisan group that tracks campaign spending. "They can use this as a rallying cry to become more politically active, or depress people because they weren't able to get the result they wanted."

Angel thinks the former. Special interests will come out to support Senate Bill 5, and their funding, he said, "is like a never-ending well."

But the unions will have spent so much money fighting this it will weaken them for the next battle, he predicted.

"Unions really have their back against the wall. It's going to be a hard fight," he said.

Paul Djupe, a political science professor at Denison University, said the anti-union legislation isn't the only way GOP legislatures are trying to cripple the Democratic Party.

They also have gone after women's groups, by passing anti-abortion legislation, and students, by passing stricter voter registration laws, he said.

"The one place where Democrats have regained parity with the Republicans is in voter turnout," Djupe said. "This is an attack on organizations with strong get-out-the-vote efforts."

Stewart, however, said 2012 won't be different from any other election year because labor always comes out in force.

"Sometimes they are successful and sometimes they aren't," he said.

Two Republican state senators who opposed Senate Bill 5, Tim Grendell, of Chesterland, and Bill Seitz, of Green Township, say this could hurt their party.

"It's certainly invigorating the Democrats, and it's unfortunately alienated police and fire members who have traditionally voted Republican," Grendell said.
In 2012, Levinthal said, unions will play to their strengths.

"Corporations don't have a ground game that they can mobilize. (They) typically generate more money to do TV ads, but they have less of a constituency."

Going too far

Several Ohio Republicans say the bill went too far, and that will lead to it being overturned in November.

However, Hottinger noted Democrats refused to offer any amendments.

Right now, "I believe that the collective bargaining process is tilted solidly in favor of labor, but (this bill) swings the pendulum solidly in favor of management," he said. "It needs to be moved somewhere in the middle."

Seitz and Grendell said Senate Bill 5 will hurt their party.

Seitz warned of this on the Senate floor during the debate.

"Because we did not need to go this far to give state and local government better flexibility and cost-control measures, we run the risk of having the entire bill rejected during the referendum, and then we come away with nothing," Seitz said.

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4/3/11 ADVOCATEOH (No Page)
UNIONS LOOK TO BANKROLL SB 5 VOTE
Joe Vardon
THE COLUMBUS DISPATCH

Betting on an expensive referendum drive, opponents of Senate Bill 5 are turning to rank-and-file union members to help cover campaign costs predicted to reach $20 million.

At least three statewide labor organizations -- the Ohio Education Association, the Ohio Fraternal Order of Police and the Ohio Association of Professional Fire Fighters -- are considering charging members extra fees to fund a ballot effort to repeal a GOP-backed bill signed by Gov. John Kasich last week that would limit collective-bargaining rights for state- and local-government employees.

We Are Ohio, the coalition of union supporters pushing for the referendum, yesterday delivered proposed petition language and nearly 3,000 signatures to the Ohio secretary of state and attorney general -- the first step toward making the Nov. 8 statewide ballot.

But union organizers have long been focused on funding the referendum, envisioning a campaign that could require millions of dollars in TV commercials and direct-mail advertising.

In an email dated March 22 and obtained by The Dispatch, Ohio Education Association executive director Larry Wicks said teachers and other unionized school personnel might be charged a one-time assessment of $50 to generate more than $5 million to fight Senate Bill 5. A spokesman said yesterday that the OEA’s representative assembly will vote on the charge in early May.

Wicks said in his email, "At least $20 million will be needed to run an effective campaign." He also said a referendum effort was "not a slam dunk."

"We need to have resources to run an effective campaign," the email said. "Our opposition is strategic and well-funded. We must do the same to be successful in this battle. We will need to lobby members of the public to
vote no on this issue in order for the citizens' veto to be successful."

In an email to Kasich, OEA member Connie Ash complained about the union deducting money from her check to fight Senate Bill 5.

"I am a fiscal conservative and belong to the tea party," Ash wrote. "I am appalled that the OEA feels they can commandeer funds from my paycheck without my approval."

Kasich spokesman Rob Nichols said the OEA's possible $50 member assessment was a "perfect example of what's wrong with this broken system."

"At a time when the OEA is struggling to demonstrate how it adds value to students in Ohio's classrooms, this is an indication of how little support the union has among its own members," Nichols said.

A.J. Stokes, referendum director for We Are Ohio, said, "I am uncertain what kind of financial resources will be committed to this campaign but I suspect it will be significant ... given the amount of enthusiasm we've witnessed in the last short 48 hours."

Stokes said the group filed two versions of possible petition language, one more comprehensive than the other. "Certainly there is the possibility that one is rejected and that's why we felt it was best to submit two," he said.

In an email to union members, Jack Reall, president of the Columbus firefighters union, said statewide leaders will meet Thursday to consider charging $100 per member for the referendum campaign. Jay McDonald, president of the Fraternal Order of Police of Ohio, said a decision will be made on a member charge this week.

Also wading into the referendum effort yesterday was former Gov. Ted Strickland, who, in a fundraising email obtained by The Dispatch, asked supporters for $5, $10 and $25 donations to the Ohio Democratic Party.

On yesterday's 43rd anniversary of the assassination of Dr. Martin Luther King Jr. -- who had traveled to Memphis, Tenn., to support striking sanitation workers -- members of unions and the African-American clergy honored his memory at a pro-worker program in the King Arts Complex. Anti-Senate Bill 5 materials and placards were distributed, and volunteers were recruited for the repeal effort.

The Rev. Joel L. King Jr., second vice president of the Baptist Ministerial Alliance of Columbus & Vicinity and first cousin of the slain civil-rights leader, said before delivering the keynote speech that the black community will join labor unions in the referendum campaign.

"We fought too hard as a people, as a nation, to have the right to collectively bargain, for workers to be able to have the freedom to negotiate their wages and benefits," King said. "We didn't have that before. Now, big busi-
ness can write a check and do whatever they want to do and people have no voice. That's not the American way. That's not democracy."

Dispatch senior editor Joe Hallett and reporter Jim Siegel contributed to this story.

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For the second time, Green Township Republican Bill Seitz has been yanked off a committee in the Ohio Senate – this time stripped of his chairmanship.

Seitz riled Republican leaders last month by opposing Senate Bill 5, legislation that limits collective bargaining rights for public unions; he lost an earlier committee seat when GOP leaders feared his 'no' vote would kill the bill.

• More Green Township news
• Politics Extra blog

Wednesday, State Senate President – and Seitz's housemate in Columbus – Tom Niehaus, R-New Richmond, kicked the lawmaker off the chamber's Government Oversight and Reform Committee, replacing him with Sen. Keith Faber (R-Celina.)

By Wednesday afternoon, the chamber's website had already replaced Seitz's name and photo on the committee list.

"It's unacceptable and I disagree with this decision," Seitz told the Enquirer.

Niehaus' spokesman Jason Mauk said Seitz was removed because he considered adopting a substitute version of a bill that would revise the state's public employee pension funds without first talking to Faber, who is the sponsor of that bill.

"(Niehaus) felt the need to send the message to all the committee chairs that he expects them to respect the process and the institution and that's all this is about."

Seitz called it a housekeeping matter and that he was simply updating language in the bill.

He said he checked with John Barron, legal counsel to the Senate Majority Caucus and spoke to other members on the committee about the issue.
"I call that 'checking with upstairs,'" Seitz said. "So you can judge for yourself whether the reason given is the real reason or not."

Jason Mauk said removal – which will cost Seitz $6,500 a year – had nothing to do with SB 5.

"I will not speak to the motivation behind it because it was not my decision," Seitz said. "But having been removed from one committee weeks ago and now being removed from another, it brings to mind res ipsa loquitur, which in Latin means 'the thing speaks for itself.'"

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State estimates SB 5 savings at $829 million for districts  
Local school officials dispute the agency’s analysis, which made assumptions on health care.  
Margo Rutledge Kissell and Josh Sweigart Staff Writers

School districts across the state would save an estimated $829 million under the law restricting public employee compensation and collective bargaining rights, according to a state fiscal analysis of Senate Bill 5 by Ohio’s Department of Administrative Services.

The data released this week estimates school districts will save $486 per employee per year by requiring them to pay 15 percent of their health insurance premiums. That’s assuming employees currently pay 10.7 percent, the statewide average, according to DAS officials.

The assumptions about how much would be saved from doing away with step and longevity increases, averaging $3,298 per worker, are based on pay increases given to state workers.

“Everybody’s step increases are different,” Springfield City Schools Treasurer Chris Mohr said, lamenting the state did not ask the school district to review its data before releasing it. District spokeswoman Kim Fish called it “irresponsible to mislead our community” with such data.

She said the school district has already saved $900,000 a year in health insurance costs.

“We’ve been working really hard to realize this savings they are saying we now have to make,” she said. “We have already covered this ground.”

Kaman said his office wasn’t able to examine each of the state’s 719 school districts, joint vocational schools and educational service centers separately, but wanted to produce something “so that local school districts and local school boards know what kind of savings they have.”
“If this had been in place last year, this is how much we would have saved,” he said. Going forward, savings will be tempered while school districts wait for current union contracts to expire, he said. Pay cuts will not be retroactive once they do expire.

The DAS estimate does not include potential savings from requiring employees to pay their share of their pension contributions.

DAS is a Cabinet-level agency reporting to Gov. John Kasich, a supporter of Senate Bill 5.

The nonpartisan Legislative Service Commission that reports to the General Assembly released a fiscal report saying there may be savings from Senate Bill 5 but did not put a dollar amount on it. It said creating a performance-based pay criteria for teachers to replace step increases could cost the state and local governments money in implementation.

Dayton Public’s treasurer, Stan Lucas, said the potential $2 million in savings to his district that would come from eliminating the step increases could be wiped out if they have to create and implement performance-based pay criteria for teachers.

Labor leaders and other opponents of Senate Bill 5 are trying to gather the more than 231,000 signatures needed to put the issue before the voters in November.

Kasich says Senate Bill 5 gives school districts and local officials the tools need to manage their costs in a tough budget cycle.

The governor’s budget proposal calls for $3.1 billion in cuts to schools across the state. Kasich has warned school officials not to go to the ballot and simply ask voters to increase taxes to make up for the state cuts.

A coalition of school board officials and district treasurers Thursday issued a sharp rebuke to that assertion.

“With the level of additional cuts made necessary by the governor’s proposed budget, the only course of action available for districts is either to further reduce services to children or ask local voters to replace what the state has taken away,” according to the coalition, which includes the Ohio School Boards Association.

Kasich this week said no district would see its total funding — state, federal and local combined — go down by more than 7.9 percent. Most families have figured out how to trim 5 to 10 percent from their budgets and governments ought to be able to do the same, Kasich said.

Contact this reporter at (937) 225-2094 or mkissell@DaytonDailyNews.com. Staff writer Laura A. Bischoff contributed to this report.
Bargaining bill’s savings overstated, schools say
Local officials say Ohio is basing its estimates on flawed assumptions about each district’s health care benefits.

Margo Rutledge Kissell and Josh Sweigart Staff Writers

A state analysis released this week estimates Montgomery County school districts could save a combined $36 million annually from the passage of Senate Bill 5.

But some area school officials say the estimated savings for their districts are way off, with one charging the math appears to be more political than fiscal.

The Ohio Department of Administrative Services based its analysis on the assumption that eliminating step and longevity increases and requiring the school district’s employees to pay 15 percent of their health insurance premiums would save the district $3,566 per employee.

The findings suggest Dayton Public Schools, with 2,456 full-time employees, would save $8.7 million a year. But district Treasurer Stan Lucas said the most it would save is $2 million.

“Our employees already pay 15 percent of the premium so there’s nothing to be had there,” he said, noting the $2 million savings could come from eliminating the step increases.

“I think their analysis needs further analysis,” he said.

Springfield City Schools Treasurer Chris Mohr called the assumptions flawed.

The analysis found it would save nearly $3.5 million a year, but Mohr pegged the savings at less than $1 million. About $770,000 would come from eliminating step increases and $46,685 from health insurance changes.
“(DAS) is obviously supporting Senate Bill 5 and promoting it,” Mohr said.

Dan Kaman, legislative liaison and spokesman for the Department of Administrative Services, said they did not do tailored calculations to figure out which of the state’s 719 school districts already pay close to 15 percent and which are far from it.

“If we had reached out to all these entities, it would have taken forever,” he said.
Dayton Daily News (OH)
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April 28, 2011

Section: Local

Kasich slams Obama for his critical comments on Senate Bill 5

Laura A. Bischoff Columbus Bureau

COLUMBUS — President Barack Obama says that he strongly disapproves of new laws restricting public employee unions in Ohio and Wisconsin and says states should not use the financial crisis as an excuse to limit bargaining rights.

Ohio Gov. John Kasich says the president should mind his own business.

"Why doesn’t he do his job? And when he does his job and gets our (federal) budget balanced and starts to prepare a future for our children, then maybe he can have an opinion on what’s going on in Ohio," Kasich said at an unrelated press conference on Wednesday.

The Associated Press reported that Obama said in a White House interview with a Cleveland TV station that public employees should not be blamed for a financial crisis and that sacrifices should be shared in tough economic times.

"Let’s make sure that we’ve got shared sacrifice, that we make sure that the burden doesn’t just fall on one set of folks," Obama said in Tuesday’s interview.

Ohio adopted Senate Bill 5, which restricts collective bargaining rights for the state’s 350,000 teachers, firefighters, cops, prison guards and other public employees. Unions are seeking a referendum on the November ballot to block the new law.

Kasich has said his $55.5 billion, two-year state budget proposal counts on unspecified savings from lifting union protections to help fill an $8 billion hole. He argues it will give local governments and school districts the ability to rein in spending and tackle their own budget problems.
Wisconsin’s law covers 175,000 workers, but not police and firefighters. It’s temporarily blocked by a court order.

The Associated Press contributed to this report.

Word Count: 274
Voting along party lines yesterday, the Ohio House approved a new two-year state budget after Democrats tried unsuccessfully to remove language that is similar to performance-pay provisions also included in Senate Bill 5, the collective-bargaining bill.

The two-year, $55.6 billion budget does not raise taxes but includes significant cuts to schools, local governments, Medicaid providers and a variety of state agencies. Gov. John Kasich and lawmakers have worked to balance a budget that started with a nearly $8 billion shortfall. It now goes to the Senate.

Republicans, who after the vote were sporting buttons provided by Kasich that highlighted the absence of tax increases in the plan, called it a tough but responsible budget.

"This is reality-based budgeting," said Rep. Ron Amstutz, R-Wooster, the chairman of the House Finance Committee.

Democrats called it a jobs killer.

"If their top priorities are destroying the middle class and the social-services safety net, while at the same time increasing spending, then congratulations, they are achieving those goals in this budget," said Rep. Vernon Sykes, D-Akron, who said the cuts will impact vital services and cause the loss of thousands of jobs.

"It seems the voice of reason, moderation and fairness has been lost in this chamber," he said.

Rep. John Carey Jr., R-Wellston, responded that House Republicans made an effort to increase spending over Kasich's initial budget for mental-health services, home health care and education. He said it was curious that
Democrats were criticizing them both for making cuts and for more spending.

"You have to choose," he said. "You can't make a credible argument, in my opinion, of both."

A portion of the budget would set up a new pay system for teachers that eliminates current salary schedules based on longevity and educational attainment and replaces them with a rating system for teachers based on student performance, professionalism and parent and student satisfaction.

The budget provisions are similar to portions of Senate Bill 5, the sweeping collective-bargaining bill that union supporters are vowing to overturn by referendum in November. They continue to collect signatures in that effort.

The budget language "circumvents the referendum initiative currently in process," said Rep. Nickie Antonio, D-Lakewood. "Why would this body intentionally frustrate and confuse the voters?"

Democrats tried to get the language out of the budget.

Carey said the merit-pay provisions are not identical to those in Senate Bill 5, and they do not deal with collective bargaining. "It just has a standard by which local school boards will decide their salary schedule," he said, adding that it "protects teachers" by judging them on performance.

Meanwhile, the House approved three Republican amendments -- allowing universities to pay prevailing wage on construction projects, setting the prevailing-wage threshold at $3.5 million and requiring schools to spend on gifted programs the same amount they spent in 2009.

There is hope among many lawmakers that revenue estimates will improve in June, allowing them to ease some of the cuts. Ohio's tax receipts in April were ahead of projections by 10.5 percent, or $214 million, according to preliminary numbers released yesterday.

Ohio is 6.1 percent, or $841 million, ahead of its tax revenue from a year ago.

Tim Keen, the state budget director, said the Kasich administration already is counting on using much of this year's extra tax income to pay bills that were supposed to be pushed into 2012.

"People want to look at an average as a surplus, and that's not necessarily the case," Keen said.

Asked how he would use additional money, House Speaker William G. Batchelder, R-Medina, mentioned nursing homes and schools. "We have a rather remarkable situation in which a lot of districts that are well-off kind of got hammered," he said.
House Minority Leader Armond Budish, D-Beachwood, said "this budget devastates education" and makes a number of other harmful cuts to protective services and local governments. "This budget sets the wrong priorities."

Amstutz said Democrats did not offer amendments that would have increased revenue to reduce the cuts.

"This is a budget made for voting no," he said. "It's only those who feel the responsibility to lead our state forward that are going to be voting for this budget."

Dispatch reporter Joe Vardon contributed to this story.

jsiegel@dispatch.com

Budget highlights

The Ohio House passed the two-year, $55.6 billion state budget yesterday. The Senate now will consider additional changes.

EDUCATION

* Reduces funding for K-12 education by about $800 million.

* Reduces base operational funding for higher education by $260 million.

* Lifts the caps on new charter schools, allows the creation of for-profit charter schools and increases the power of charter-school operating companies at the expense of school sponsors.

* Creates a system of performance pay for teachers. The provisions are similar to parts of Senate Bill 5, the collective-bargaining bill that likely will be challenged on the November ballot.

* Creates a $50 bonus for teachers for each student who achieves more than a standard year of educational growth.

* Increases EdChoice voucher slots from 14,000 to 60,000.

* Requires districts to report ratios of administrative vs. instructional spending
LOCAL GOVERNMENT

* Cuts local government funding by $640 million.

* Makes changes to state law to make it easier for local governments to share services or merge.

* Creates a $50 million-a-year fund to help local governments pay for initial efforts to share services.

* Allows local governments to create a modified work week for employees.

HUMAN SERVICES

* Cuts Medicaid payments to hospitals by $478 million.

* Reduces Medicaid funding for nursing homes by $427 million.

* Places more Medicaid patients into managed-care programs to save an estimated $159 million.

* Cuts $80 million from a subsidized child-care program by restricting eligibility requirements and cutting the rates paid to care providers by 7 percent.

* Reduces funding to county agencies that administer welfare, food-stamp and other programs by $80 million.

* Cuts adult protective-services funding by 10 percent to $366,000.

OTHERS

* Leases Ohio's wholesale liquor operation to JobsOhio to provide the new nonprofit entity a $100 million-a-year stream of revenue to help develop business in the state.

* Sells six state prisons.

* Provides for the ability to lease or sell other state assets, including the Ohio Turnpike.

* Eliminates the estate tax starting Jan. 1, 2013.
* Requires casinos to pay the commercial-activities tax on all money wagered, not wagers minus winnings.

* Exempts school-construction projects from prevailing-wage requirements and exempts other public construction valued at less than $3.5 million. The current threshold is $78,258 for new construction.

* Eliminates the requirement that the multiple-prime contracting method be used for public improvements.

* Allows oil and gas drilling on state-owned lands.

* Cuts by 50 percent the budget of the Office of the Ohio Consumers' Counsel, which represents customers in rate cases vs. public utilities.

Source: Budget documents

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Survey says Ohio voters oppose new collective-bargaining law

Mark Naymik

A majority of Ohio voters say the state's new collective-bargaining law, known as Senate Bill 5, should be dumped, a new survey shows.

Fifty-four percent of registered voters polled by Quinnipiac University said they favor repealing the law, which restricts collective bargaining for public employees, while 36 percent said the law should stand.

Opponents of the law have launched an effort to place it before voters in November and are gathering voter signatures, the first step in such a campaign.

Republican Gov. John Kasich has promoted the bill - which was backed by the Republican-controlled General Assembly - as a critical tool that will allow state and local governments to save money, especially in a time of budget crisis. "Although it is a long way until November when opponents of SB 5 hope to ask voters to overturn it, at this point there is strong support for repealing Gov. Kasich's signature plan," said Peter A. Brown, assistant director of the Quinnipiac University Polling Institute.

Ohio Senate Majority Whip Shannon Jones, sponsor of Senate Bill 5, said she is not concerned about the law's poll numbers.

"I'm confident that when Ohioans learn more about the substance of Senate Bill 5, they'll be with us," she said in a written statement.

Voters oppose several controversial parts of the new law, the poll shows.

A majority of the 1,379 registered voters surveyed from May 10 through the 16 said they oppose banning strikes by public employees and preventing public employees from bargaining over health care plans.
The survey has a margin of error of plus or minus 2.6 percent. By using registered voters, the survey did not screen for voters who said they are likely to cast ballots on Election Day.

The survey shows that voters support other elements of the bill, including requiring public workers to pay at least 15 percent of their health insurance and replacing automatic pay increases based on length of service with raises based on merit.

Though the bill is held out as a budget-saving tool, 52 percent of Ohio voters said they don't believe the bill is needed to balance the Ohio budget, while 38 percent said it is, the survey shows.

Fifty-three percent of those surveyed said they disapprove of Kasich's handling of the state budget; 35 percent said they approve. In a March survey, 51 percent approved and 31 percent disapproved.

Quinnipiac University also asked respondents if they believe taxes need to be raised to balance the budget, which has a $7 billion to $8 billion revenue shortfall: 65 percent said no while 30 percent said yes.

Separately, the survey found that Kasich's approval rating is improving, with 38 percent of voters approving of the job he is doing compared to 30 percent who say they supported him in the March survey. But the percentage of those who disapprove of work has also ticked up, to 49 percent, compared to 46 percent in the March survey.

"Not only does he need to rebuild his image, but the governor will need to move a lot of voters over the next six months if he wants his plan to survive," Brown said.

Kasich spokesman Rob Nichols said the governor does not comment on polls.

"The governor's drive to restore Ohio has never been about politics but about helping to create jobs and restore our state," he said.

To reach this Plain Dealer reporter: mnaymik@plain.com, 216-999-4849

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Battle lines form over ballot issues in Ohio

William Hershey Columbus Bureau

Joe Rugola and Andrew Doehrel don’t agree on much, and they certainly don’t agree on Senate Bill 5, Ohio’s controversial new collective bargaining law.

Rugola is executive director of the Ohio Association of Public School Employees, the union representing 38,000 bus drivers, mechanics, clerks and other school support employees. They’re among 360,000 public employees affected by SB 5.

Doehrel is president of the Ohio Chamber of Commerce, the state’s oldest and most diverse business advocacy groups, representing more than 4,000 companies. The chamber sees SB 5 as a way to make Ohio more business friendly.

Rugola and Doehrel may be on opposite sides on the issue, but they agree both sides will spend whatever it takes if the repeal issue makes the ballot.

“It would not surprise me to see the total amount of spending on this issue match or exceed what was spent in the governor’s campaign,” said Rugola.

About $35 million was spent on last year’s governor’s race, making it among the most expensive in Ohio history.

Unions and their supporters — who have joined together to form a group called We are Ohio — are gearing up for a war chest that could reach $20 million on their side alone.

“If the unions and all are serious, and I don’t have any reason to doubt that they are, they’re talking about $20 million,” said Doehrel. And, he added: “You can’t go to war with less than the other side.”
The Ohio Education Association has pledged $5 million to back the repeal. Rugola said his union; two other Ohio affiliates of the American Federation of State, County and Municipal Employees; and the national AFSCME are expected to contribute a like amount.

The Fraternal Order of Police and the Ohio Association of Firefighters each is expected to chip in about $1 million, with other unions pumping in additional money.

Public employee unions see it as a life-or-death struggle, not just in Ohio but nationally, Rugola said.

SB 5 reduces previously held collective bargaining provisions for nearly 360,000 prison guards, police officers, firefighters, teachers and other public employees statewide.

It bans strikes by public workers, institutes a merit pay system, and limits unions to bargaining on wages, terms and conditions. It also requires workers to pay at least 15 percent of their health care costs and in some cases pay more toward their pensions. It blocks unions from collecting “fair share” fees from workers who don’t want to join the union.

Republican lawmakers and Gov. John Kasich say the changes are needed to give local governments the tools needed to manage their budgets in the face of dwindling resources. Kasich’s two-year budget, which must be approved by June 30, calls for deep cuts to schools and local governments.

The issue has put a lot of eyes on Ohio, including those of President Barack Obama, who told a TV interviewer last month that he strongly disapproved of the law. That prompted Gov. John Kasich to respond, “Why doesn’t he do his job?”

A Quinnipiac University poll last week found 54 percent of registered voters favored repeal of SB 5, while 36 percent opposed it.

Despite the poll numbers, no one is predicting an easy road for repeal.

“There’s no question in my mind that the national forces behind the assault on public employee collective bargaining will never let (Gov. John) Kasich suffer a setback this early in his administration when their goal is to eliminate collective bargaining rights generally around the country,” Rugola said.

The Ohio Chamber of Commerce broke precedent by endorsing Republican Kasich for governor last year. SB 5 is a key piece of Kasich’s plan for turning around Ohio to make the state more attractive to businesses, Doehrel said.

“We were supportive of Senate Bill 5 in the legislative process because it’s part and parcel of redesigning Ohio,”
he said.

Health care amendment

Tea parties across Ohio and other supporters of a state amendment against the federal health care law have formed Ohioans for Healthcare Freedom. Their campaign could serve as a counterpoint to the union-backed SB 5 repeal forces and help send more conservatives to the polls.

Jeff Longstreth, campaign manager, said it is a grassroots effort, but money will be important.

“We expect to raise millions of dollars,” Longstreth said. “I expect it to be a multimillion dollar effort.”

Kevin DeWine, the Ohio Republican Party chairman from Fairborn, said the amendment seeks to combat what he called the heavy hand of government.

“We believe it’s important to let Ohioans decide whether they want to make their own choices or whether they want to let the federal government force it on them,” he said.

The proposed constitutional amendment is part of a nationwide assault on the health care law. According to the National Conference of State Legislatures, Ohio is among 41 states that have proposed constitutional amendments, laws, resolutions or other measures challenging the law.

Ohio is also one of 26 states that is part of a lawsuit in federal court in Florida challenging the law, according to Lisa Hackley, spokeswoman.

Virginia Attorney General Ken Cuccinelli is pushing a similar suit in federal court in his state.

The health care amendment, however, has a stiffer test to get on the ballot than the SB 5 repeal, and requires about 155,000 additional signatures.

While the issue is a hot one, the stakes for a constitutional amendment are not as clear as with the proposed SB 5 repeal and could make the amendment campaign a lesser priority.

Constitutional experts say that if the amendment passes it would be a symbolic victory. Federal law would supersede state law and state constitutional provisions on the health care law, the experts say.

Longstreth said the amendment still has value, and would prohibit the state on its own from imposing a personal health care mandate as Massachusetts did.
DeWine acknowledged that defending SB 5 is “the first among equals.”

If the health care amendment makes the ballot, there will be organized, well-funded opposition, said Brian Rothenberg, executive director of Progress Ohio, a Columbus-based liberal advocacy group.

“It fundamentally makes no sense,” Rothenberg said.

Contact this reporter at (614) 224-1608 or whershey@DaytonDailyNews.com.


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SUPPORT FOR SENATE BILL 5 Senator denies backlash is reason he’s leaving office
Joe Vardon
THE COLUMBUS DISPATCH

Dateline: ZANESVILLE, Ohio

The lure of a job as president of the Ohio Gas Association, and not his vote in favor of Senate Bill 5, is why Rep.

publican state Sen. Jimmy Stewart is resigning, he said yesterday.

After news of Stewart’s plan to resign broke this week, Democrats and others began to speculate that criticism he

has taken over the bill prompted him to leave his seat before his term expired.

"That’s just another lie they’re telling about Senate Bill 5. In fact, I’d vote for it again today," Stewart told The

Dispatch after a joint appearance with Gov. John Kasich at Plaskolite Inc. in Zanesville, part of the Albany resi-

dent’s nine-county district in southeastern Ohio.

"I’d vote for the bill again tomorrow," Stewart said. "I’d vote for it because it’s the right thing to do, and most

Ohioans will ... realize it’s the right thing to do."

Senate Bill 5, passed by Republicans and signed by the GOP’s Kasich, weakens collective-bargaining rights for

about 360,000 public employees in Ohio. The bill, which probably will face a referendum this fall, passed the

Senate with Stewart’s help, 17-16.

Stewart, 41, has been a state legislator in competitive districts, first in the House and then in the Senate, since

2003, and he joined Senate leadership this year as majority leader. He said he is leaving public office, probably

in June (after the Senate passes the state budget), because he "didn’t want to be a career politician."

Others, including some constituents, are pointing to the heat Stewart was taking in parts of his district over his
vote on Senate Bill 5 as the reason for his departure.

"If it's not the reason he's quitting, it had to be the final straw," said Tom Perkins, a school superintendent who lives in Stewart's district and was at Plaskolite yesterday.

A billboard was erected in March along Rt. 33 between Nelsonville and Athens that featured a picture of Stewart with a circle and line through his face. It accused him of betraying Ohio's working families by voting for Senate Bill 5 and said "we will not forget in 2012."

"I could care less" about the billboard, Stewart said.

Reached by phone for comment, Ohio Democratic Chairman Chris Redfern said: "Jimmy's entitled to his opinion, and I'm entitled to mine.

"Senate Bill 5 will impact Republican legislators for years," Redfern said.

Stewart, in a two-minute speech to about 150 people at Plaskolite, didn't mention his resignation or Senate Bill 5.

Kasich, who was at the acrylics factory to promote his budget, told the crowd that Stewart "is a guy who's got a lot of courage, and I'm very sad to see him leave."

After a separate public appearance in St. Clairsville yesterday, Kasich rejected the notion that Stewart's departure is related to Senate Bill 5. He also said he hadn't entertained the possibility that the bill might cause Republican political casualties.

"That's the first time anyone's ever said that to me. I'll just have to think about it," Kasich said.

At least one additional Senate Republican who voted for Senate Bill 5 could be leaving office soon. Sen. Karen Gillmor is under heavy consideration for appointment to the Industrial Commission of Ohio, which decides appeals of workers'-compensation decisions.

Kasich also said yesterday that the state will have a capital budget this year, but "there won't be a lot of money in it."

A capital budget -- typically for new buildings and repairs -- is separate from the $55.6 billion general-fund budget being considered in the Senate.
The governor and his staff expect to produce a capital budget after the general-fund budget is passed.

The most-recent capital budget, introduced in May 2008, was $1.3 billion. It included about $120 million for community projects.

jvardon@dispatch.com

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SENATE BUDGET PLAN WOULD EASE CUTS

Jim Siegel, Columbus Dispatch

COLUMBUS

SENATE BUDGET PLAN WOULD EASE CUTS
THIS VERSION DROPS MERIT PAY SYSTEM FOR OHIO TEACHERS, TRIMS LANGUAGE GIVING POWER TO CHARTER SCHOOL OPERATORS

In the latest changes to the proposed state budget, Senate Republicans eased cuts to some schools and local governments, eliminated a proposed merit-pay system for teachers and thwarted a key GOP supporter who wanted to boost the power of charter-school operators.

Under the new proposal, the state's highest-performing schools, "those rated excellent or excellent with distinction," would get a $17-per-student performance bonus at the end of next school year. The provision would cost the state $30 million over two years.

A number of districts also would see their funding cuts eased by about $85 million combined, compared with the budget the House passed. Democrats complained that many of the districts benefiting from that additional basic aid are wealthier suburban schools.

The Senate also eliminated a $50-million-a-year fund created by the House to encourage governments to share services; instead, that money went directly into local-government funding. The Senate also would ensure that rural counties that get less than $750,000 a year in state funds do not see a cut.

The total general-revenue fund in the Senate budget climbs by about $100 million, to $55.7 billion. The Senate picked up additional money by using estimates of revenue and the Medicaid caseload developed by the Legislative Service Commission instead of those by the state budget office.

"It sets the stage for a structurally balanced, responsible budget that addresses the needs of the residents of the state of Ohio, and allows us to do it without raising taxes," said Senate President Tom Niehaus, R- New Richmond.

The commission and the state budget office are both expected to revise their estimates further this month, probably giving budget-makers even more money.

The full Senate is expected to vote on the budget next week. Once it is passed, it moves to a conference committee, where the House and Senate work out their differences.

Gov. John Kasich said the Senate's version of the two-year budget shares his overall vision, but he warned that
he soon will grow cold to additional spending.

"We are watching spending very carefully," Kasich said. "We cannot put ourselves back in the hole by spending too much. There can be some give, but if there's much more, we're going to have a problem with it."

The House had added a number of major charter-school provisions to Kasich's budget proposal at the request of Akron's David Brennan, the state's largest charter-school operator and one of the GOP's biggest individual donors.

But even a number of charter-school supporters sharply criticized the language, which would have made Ohio the only state to allow for-profit charter schools and would have significantly reduced charter-school oversight.

The Senate stripped most of the House-added language.

Senate leaders would let a school sponsor take on additional schools only if at least 80 percent of the schools it sponsors do not rank in the bottom 5 percent of schools in academic performance.

"We reinstated quality and operational controls and transparency," said Senate Finance Committee Chairman Chris Widener, R-Springfield. "We continue to believe that accountability and control of the expansion of these types of schools is important, as well as those parents and students having the ability to have a choice."

The Senate also removed language related to teacher merit pay that was similar to what is in Senate Bill 5, the collective-bargaining law that is likely to be challenged on the November ballot.

Some senators did not support the Kasich-crafted language, Widener said. Others were concerned about how it would affect Ohio's federal Race to the Top funding, and "some members were confused why it was in there," he said.

PRIVATE MANAGEMENT

While the bill opens the door for private management of the state lottery, it prevents the Ohio Turnpike from being leased or going private without legislative approval.

Kasich has said leasing the 241-mile toll road across northern Ohio could yield $2.5 billion. He wants to use a billion from any possible deal to invest in roads, bridges and harbors.

The first-term Republican governor has proposed allowing the transportation department and budget office to negotiate and enter a turnpike lease with a private operator. But lawmakers want a chance to review any deal.

"This is an important asset for the state of Ohio," Niehaus said. "We want to make sure that there is legislative input into anything that would happen."

The legislation proposed by Republican Senate leaders also includes $1.7 billion in property tax relief to Ohio homeowners and tax credit expansions for job creation and historic preservation.

EDITION: 1 STAR

Word Count: 813

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June 07—In a news release from the Ohio Democratic Party, U.S. Sen. Sherrod Brown, D-Ohio, says he has signed the petition calling for a referendum against the law produced by the passage of Senate Bill 5, which restricts collective bargaining by Ohio's public employees.

"This week, I joined hundreds of thousands of Ohioans in signing the petition to repeal Senate Bill 5. There is nothing more rewarding than standing with all of you as we fight to protect Ohio's middle class," Brown said. "You know and I know that our economy will be strong only if our middle class is strong. You know and I know that jobs would be lost and communities destroyed unless we repeal Senate Bill 5. Millions of Americans fought for worker rights. We must continue that fight. Ohioans may be on our side, but that won't stop millions of special interest dollars from outside Ohio that will flood the airwaves with misleading ads."

Also according to the release, the Ohio Democratic Party is soliciting donations of $10 or more to help with the repeal efforts.

"If you haven't signed the petition, we need you to do so as soon as possible to help us over the top," Brown said. "Don't miss this historic opportunity to stand up for Ohio's middle class."

In Scioto County, petition can be signed at the IBEW Local 575 Hall at 110 Offnere St., Portsmouth, Monday through Friday from 9 a.m. to 5 p.m.

FRANK LEWIS may be reached at (740) 353-3101, ext. 232, or flewis@heartlandpublications.com.

Word Count: 252
GET MERIT PAY RIGHT

There's no doubting the strong support in the Statehouse to enact a teacher merit pay system in Ohio. Witness the various pay-for-performance provisions included in Senate Bill 5 on collective bargaining, in Gov. John Kasich's budget plan and in the House version. The Senate pulled the merit pay language from its budget bill. As William Batchelder, the House speaker, has indicated, that sets the stage for a fight during conference committee negotiations over what to do about merit pay.

Clearly, embedding the controversial compensation system in the budget would seal the plan (political insurance, in effect) for the Kasich administration should opponents of Senate Bill 5 succeed in their effort to repeal the law. The Senate was right to be concerned about the unseemly appearance of making an end run around a likely referendum.

But there are other pertinent reasons not to include merit pay language in the biennial budget bill. The stated goals of a merit-based plan involve spurring effective teaching in schools and verifiable student growth. Critically important, then, is that Ohio from the start have the mechanisms in place for a system that is fair and capable of serving the purpose consistently across the state.

The argument isn't that state leaders should not pursue a merit pay system. There's a strong case to be made for changing how teachers are paid and it has been made for many years. The complaint is valid that a pay system based on seniority or degrees earned does not necessarily reward the most effective teachers or serve as incentive to do much more than put in time. Telling, too, opinion surveys show much public support across the country for linking teacher pay to student performance in some way.

More to the point, Ohio applied for and won a $400 million Race to the Top grant on federal terms, agreeing not only to take student growth into account in teacher evaluations but also to factor those evaluations into decisions on compensating, promoting and retaining teachers and principals.

The argument is that the budget bill is hardly the appropriate forum to address the policy questions that come into play, from nonschool influences on student growth to measuring value added (effectiveness) per teacher as students move through school. The difficulties are real, and they are not solely because teachers unions are hostile to the idea.

For a merit pay system to achieve its purpose, it must be clear about the standards for evaluation. If student growth, measured by state tests, is to count in annual decisions on compensation, all students will need to be tested by subject every year.
Is Ohio ready to scale up statewide? The State Board of Education has yet to complete work on the ground rules. Only a handful of Ohio districts are experimenting with some form of performance pay. Better first to get the mechanisms right. It won't inspire the necessary confidence to push legislation through and then invite teachers for input.

EDITION: 1 STAR

Word Count: 500
Plans to have Senate Bill 5 broken into multiple questions on the November ballot may have effectively died yesterday, mortally wounded by the state's chief elections official and later abandoned by a Kasich administration spokesman.

Republican Secretary of State Jon Husted's office sent out a statement declaring that the Ohio Ballot Board, which Husted chairs, doesn't have the authority to divide a referendum into multiple issues.

The idea was something Republican Gov. John Kasich's administration and his allies on Senate Bill 5 were discussing to mitigate the opposition to the measure that weakens collective bargaining for public employees, multiple sources told The Dispatch on Wednesday and again yesterday.

But yesterday afternoon, Kasich spokesman Rob Nichols said the administration was not seeking to have the bill split into pieces when placed before voters this fall.

"That is not something we are pursuing or were going to pursue because we know it can't be done legally," Nichols said.

Yesterday, The Dispatch reported that Kasich officials and others had begun talking to the ballot board about possibly carving up Senate Bill 5 into several questions -- a move that early polling suggests could help in maintaining at least some portions of the bill.

When asked about Husted's stance during a noon news conference regarding the Ohio State Fair yesterday, Kasich said he was "focused on some other things right now."
"I'm not advocating anything today other than the state fair," Kasich said. "I'm not in the middle of that right now and I don't know what the details, I haven't read the story. I will leave it for some of my weekend reading.

"I just don't know enough about it so I'm not going to comment. Every time I comment, it's a headline, so I learn to comment less."

The Ohio Revised Code clearly lays out the procedures for dividing a citizen-sponsored initiative or constitutional amendment into multiple ballot questions, but it is silent on doing the same with a referendum.

The ballot board has in the past exercised this power, including in 2005 when it divided Reform Ohio Now's three proposed constitutional amendments related to elections into four.

But several people who opposed plans to break down Senate Bill 5, including Husted, argued that the board does not have the same power when it comes to a referendum.

"Dividing a referendum is not part of the procedure as written in the (Ohio Revised) Code, so we don't feel the board has the authority to do that," Husted spokesman Matt McClellan said yesterday.

State Rep. Kathleen Clyde, D-Kent, sent a letter to Kasich yesterday warning against divvying up Senate Bill 5 on the ballot, arguing that good-government groups "have long fought for fair, clear ballot issue practices that do not try to confuse voters."

We Are Ohio, the coalition leading the referendum effort against Senate Bill 5, also put out a statement yesterday that characterized dividing the bill into multiple questions as "an attempt to circumvent the will of the people."

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EDITION: Home Final

Word Count: 497

They dubbed it the "million-signature march" and then delivered, literally.

We Are Ohio, the coalition leading the effort to repeal Senate Bill 5, directed a parade of thousands through Downtown yesterday that culminated in the delivery of nearly 1.3 million signatures to the secretary of state to place Ohio's new collective-bargaining law on the November ballot.

The exact signature total -- 1,298,301, or an amount equal to nearly 1 out of 6 of Ohio's 8 million registered voters -- obliterated the previous state record of 812,978 set in 2008 on a proposed casino for Clinton County.

Democratic lawmakers joined law-enforcement officers, firefighters, teachers and others opposed to Senate Bill 5 in a parade that also included retired firetrucks, a drum line, bagpipes, loud motorcycles and a 48-foot semitruck carrying the boxes of signatures.

Steve Turner, a retired teacher from Grove City, came dressed in a top hat and tails. He said he was dressed up as "Greedy Van Heartless," a mogul who hates unions and doesn't want to pay taxes.

Turner, 67, said he wants union workers "to stay in the middle class" but "SB 5 is going to destroy that."

It's a virtual lock that enough valid signatures of registered Ohio voters were collected to place the law before voters on Nov. 8, because only about 231,000 are needed to trigger the referendum. It's up to county boards of elections to validate signatures in each county, and Secretary of State Jon Husted will validate the total by a July 26 deadline.

Meeting the threshold of valid signatures also would stop the law from taking effect until after the November
election.

If rhetoric from the marchers and Republicans who defend Senate Bill 5 was any indication yesterday, the fall campaign will feature one side that believes workers are under attack and another that will argue the new law is about saving money.

"From the standpoint of workers, Senate Bill 5 was a declaration of war," said state Rep. Matt Szollosi, D-Oregon, who marched yesterday. "It's kind of hard to put the lava back in the volcano."

Republican Gov. John Kasich, who likely will be front and center in defense of the bill he signed, said yesterday that he wasn't surprised by the nearly 1.3 million signatures collected.

But when Speaker William G. Batchelder, R-Medina, was told the number, he said: "Wow. That's a bunch."

The last time Ohioans repealed a law through referendum -- a 1997 measure reducing workers' compensation benefits -- the winning side's vote total was about 1.7 million. More recently, in the last off-year election, a 2009 constitutional amendment to allow casino gambling in Ohio passed with about 1.7 million votes.

If Senate Bill 5, which limits collective bargaining for about 360,000 public employees, does indeed go down in November, Kasich said it would be "a blow to local communities."

"I wouldn't presume what an outcome would be, but the loss of it would really continue to hamper our local communities," Kasich said, later adding: "I expect we'll have a real good campaign."

We Are Ohio spokeswoman Melissa Fazekas said she "couldn't guarantee" victory on the ballot, "but we're confident with the amount of signatures we've collected that we have a lot of support on our side."

When more than 812,000 signatures were collected for the 2008 casino measure, that issue was crushed by more than 1.4 million votes in November.

Yesterday, it took volunteers nearly four hours to unload 1,502 boxes of signatures for storage in Husted's office. He has a staff of 60 ready to begin work today and carry through this weekend to sort the signatures by county, count them and distribute them to the county boards.

Columbus Democratic Mayor Michael B. Coleman, who marched at the head of the parade at the outset and later stood on Broad Street shaking hands with marchers, echoed many in the parade when he said the referendum effort is a response to "the state legislature and governor's attempt to bust unions."
Jason Mauk, the new spokesman for Building a Better Ohio, the coalition forming to defend Senate Bill 5, called the nearly 1.3 million signatures collected "respectable."

"The point is not the process, but the substance of this legislation and what it will do to lead Ohio to a more prosperous direction," said Mauk, who is taking a leave of absence from his job as spokesman for Ohio Senate Republicans. "We have nothing but the highest respect for our government employees, but we also want them to have jobs and perform vital services for our local communities.

"Too many of them are being laid off and their jobs eliminated under the current system, and that has to change."

Dispatch reporters Ben Geier and Jim Siegel contributed to this story.

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What SB 5 would do

Major changes for Ohio's 360,000 state and local government workers include:

* Elimination of automatic pay increases for longevity and replacing them with a merit-pay system.

* Banning layoffs based solely on seniority.

* Removing health care and benefits from collective bargaining and requiring public workers to pay at least 15 percent of health-insurance costs.

* Making it illegal to strike. (Currently, only safety forces are barred from striking, with disputes going to binding arbitration -- an option that would be removed as well.)

* Forbidding union contracts from requiring nonunion members to pay dues through "fair share" -- where nonunion workers pay to help cover the cost of negotiating and upholding the contract.

* Allowing a municipality or other governing body to pick its own last offer to settle a negotiation impasse.

* Barring governments from paying any portion of an employee's share of pension costs.

EDITION: Home Final

S.B. 5 campaign battle to hinge on personal finances

Jeff Bell

The perceived gap between what public and private-sector workers pay for health insurance is expected to emerge as a central issue in the coming campaign to repeal Senate Bill 5, the controversial law that weakens the collective bargaining rights of 350,000 public employees in Ohio.

Gov. John Kasich, a champion of S.B. 5, has indicated as much in comments to the media and in messages to his supporters. Time and again he has made the point that S.B. 5’s requirement that public workers pay at least 15 percent of their health insurance costs – about half of what the average private-sector worker reportedly pays – is one of the practical reforms in the law.

“It’s hard to argue with that,” he said in a recent email to those who backed his 2010 gubernatorial campaign.

But Kasich and other S.B. 5 proponents expect to hear plenty of arguments from public workers and others trying to repeal the law through a voter referendum. Foes on June 29 submitted petitions carrying nearly 1.3 million signatures, asking the Ohio secretary of state’s office put the issue on the Nov. 8 ballot. Exactly 231,149 valid signatures are needed to put the issue to a vote.

Sticking to a single, simple message about a pocketbook issue can be an advantage in a campaign such as the one brewing over S.B. 5, said John Green, director of the Ray C. Bliss Institute of Applied Politics at the University of Akron. It is a message that will resonate with voters who showed in the 2010 elections that they want the size and cost of government reduced, he said.

Unanswered is whether that sentiment will prevail over what Green expects to be the main message from S.B. 5 opponents: The law tramples collective bargaining rights that many Ohioans support.

“Who knows?” he said. “A lot depends on the campaign and other concerns, like how the economy is this fall.”

Paul Djupe, a political science professor at Denison University in Granville, said rights issues such as those
raised by S.B. 5 critics typically trump others at the ballot box. He also questioned the wisdom of emphasizing a single message such as health-care coverage contributions on a collective bargaining issue with many layers to it.

"In a vacuum," Djupe said, "that message has a lot of resonance, especially these days when we're asking people to pay a little extra (for benefits). But S.B. 5 is clearly not in a vacuum."

Neil Clark, principal of Grant Street Consultants in Columbus and a longtime Statehouse lobbyist and adviser to campaigns, thinks S.B. 5 proponents are on the right track.

"I've always said the easiest way to defeat (the S.B. 5 referendum) is by comparing and contrasting state employees versus private," he said, claiming public workers have come out ahead on pension benefits, health-care contributions and pay raises over the past 20 years. "When people look at that, they will be able to sympathize with what the governor is saying."

On the flip side, he said, S.B. 5 foes will need to focus on how limiting collective bargaining rights — and Kasich's rhetoric — is hurting first responders such as police officers, firefighters and medical personnel. Kasich got into hot water when he called a Columbus patrolman who stopped him for a traffic violation an "idiot." The governor later apologized.

"They will say, 'This is why we need to repeal S.B. 5 — that (Kasich) doesn't care about us,' " Clark said. "They'll say, 'He despises us. He called us an idiot. He doesn't respect us.' "

Kasich's involvement in the campaign is "problematic," Green thinks, because of his slumping standing in opinion polls. He said his most important work will be behind the scenes, raising money and helping to organize the campaign. Kasich will not be the lone public face in the campaign, but he will visible in some advertising, said one source familiar with the strategy being developed by Building a Better Ohio, the campaign group formed to defend S.B. 5.

The disparity in health insurance contributions between public and private-sector workers will be one component of the campaign, the source said, as will pay-for-performance and teacher tenure provisions in the law. The campaign will not vilify public workers but include testimonials from retired and active public employees who support S.B. 5.

The strategy on the other side will be to emphasize that workers have made major concessions on wages and benefits under a collective bargaining system that had worked well for 28 years, said Melissa Fazekas, a spokeswoman for We Are Ohio, the coalition leading the repeal drive.

"Painting all public workers with the same brush is not fair," she said, noting many employees already pay more than 15 percent of their health insurance coverage.
Fazekas also said opinion polls that have shown a majority of Ohio voters oppose S.B. 5 reinforce what We Are Ohio volunteers are hearing in their communities.

“People understand it’s an overreach and goes too far,” she said. “Some extreme politicians pushed the issue and are out of touch with what mainstream Ohioans want.”

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EDITION: columbus

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