



SENATE BILL 251 – EXPANSION OF HOURS MINORS MAY WORK

WRITTEN PROPONENT TESTIMONY

OHIO SENATE WORKFORCE AND HIGHER EDUCATION COMMITTEE

DECEMBER 15, 2021

Chairman Johnson, Vice-Chair Cirino, Ranking-Member Williams, and members of the Ohio Senate Workforce and Higher Education Committee, thank you for the opportunity to provide written, proponent testimony on Senate Bill 251, legislation that will allow minors under 16 years old to work until 9 pm on school nights with the permission of a parent or guardian. Senate Bill 251 that well positions Ohio if and when Congress makes a change to the Fair Labor Standards Act (FLSA). We appreciate the joint sponsors' goal of trying to help address the workforce needs facing so many businesses.

By way of background, NFIB members come from all industry sectors in all 88 counties across Ohio. Our typical member employs 15 or fewer and has less than \$2 million in gross receipts. The diversity of our membership runs the spectrum of business operations from sole-proprietors operating out of their homes to large manufacturers that employ hundreds.

Our members' inability to fill workplace vacancies has catapulted to the top concern currently facing the success of their businesses. The NFIB Research Foundation conducts a quadrennial survey of our members called *Problems & Priorities*. This survey asks our members to score a list of 75 different businesses issues, ranking from most impactful to least impactful to their operations. The closer to number 1, the bigger the impediment or impact. Since 1986, the "cost of health insurance" has been the top concern amongst our members. Right behind health insurance is "locating qualified employees."¹ The more frequent, *Small Business Job's Report*, a monthly survey of NFIB members from across the country (including Ohio) shows that locating qualified employees is now the top concern facing our members. In fact, 48 percent of members report job openings they are unable to fill. This far exceeds the historical average of 22 percent and is a record for the 48 years that our foundation has been asking this question!² And, our members continue to respond to this hiring issue, including 44 percent who have indicated raising compensation this year, a 48-year record high!³

¹ <https://assets.nfib.com/nfibcom/NFIB-Problems-and-Priorities-2020.pdf>

² <https://www.nfib.com/foundations/research-center/monthly-reports/jobs-report/>

³ <https://www.nfib.com/surveys/small-business-economic-trends/>

Additionally, NFIB in Ohio has been conducting surveys of our members nearly every quarter, since the onset of the COVID pandemic. Our most recent in-state survey reinforces the job hiring challenges facing businesses across the country and goes further showing nearly 60% of our members attribute lost sales opportunities and 30 percent changing hours of operation due to staffing issues.

Senate Bill 251 aims to address workforce challenges by expanding opportunities for minors aged 14 or 15, to work up to two hours later than currently allowed. An important check requires parental or guardian approval, ensuring adult oversight for what is best for their children. While this legislation is not a panacea for all the hiring obstacles facing our members, it would be advantageous in certain industry sectors. A change in FLSA by Congress would be necessary to permit most businesses to avail themselves of Senate Bill 251. However, this legislation will position Ohio to be ready if and when Congress acts.

Thank you for the opportunity to provide written comments in support of Senate Bill 251. Please feel free to contact me with any questions at chris.ferruso@NFIB.org.