



Senate Bill 143 – Prohibiting certain employment application questions

Opponent Testimony

Ohio Senate Workforce Development Committee

October 21, 2025

Chair Koehler, Vice-Chair Reynolds, Ranking-Member Ingram and members of the Ohio Senate Workforce Development Committee, thank you for the opportunity to provide testimony on behalf of the nearly 21,000 members of the National Federation of Independent Business (NFIB) in Ohio to express our opposition to Senate Bill 143. My name is Jared Weiser, and I serve as the State Director for NFIB in Ohio. Senate Bill 143 would upend the hiring process for small employers by prohibiting any private business with five or more employees from including questions about criminal history on an initial job application.

For reference, NFIB is a small business trade association founded over 80 years ago that is dedicated to representing the interests of small and independent businesses across our state and nation. NFIB's mission is to promote the right of our members to own, operate, and grow their businesses. NFIB members come from all industry sectors and from each of the 88 counties across Ohio. Our average member has 20 or fewer employees and has less than \$2 million in annual gross receipts.

To start, I want to express to the Committee that NFIB, and our members, are committed to providing workplaces that are free from discrimination, and we share your commitment to providing individuals with second chances. In fact, many small businesses already have highly successful second chance hiring programs, helping individuals with past convictions rebuild their lives. This is because small businesses have more flexibility in hiring choices and can typically move faster than their larger counterparts. However, we strongly oppose government-mandated one-size-fits-all approaches, like those found in Senate Bill 143. We oppose this legislation as it removes the flexibility for small employers to do what is best for their business and replaces it with cumbersome regulations and increased liability.

Criminal background checks provide a necessary and critical component in the hiring process for many companies. For a small business with five employees, like those that would be subject to the provisions of the bill, the consequences of making a poor hiring choice can be great – leading to financial losses or an unsafe work environment. It can be a significant challenge for a small business owner to navigate ever-changing federal, state, and local laws and regulations.

Apart from our opposition to prohibiting employers from asking about criminal history on an initial application, this legislation goes much further and outlines overly burdensome compliance requirements throughout the hiring process. Small businesses would also not be allowed to consider any arrests not followed by a conviction. Furthermore, employers would be



required provide a written notice to an applicant outlining the disqualifying convictions and provide a five day “cure period” for the applicant to dispute the information. Then, they must provide an additional five days for the applicant to provide evidence supporting their claim the background check information was incorrect. If this is not already complicated enough, an employer must then provide a written notice of a final decision to the applicant, along with information on how the individual can file a complaint with the Ohio Civil Rights Commission.

The bottom line is small businesses believe in second chances. We should reward small employers who make second-chance hires, not regulate them. We are committed to working on practical, incentive-based solutions that open doors for individuals with criminal backgrounds. This way we can accomplish the sponsor’s goals without red tape and increased liability for small employers.

We respectfully urge this committee to oppose Senate Bill 143. We may consider a floor vote on Senate Bill 143 an NFIB Key Vote for the 136th General Assembly.

I appreciate the opportunity to testify, and I am happy to answer any questions.