



## Ohio Revised Code

### Section 9.75 Requirement for employment of local laborers prohibited.

Effective: August 31, 2016

Legislation: House Bill 180 - 131st General Assembly

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(A) As used in this section:

(1) "Construction manager" and "construction manager at risk" have the same meanings as in section 9.33 of the Revised Code.

(2) "Contractor" means a person who undertakes to construct, alter, erect, improve, repair, demolish, remove, dig, drill, or provide professional design services for any part of a structure or public improvement. "Contractor" may include any public or business association and any person or entity that actively participates in whole or in part in the actual construction of a public improvement or provision of professional design services by itself, through the use of employees, or through the use of a construction manager, construction manager at risk, professional design firm, design-build firm, general contractor, or subcontractor.

(3) "Design-build firm" has the same meaning as in section 153.65 of the Revised Code.

(4) "Laborer" means a person who does any of the following in furtherance of a public improvement:

(a) Performs manual labor or labor of a particular occupation, trade, or craft;

(b) Uses tools or machinery of a particular occupation, trade, or craft;

(c) Otherwise performs physical work in a particular occupation, trade, or craft.

(5) "Professional design services" and "professional design firm" have the same meanings as in section 153.65 of the Revised Code.

(6) "Public authority" includes any of the following:



- (a) The state;
  - (b) A county, township, municipal corporation, or any other political subdivision of the state;
  - (c) Any public agency, authority, board, commission, instrumentality, or special district of the state, a county, township, municipal corporation, or other political subdivision of the state;
  - (d) Any officer or agent of one of the entities listed in divisions (A)(6)(a) to (c) of this section who is authorized to enter into a contract for the construction of a public improvement or to construct a public improvement by the direct employment of labor.
- (7) "Public improvement" means any of the following:
- (a) A road, bridge, highway, street, or tunnel;
  - (b) A waste water treatment system or water supply system;
  - (c) A solid waste disposal facility or a storm water and sanitary collection, storage, and treatment facility;
  - (d) Any structure or work constructed by a public authority or by another person on behalf of a public authority pursuant to a contract with the public authority.
- (B)(1) No public authority shall require a contractor, as part of a prequalification process or for the construction of a specific public improvement or the provision of professional design services for that public improvement, to employ as laborers a certain number or percentage of individuals who reside within the defined geographic area or service area of the public authority.
- (2) No public authority shall provide a bid award bonus or preference to a contractor as an incentive to employ as laborers a certain number or percentage of individuals who reside within the defined geographic area or service area of the public authority.