

Testimony on House Bill 342

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Good afternoon Chairman Wachtmann and members of the committee, I am Robert Davis, Political and Legislative Director for AFSCME Ohio Council 8. AFSCME Ohio Council 8 represents more than 50,000 public service workers in Ohio; 8,000 of which are in-home childcare providers. I thank you for the opportunity to speak to House Bill 342.

Let me start by saying we very much support efforts to enhance and maintain child safety, improve quality and insure that an adequate number of providers are available to perform this vital service. However, we have a small number of concerns with the bill as it is currently written.

Licensing and inspection of childcare providers and their homes is presently the duty of the respective counties. The bill would transfer these duties to the state. We believe this is a mistake. Moving these functions to the state removes those closest to the children; their parents and providers from overseeing these important functions. In the event community services are needed, county employees are the most knowledgeable about those services because they work and live in the community. Creating another state bureaucracy to oversee this function is costly and takes the people most familiar with the providers and the community out of the picture.

While we understand that the state is trying to achieve consistency in its licensing and inspection practices – something we strongly support – we believe this can be accomplished without moving these functions to Columbus. Currently, the Ohio Department of Job and Family Services merely offers advice and counseling to County Departments of Job and Family Services out of compliance with State rules and regulations. Giving the State Department of Job and Family Services enforcement authority over this important program would go a long way toward achieving statewide consistency in administration.

At an estimated cost of \$10 million dollars, we also question how fiscally prudent it is to this move these functions to state. At a time when the state continues to cut its budget and revenues coming into the state are declining, we don't believe it is good policy to create a new costly state function to replace what is already being done in the counties.

Another area of concern we have has to do with the “*overlap*” of shifts that occur when a parent is late picking up his/her child. There will always be emergencies that occur causing parents to be tardy picking up their children -- medical emergencies, mandatory overtime, late public transportation or accidents all cause delays for parents which could lead to a provider having more than 6 children in his/her home for a brief period of time.

As the bill is currently written, a provider who wants to avoid a potential \$3,000 fine for a tardy parent causing them to have more than six (6) children at a time has only two options. One, call Children Services to remove the child(ren) whose parents are tardy. Or two, refuse service to a newly arriving parent and his/her child(ren) -- thereby causing a work disruption for that parent until the late parent picks up his/her child(ren). Neither of these solutions should be acceptable.

There should be a mechanism in place that can show this as a singular occurrence and not something that happens with regularity. According to the National Association of Child Care Resource and Referral Agencies (NACCRRA), nearly 40% of home based providers provide care during nontraditional hours. This makes completely preventing an occasional overlap due to a parent being late nearly impossible. While we absolutely support limiting the number of children a provider can care for, we ask that the bill have some flexibility to allow for a reasonable occasional overlap when parents are late. Another solution would be to allow providers to have a helper who could assist during an overlap. The helper would of course be subject to a background check and would be paid by the provider.

The bill creates an expanded list of offenses that would disqualify someone from being a child care provider. We support the premise that there should be a list of offenses that would disqualify a person from being a provider; however the list as written in the draft legislation is overbroad. For example, the possession of illegally obtained cable service should not be cause for forfeiture of a license. Also we believe that there are some offenses that may have occurred in the person's distant past that do not directly relate to the well-being or safety of a child and should not preclude gaining a license to provide care.

Finally, we would like to see something added to the bill in regard to current rules that restrict the issuing of more than one (1) license per address. This should be changed. Emergency situations can occur such as the provider having to leave the premises or the provider being ill. Parents need to know that there is reliable childcare that they can count on when such events occur. A parent would not have to search for last-minute replacement childcare if there is another qualified and licensed individual in the home.

Providers certainly understand and are willing to comply with the maximum number of six (6) children present at any given time even if two licensees are present. Also, it is possible that two (2) providers living in the same household might care for children during different shifts, one taking the first shift and one taking the second. We would like to see the current law amended to allow for more than one person in a home to have license.

AFSCME Ohio Council 8 remains committed to high quality childcare. We thank you for this opportunity to share our concerns with you and look forward to the ongoing work in this arena.