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## Disabled veteran on staff at Oregon State Hospital settles case over failure to apply veterans preference

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**Mike Francis, The Oregonian**  
By

U.S. Army Reservist Kermit Lisle, a nurse manager at the **Oregon State Hospital** in Salem, has won a settlement from the state for the hospital's failure to consider his status as a disabled veteran when weighing his application for a promotion two years ago.

The state is paying Lisle \$2,100 plus attorney's fees, following findings by the **Oregon Bureau of Labor and Industries** that the hospital's hiring managers failed to apply the veterans preference points to Lisle's application as required by state law. In addition the state hospital has agreed to train its managers to comply with the veterans preference law.

His case, Lisle said, "illustrates the tip of an iceberg of what's been going on all along."

Lisle, 58 and his lawyer, **Beth Creighton** of the Portland law firm of Creighton & Rose, say they hoped for a settlement that would require the state to train all its hiring managers statewide to comply with the veterans preference rules. But they accepted a deal in which the state hospital agreed to train hiring managers about the veterans preference rules.

When it comes to veterans issues, said Cameron Smith, senior policy adviser to **Gov. John Kitzhaber**, "our main challenge is always driving it into every policy area," and not limiting it such agencies as the Oregon Department of Veterans Affairs.

Smith acknowledged that, "generally, the preference is not well-understood" among public human resources representatives. And he said that other levels of government -- counties, cities, school districts -- may not understand it fully either.

Lisle's settlement became public during a week when President Barack Obama announced a series of executive actions intended to promote the hiring of veterans. His stalled jobs package, too, includes tax credits meant to spur employers to hire veterans. Young veterans have a considerably higher jobless rate than the population at large.

When scoring job applications, **Oregon public employers are required to add five points to the job**

ENCLOSURE  
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**applications of qualified veterans, and 10 points to the applications of disabled veterans.** The Bureau of Labor & Industries said the state hospital managers who were filling a Registered Nurse Epidemiologist position in 2009 admitted they failed to apply the veterans preference points to Lisle's application. But they told him he still wouldn't have been promoted even if they had.

With the help of his union, the **American Federation of State, County and Municipal Employees**, Lisle appealed the decision through the grievance process and ultimately sued the state.

Lisle served in full-time Army and the Navy before joining the Army Reserves, where he commands the 1972nd Medical Combat Stress Detachment, based at Joint Base Lewis-McChord. He said Thursday his disability is for knee damage, sustained during a training exercise and hearing loss.

— **Mike Francis**

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