

SB 332 A -A4 STAFF MEASURE SUMMARY

House Committee On Business and Labor

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 5/8, 5/20

WHAT THE MEASURE DOES:

Requires public employer to interview every veteran meeting minimum and special qualifications and who has transferrable skills if they applied for position performed by only one person within the organization and an interview is part of process of selecting candidates from an eligibility list. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Similarity to House Bill 2886
- Discretion of hiring agency to write broad or narrow minimum qualifications to control size of candidate pool
- Whether preferences have disparate impact on other protected classes
- Value to veteran to go through interview process
- Benefit to individual veteran and public when veteran finds employment after military discharge

EFFECT OF AMENDMENT:

-A4 Replaces A-engrossed measure. Modifies law regarding preferences in civil service hiring and promotion for veterans and disabled veterans. Requires veteran to provide evidence of preference eligibility at time of application. Clarifies that preference is to be applied at each stage of application process. Establishes process for scoring and ranking applicants and applying preferences for initial screenings and for examinations. Requires public employer to interview all veterans on list if interview is part of application examination process. Allows public employer to choose not to appoint otherwise qualified veteran based solely on person's merits or qualifications with respect to the vacant position. Requires employer who exercises such discretion to provide veteran with written reasons for decision not to appoint. Allows evidence of eligibility to include certification of service showing expected discharge within 120 days of submission of certification. Provides private right of action after exhausting nonjudicial remedies with Bureau of Labor and Industries. Expands definitions of veteran and disabled veteran.

BACKGROUND:

Current law requires public employers to interview each veteran who meets the minimum and special qualifications for a civil service position and has the transferrable skills that were required and requested by the public employer unless the employer utilized an eligibility list. An "eligibility list" refers to the practice whereby a public employer ranks applicants based on their performance on tests and considers applicants in ranked order. If an interview is a component for being placed on an eligibility list, then public employers must interview each veteran who meets the minimum and special qualifications and has transferrable skills. In cases where the public employer selects applicants for interview from an eligibility list, the public employer can elect not to interview every veteran who is on the list. Senate Bill 332-A requires a public employer to interview every qualified veteran who has applied for a position performed by only one person within the organization even if the public employer used an eligibility list to rank applicants.

Senate vote: 27-0

Senate Workforce Committee: 5-0