

A-Engrossed
Senate Bill 332

Ordered by the Senate April 12
Including Senate Amendments dated April 12

Sponsored by Senator BAERTSCHIGER JR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[In law providing that, if interview is element of hiring process for civil service position, public employer must interview each veteran who meets minimum and special qualifications for position, eliminates requirement that veteran possess transferable skills from military experience or education and eliminates exception for public employer that conducts interview only for selection of candidate from eligibility list.]

Provides that, when interview is element of process of selecting candidate for civil service position from eligibility list, public employer must interview each veteran applicant who meets qualifications for position and shows transferable skills if duties of position are performed by only one person within public employer's organization.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to veterans' preference in public employment; creating new provisions; amending ORS
3 408.237; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 408.237 is amended to read:

6 408.237. (1) As used in this section:

7 (a) "Eligibility list" means a list of ranked eligible candidates for a civil service position who
8 have become eligible for the position through a test or series of tests and who will be considered
9 for the civil service position in ranked order.

10 (b) "Transferable skill" means a skill that a veteran has obtained through military education or
11 experience that substantially relates, directly or indirectly, to the civil service position for which
12 the veteran is applying.

13 (2) When an interview is a component of the selection process for a civil service position or for
14 an eligibility list for a civil service position, a public employer shall interview each veteran:

15 (a) Whom the public employer determines meets the minimum qualifications and special quali-
16 fications for the civil service position or eligibility list; and

17 (b) Who submits application materials that the public employer determines show sufficient evi-
18 dence that the veteran has the transferable skills required and requested by the public employer for
19 the civil service position or eligibility list.

20 (3)(a) **Except as provided in paragraph (b) of this subsection**, a public employer is not re-
21 quired to comply with subsection (2) of this section if the employer conducts interviews only as part
22 of the process of selecting a candidate for a civil service position from an eligibility list.

23 **(b) The exemption in paragraph (a) of this subsection does not apply to a civil service**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **position if the duties of that position are performed by only one person within the public**
2 **employer's organization.**

3 (4) A public employer may consult with the Oregon Military Department and the Department
4 of Veterans' Affairs to determine whether certain military education or experience produces a
5 transferable skill.

6 (5) The Department of Veterans' Affairs shall provide training to veterans on how to show evi-
7 dence of transferable skills in an application for a civil service position or eligibility list.

8 (6) Violation of subsection (2) of this section is an unlawful employment practice under ORS
9 chapter 659A.

10 (7) A veteran claiming to be aggrieved by a violation of subsection (2) of this section may file
11 a complaint under ORS 659A.820.

12 **SECTION 2. The amendments to ORS 408.237 by section 1 of this 2019 Act apply to civil**
13 **service positions that are first advertised or solicited on or after the effective date of this**
14 **2019 Act.**

15 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
17 **on its passage.**

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