

House Bill 2903

Sponsored by Representative EVANS; Representatives LEWIS, MEEK, POST (at the request of former Representative Carla Piluso) (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 **as introduced**.

Provides that veteran must provide evidence of eligibility for veterans' preference in public employment at time of application for civil service position. Provides that evidence may include any documentation demonstrating preference eligibility.

Modifies law relating to interviews of veterans for vacant civil service positions. Provides that public employer that does not interview veteran must provide written explanation of reasons for decision.

A BILL FOR AN ACT

1
2 Relating to preferences for veterans in public employment; amending ORS 408.235 and 408.237.

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

4 **SECTION 1.** ORS 408.235 is amended to read:

5 408.235. (1) A veteran is eligible to use the preference provided for in ORS 408.230 for a civil
6 service position for which application is made at any time after discharge or release from service
7 in the Armed Forces.

8 (2) **A veteran must provide evidence of eligibility for the preference at the time the vet-**
9 **eran makes application for the position. Evidence may include federal DD Form 214 or 215**
10 **or any other documentation demonstrating preference eligibility. Failure to provide evidence**
11 **at the time of application will disqualify the veteran from requesting use of the preference**
12 **in the public employer's consideration of the veteran's application for the position.**

13 **SECTION 2.** ORS 408.237 is amended to read:

14 408.237. (1) As used in this section:

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

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

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

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

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

28 *[(3) A public employer is not required to comply with subsection (2) of this section if the employer*

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 *conducts interviews only as part of the process of selecting a candidate for a civil service position from*
2 *an eligibility list.]*

3 **(3) If a public employer does not interview a veteran who applies for a civil service posi-**
4 **tion, the public employer shall, within 14 days of the decision not to interview the veteran,**
5 **provide to the veteran a written explanation of the employer's reasons for the decision not**
6 **to interview the veteran.**

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

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

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

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

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