

House Bill 2832

Sponsored by Representative EVANS (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that veterans have to show proof that they can get special preference when they apply for government jobs. They can use any documents that show they qualify. If a public employer decides not to talk with a veteran about being hired for a job, they must write down why they made that choice. (Flesch Readability Score: 60.4).

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

Modifies the law relating to interviews of veterans for vacant civil service positions. Provides that a public employer that does not interview a veteran must provide a written explanation of reasons for the 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) An individual is treated as a veteran for purposes of the preference provided for in ORS
9 408.230 if the individual:

10 (a) Meets the definition of "veteran" under ORS 408.225 except for the requirement that the
11 individual was discharged or released under honorable conditions; and

12 (b) Submits a certification to the public employer that the individual is expected to be dis-
13 charged or released from active duty under honorable conditions not later than 120 days after the
14 submission of the certification.

15 (3) An individual is treated as a disabled veteran for purposes of the preference provided for in
16 ORS 408.230 if the individual:

17 (a) Meets the definition of "veteran" under ORS 408.225 except for the requirement that the
18 individual was discharged or released under honorable conditions; and

19 (b) Submits a certification to the public employer that the individual is expected to be medically
20 separated from active duty under honorable conditions not later than 120 days after the submission
21 of the certification.

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

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

2 408.237. (1) As used in this section:

3 (a) “Eligibility list” means a list of ranked eligible candidates for a civil service position who
4 have become eligible for the position through a test or series of tests and who will be considered
5 for the civil service position in ranked order.

6 (b) “Transferable skill” means a skill that a veteran has obtained through military education or
7 experience that substantially relates, directly or indirectly, to the civil service position for which
8 the veteran is applying.

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

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

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

16 *[(3) A public employer is not required to comply with subsection (2) of this section if the employer
17 conducts interviews only as part of the process of selecting a candidate for a civil service position from
18 an eligibility list.]*

19 **(3) If a public employer does not interview a veteran who applies for a civil service posi-
20 tion, the public employer shall, within 14 days of the decision not to interview the veteran,
21 provide to the veteran a written explanation of the employer’s reasons for the decision not
22 to interview the veteran.**

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

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

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

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

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