

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass the A-Engrossed Measure
Vote:	4 - 0 - 1
Yeas:	Kruse, Morrisette, Morse, Monnes Anderson
Nays:	0
Exc.:	Bates
Prepared By:	Robert Shook, Administrator
Meeting Dates:	5/14

WHAT THE MEASURE DOES: Implements lifetime veterans hiring preference for public sector employment. Redefines civil service position to provide clarity for clearer enforcement. Repeals 15-year limitation. Conforms to current statutory form and language. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Definition of “public employer” as it relates to veterans preference
- Current lack of definition for “civil service position”
- Use of “public body” definition found in ORS 174.109

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Since the Civil War, the nation’s military veterans have been given some degree of preference in appointments to federal jobs. The benefit was codified in various provisions of Title 5 of the United States Code with the passage of the Veterans Preference Act of 1944, providing preference over non-veterans in hiring from competitive lists of candidates and also in retention during reductions in force. In 2007, Oregon established a 15-year cap and directed the Bureau of Labor and Industries (BOLI) to enforce the provision (ORS 408.225-235) with the passage of Senate Bill 822. The provision of that measure provided that a non-disabled veteran is eligible for veteran’s preference for public employment positions if the application is made within 15 years of discharge or release from the Armed Forces. BOLI’s Civil Rights Division has enforced the provision at unexpected significant legal costs due to lack of definition for civil service positions. Proponents of the measure assert the need to extend this limited benefit to a lifetime to reflect today’s more transient job market.

The Oregon Department of Veterans Affairs approximates the state’s total veteran population is 351,697 and post-Vietnam war era veterans between the ages of 18 and 59 are 151,879. Moreover, BOLI estimates that there are 23,000 veterans currently eligible for the veterans’ preference, and that this measure would expand that number to 179,000. Veterans’ preference does not guarantee a job, nor is it an affirmative action-type system, but instead provides points to be used in the hiring preference to ensure that the veteran is competitive when applying for civil service sector positions. Proponents assert that the American workforce landscape has changed dramatically over the 20th Century, as employees no longer work for the same company over the course of their lifetime, and that veterans should be provided an equal chance to compete for public sector civil service employment positions regardless of war era served.

Provisions of House Bill 2510-A eliminate the 15-year cap on claiming the veterans preference for competitive merit-based recruitment positions and clarifies existing statutory definitions to facilitate BOLI enforcement.

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This summary has not been adopted or officially endorsed by action of the committee.