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Written Testimony for
Senate Veterans' and Emergency Preparedness Committee
Hearing on House Bill 1
February 7, 2013

This testimony is submitted on behalf of Oregon Department of Veterans of Foreign Wars, District 3, which is composed of five VFW Posts located in Portland, Oregon. Those VFW Posts are 907, 1325, 1442, 4053 and 4248. At the District 3 meeting on Sunday, February 3, 2013, officers and members of the District discussed HB-1. After that discussion the officers and members voted unanimously to support the enactment of HB-1, and directed that I testify on their behalf in support of HB-1. Hence, this testimony.

First, I will try to put this testimony into the context of our understanding of HB-1. Veterans Day is now a paid holiday for Federal civilian employees; in general if required to work they receive holiday pay. Likewise with Oregon state employees. A review of websites, indicates that a number if not all Oregon counties and cities also recognize Veterans Day as a paid holiday. Thus it is understood that HB-1 affects primarily private sector employers, and those few (I think) public employers, such as perhaps a city or a special district, for example, who do not now recognize Veterans Day as a holiday for their employees.

The gist of HB-1, as we understand it, is that affected employers shall grant a veteran employee the day off on Veterans Day, with or without pay, at the discretion of the employer, if the veteran employee provides the employer at least 21 days notice that the employee intends (requests) to take time off on Veterans Day, and the employee shows that he or she is a veteran as defined by ORS 408.225.

Upon receipt of such a notification, the employer basically has three options, excluding the option provided by paragraph (5), Section 1, HB-1. The employer may deny the request because in his or her judgment to grant the request would cause the employer to experience significant economic or operational disruption or undue hardship as described by ORS 659A.121. The employer's decision is not subject to review by an outside authority. (We do not suggest that it should be subject to review by an outside authority such as BOLI.) Or the employer may grant the day off with pay. Or a third option, he may grant the day off without pay.

With regard to the third option, I suggest that many employees would only want Veterans Day off if they were to be paid. (I know a few veterans now who do not want

a day off without pay because they need every dollar they can earn. I understand; been in that situation myself.) Thus I suggest consideration be given to revising HB- 1 to require the employee to specify in the notification to the employer if he intends (requests) Veterans Day off whether or not paid, or only if paid. Settle that question up front.

It is believed it is appropriate to consider HB-1 within the context of the history and purpose of Veterans Day. Readers of history will recall that Veterans Day as a holiday came into being following World War I, “The Great War”, the war to end all wars.”

The war officially ended with the signing of the Treaty of Versailles, France on 28 June 1919. However, the war ended for those who were fighting it when an armistice between the allies and Germany went into effect on the eleventh hour, eleventh day of the eleventh month, 1918. In November 1919, President Wilson declared November 11th, as the first commemoration of Armistice Day, a day “filled with solemn pride in the heroism of those who died in their country’s service and with gratitude for the victory...”

In May 1938 an Act of the US Congress made the 11th of November in each year a legal holiday, known as Armistice Day. Armistice Day was primarily a day set aside to honor veterans of World War I. In June 1954 the US Congress changed 11 November from Armistice Day to Veterans Day, thus 11 November of each year became a day to honor veterans of all wars.

The 11th of November as the date to honor veterans remains significant. The Uniform Holiday Bill, signed in June 1968, was intended to ensure three-day weekends for Federal employees by celebrating four national holidays, one of which was Veterans Day, on Mondays. It was thought that these extended weekends would stimulate travel, recreation and greater commercial activity. That change did not sit well with state legislatures, all major veterans organizations, or the American people.

In September 1975, President Ford made the popular move of signing legislation to return Veterans Day to the 11th of November each year, where it remains to this day. Thus it was clearly shown that Veterans Day is thought by the American people, including veterans, as being much more than just a day off from work. It is a day of remembrance of wars past; a day to honor the women and men, now known as veterans, who answered our Nation’s call to arms to fight its wars, a day celebrated by veterans in remembrance of their service, their former comrades in service, along with the public and fellow veterans. Again, especially to veterans, I believe, Veterans Day is and should be more than just a day off.

Paragraph (5), Section 1, in essence treats Veterans Day much like just a day off. It is recommended, therefore, that this requirement be deleted. Aside from being essentially a day off without meaning, I suggest keeping track of which employees who

have a day off coming because they didn't have day off on Veterans Day, with or without pay, becomes an extra expense and a headache for the relatively large employer.

The veterans for whom I speak strongly support HB-1. Veterans answered America's call to arms. They did their duty for the common good. Private sector employers benefited from veterans' service to the common good. The American people have recognized and honored the contributions of veterans to the common good, in many ways, to include setting aside a special paid holiday (Veterans Day) for public sector employees, to include veterans, to honor veterans. It is suggested it is not asking too much for private sector employers who can afford it and whose business operations will not be unduly harmed, to also step up and honor their veteran employees by giving them a day off on Veterans Day, so they may celebrate the day with the public in general and with fellow veterans.

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