



OREGON DEPARTMENT of VETERANS' AFFAIRS

Senate Committee on Veterans and Emergency Preparedness Testimony on Senate Bill 87 -2 Amendments | April 21, 2014

Senate Bill 87 is an important bill for veterans, public employers and the public because it provides a fair, clear and meaningful method for applying veterans' preference in the hiring process. Existing veterans' preference statutes are unclear, confusing and provide no guidance on implementation for employers.

The SB 87 -2 amendments define terms that are never used and use ambiguous language and concepts that create additional confusion. The amendments revert to current law, move two definitions, create two definitions, and set minimum/maximum number of veterans to interview.

1. Deletes all language in SB 87 and reverts back to current statutes.
The purpose of SB 87 was to clarify the law, define terms, use clear language, create uniform implementation processes, and define the legislative intent.
 - **Problem:** There is broad agreement that current law is problematic. Reverting back to current law does not resolve these problems and address the issues that SB 87 addresses.
2. Moves definitions, "eligibility list" and "transferrable skills", from ORS 408.237 to ORS 408.225.
This is non-substantive housekeeping change.
3. Adds two definitions ("requested and required skills") that are not used in statute or amendments.
 - **Problem:** "Requested skills" and "required skills" are new definitions in the amendments; however, they are never used in the existing veterans' preference statutes or in the amendments. This is improper and only adds greater confusion to an already confusing statute.
4. Establishes a minimum and maximum number of veterans to interview.

Conceptually, establishing a minimum and maximum number of veterans to interview is consistent with creating clear and uniform methods. However, the language in the amendments is ambiguous and confusing: "employer shall interview a minimum of five of the highest **ranked or otherwise qualified** veterans...."

- **Problem:** The language relating to interviewing in the amendments is ambiguous and confusing.
 - The language of interviewing the "highest-ranked" veterans is clear, but the language "*or otherwise qualified*" is unclear and not defined in the statute or in the amendments.
 - Unclear whether the process applies to all interviews or only the first round of interviews.

Senate Bill 87 addresses two key concepts. First it tells public employers "how" and "when" to apply preference using clear and unambiguous language. Second, the bill benefits veterans because the process is consistent for all public employers, easy to understand, and transparent. The -2 amendments revert back to current confusing law and create more ambiguity.

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