

Testimony of Arthur Towers
Oregon Trial Lawyers Association
In Opposition to SB 87-A
House Veterans and Emergency Preparedness Committee
May 19, 2015

Thank you for the opportunity to testify today. The Oregon Trial Lawyers Association represents a number of attorneys who fight for Oregon workers. Our members represent workers who have faced on-the-job discrimination due to race, sex, sexual orientation, disability, or family situation. We help whistleblowers keep their jobs. We help workers who face retaliation because they have filed a worker's compensation claim. And we help veterans who have been treated unfairly in the hiring process.

On behalf of these members and the workers they represent, I testify in opposition to SB 87-A as written. Veterans' preference programs are in place to even the playing field for qualified veterans. The preference program helps veterans who have fallen behind their peers due to years in military service, aids veterans in efforts to demonstrate that their skills are transferrable to the public sector, and respects and honors their commitment to public service by making them more competitive for public service jobs at home.

SB 87-A is flawed in that it puts the onus for proving the transferability of skills solely on the veteran. Section 5 (2) puts the system out of balance. Instead the human relations professionals coordinating the hiring process should establish a process that draws this information out.

This flaw in the bill could be corrected by deleting Section 5 (2) (c) and by rewriting Section 5 (2) (b) to read, "It is the responsibility of the public employer to request from the veteran or disabled veteran sufficient information and materials to demonstrate how education or experience obtained in the military qualifies as one or more transferable skills for a competitive position during an interview."

We also support the proposed –A5 amendment which provides more uniformity in the application of the veterans' preference process. We have found that most errors are made when employers stray from standard procedures for applying the veterans' preference.

With these changes, OTLA would support SB 87-A.