

# D R A F T

## SUMMARY

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

Modifies law relating to interviews of veterans for vacant civil service positions. Provides that public employer that does not interview veteran must provide written explanation of reasons for decision.

## A BILL FOR AN ACT

Relating to preferences for veterans in public employment; amending ORS 408.235 and 408.237.

### **Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 408.235 is amended to read:

408.235. (1) A veteran is eligible to use the preference provided for in ORS 408.230 for a civil service position for which application is made at any time after discharge or release from service in the Armed Forces.

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

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

408.237. (1) As used in this section:

(a) "Eligibility list" means a list of ranked eligible candidates for a civil

service position who have become eligible for the position through a test or series of tests and who will be considered for the civil service position in ranked order.

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

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

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

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

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

**(3) If a public employer does not interview a veteran who applies for a civil service position, the public employer shall, within 14 days of the decision not to interview the veteran, provide to the veteran a written explanation of the employer's reasons for the decision not to interview the veteran.**

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

(5) The Department of Veterans' Affairs shall provide training to veterans on how to show evidence of transferable skills in an application for a civil service position or eligibility list.

(6) Violation of subsection (2) of this section is an unlawful employment

1 practice under ORS chapter 659A.

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

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