A BILL FOR AN ACT
Relating to veterans' preference in public employment; creating new provisions; amending ORS 408.237; and declaring an emergency.

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

SECTION 1. 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) Except as provided in paragraph (b) of this subsection, 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.

(b) The exemption in paragraph (a) of this subsection does not apply to a civil service
position if the duties of that position are performed by only one person within the public employer's organization.

(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 practice under ORS chapter 659A.

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

SECTION 2. The amendments to ORS 408.237 by section 1 of this 2019 Act apply to civil service positions that are first advertised or solicited on or after the effective date of this 2019 Act.

SECTION 3. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.