

## Veterans' Preference

Oregon's veterans' preference law requires the ESD to grant a preference to qualified and eligible veterans and disabled veterans at each stage in the hiring and promotion process. To be **qualified** for veterans' preference, a veteran or disabled veteran must meet the minimum and any other special qualifications required for the position sought. To be **eligible** for veterans' preference<sup>1</sup> a veteran or disabled veteran must provide certification they are a veteran or disabled veteran as defined by Oregon law<sup>2</sup>

The ESD is not obligated to hire or promote a qualified and eligible veteran or disabled veteran. The ESD is obligated to interview all minimally qualified veterans or disabled veterans and to hire or promote a qualified or eligible veteran or disabled veteran if the individual is equal to or better than the top candidate after the veterans' preference has been applied.

A veteran may submit a written request to the ESD for an explanation of the reasons why they were not selected for the position. The ESD shall provide the reasons for not selecting the candidate when requested.

### Recruitment Procedures

All job postings or announcements will include a concise list of minimum and any special qualifications required for the position. Job postings will include a statement that the ESD's policy is to provide veterans and disabled veterans with preference as required by law and the job posting will require applicants to provide certification of eligibility for preference, in addition to other requested materials.<sup>3</sup>

### Selection Procedures<sup>4</sup>

- Step 1: Before the review of any applications the Human Resource Director, or designee, will establish an evaluation scoring guide based on the minimum and any special qualifications listed in the job posting.
- Step 2: The Human Resource Director, or designee, will review the application materials using the above evaluation scoring guide to determine which applicants meet the minimum and any special qualifications listed in the job posting. In assessing the applicant materials of a veteran or disabled veteran the Human Resource Director, or designee, shall evaluate whether the skill experience obtained in the military are transferable to the posted position. Any applicants that do not meet the minimum and any special qualifications shall be removed from the applicant pool.

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<sup>1</sup> See Oregon Revised Statute (ORS) 408.225

<sup>2</sup> See Oregon Revised Statute (ORS) 408.225 and OAR 839-006-0040 for definitions of veteran and disabled veteran.

<sup>3</sup> See Verification of Veteran's Preference (OAR 839-006-0465). An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification.

<sup>4</sup> If the ESD chooses not to use a scored system the law requires that the ESD give special consideration in the ESD's hiring decision to veterans and disabled veterans and the ESD will need to be able to demonstrate the method used for providing special consideration." ORS 408.230(2)(c).

- Step 3: Based on Step 2, the Human Resource Director, or designee, determines who will be interviewed. All qualified and eligible veterans or disabled veterans shall be given an opportunity to interview.
- Step 4: Interview questions and scoring sheets will be developed and each scoring sheet must be completed after each interview by the interviewers.
- Step 5: Following completion of the interviews, the Human Resource Director, or designee, shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Veterans' preference points shall be applied by adding 5 percentage points to an eligible veteran and 10 percentage points to an eligible disabled veteran.
- Step 6: The Human Resource Director, or designee, makes the offer to the applicant with the highest final score. The ESD is not obligated to hire or promote a qualified and eligible veteran or disabled veteran.
- The ESD is obligated to hire or promote a qualified or eligible veteran or disabled veteran if they are equal or better than the top candidate after the veterans' preference has been applied.

A veteran may request a written explanation of the reasons why they were not selected for the position. Upon written request, the ESD shall provide the reasons for not selecting the candidate.

### **Filing a Complaint**

A veteran or disabled veteran is encouraged to contact the Human Resource office if they have any concerns or questions concerning the application of or the process used for veterans' preference.

A veteran or disabled veteran claiming to be aggrieved by a violation of Board policy GBA - Equal Employment Opportunity or this administrative regulation, may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries (BOLI) in accordance with Oregon Revised Statute (ORS) 659A.820.