

VETERANS' PREFERENCE

PURPOSE: To inform County departments and applicants of Veterans' Preference requirements set forth by state law and provided by County Code.

SCOPE: This policy applies to all County Departments, employees and applicants. Veterans Preference applies to any hiring or promotion decision that is made based on the results of a merit based, competitive process that includes, but is not limited to, consideration of an applicant's or employee's relative ability, knowledge, experience and other skills.

POLICY STATEMENT: Clackamas County applies Veterans' Preference Points in accordance with ORS 408.230 and 408.235. Oregon Law regarding Veterans' Preference was last updated during the 2009 Legislative Session and became effective January 1, 2010.

DEFINITION OF "VETERAN"

Oregon Revised Statute 408.225 defines "Veteran" for eligibility to receive employment preference. A veteran means a person who has served on active duty with the Armed Forces of the United States:

- For a period of more than 178 consecutive days and was discharged or released from active duty under honorable conditions;
- For 178 days or less and was discharged or released from active duty under honorable conditions because of a service-connected disability; or
- Served at least one day in a combat zone and was discharged or released under honorable conditions; or
- Received a combat or campaign ribbon for service in the Armed Forces of the United States.

Active duty does not include attendance at a school under military orders, except schooling incident to an active enlistment or a regular tour of duty. Active duty also does not include normal military training as a reserve officer or member of a National Guard unit.

PROCESS:

Attached to this memo is an outline of the criteria used to determine if Veterans' Preference will be granted. Applicants for employment who want to use Veterans' Preference are required to designate their eligibility through standard questions asked on the County's on-line employment application for jobs posted in this system. Applicants must also fax, mail or deliver a copy of their DD214 and/or USVA proof of disability by the application close date. The Department of Employee Services (DES) reviews the documents against the criteria for a determination of eligibility and points. For other competitive processes that are not posted by DES (including unclassified service and competitive temporary recruitments), the Veteran may submit these materials to the designated contact listed on the recruitment posting.

VETERANS' PREFERENCE:

ORS 408.230 outlines the manner in which public employers must grant preference to eligible veterans. At each stage of the application process, preference must be granted to veterans who successfully complete the initial application screening or an application examination or test that is administered to establish eligibility.

Application Screening: At time of initial application screening, points are to be added to a scored review to determine a list of persons for interviews. Five (5) points are to be added to a veteran's score and 10 preference points to a disabled veteran's score.

Application Examination: an application examination, given after initial application screening that results in a score, shall have preference points added to the total combined examination score without allocating the points to any single feature or part of the examination. Five (5) points are to be added to a veteran's score and 10 points to a disabled veteran's score.

Non-Scored application exams: for application examinations that do not result in a score, (including interviews, evaluation of performance, experience or training, supervisor's rating or any other method of ranking), preference shall be given to the veteran or disabled veteran by applying methods that give special consideration in the hiring decision to veterans and disabled veterans.

ELIGIBILITY FOR PREFERENCE:

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

Preference for current County employees: A regular or probationary status employee who seeks promotion, transfer, reassignment, etc. to another County position may receive veteran's preference if the employee qualifies as a veteran or disabled veteran. Employees who take a military leave of absence also qualify if their service qualifies them for veteran status by reason of their service during military leave.

APPOINTMENT TO A POSITION

ORS states that Veterans Preference is not a requirement that the County appoint a veteran or disabled veteran to a position. However, ORS does state that if the veteran's application examination(s), when combined with their veteran's preference, are equal to or higher than the results of a non-veteran, the public employer shall appoint an otherwise qualified veteran or disabled veteran.

A decision to not appoint a veteran may be based solely on the veteran's merits or qualifications with respect to the vacant position. ORS provides that a veteran may request a written explanation of the reasons why they were not appointed to the position. Upon such written request, the County will provide the reasons for the decision not to appoint the veteran to the position.

ENFORCEMENT

A veteran or disabled veteran claiming a violation of the ORS may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries.

Questions about Veterans' Preference Points may be directed to the Department of Employee Services at (503) 655-8459.

INTERNET LINKS

County Ordinance (<http://www.clackamas.us/code/documents/title2.pdf>)

CRITERIA FOR VETERANS' PREFERENCE POINTS

An applicant or employee seeking a promotion (or other County employment opportunity) must meet the following eligibility requirements to be awarded Veterans' Preference Points as provided in ORS 408.230 and 408.235. This criteria must be identifiable in a copy of DD Form 214 or DD Form 215 (Correction to DD Form 214) and VA Form 802 (if disabled). These forms must be submitted by the closing date for applications. **If the information on the applicant's DD Form 214 and/or VA form does not support the criteria outlined on this form, preference points will be denied.**

Veteran Status (Must meet all of the following criteria):

[5 points for veteran, 10 points if disabled]

A. Time in Service:

- Q Service in armed forces (Army, Navy, Air Force, Marines or Coast Guard) was more than 178 consecutive days and discharge was Under Honorable Conditions; OR
- Q Service was for 178 days or less and discharge was under honorable conditions because of a service-connected disability; OR
- Q Served at least one day in a combat zone and discharge was under honorable conditions; OR
- Q Received a combat or campaign ribbon for service in the Armed Forces of the US

B. Dates of Service:

- Q Applicant is eligible to use the preference provided in ORS 408.230 for a position for which application is made at any time after discharge or release from service in the Armed Forces.

Date of discharge on Form DD 214 is: _____

Disabled Veteran (Proof of Disability must be submitted).

- Q Applicant is entitled to disability compensation from the USVA, or was discharged or released from active duty for a disability incurred or aggravated in the line of duty or was awarded the Purple Heart for wounds received in combat. [10 points for Disabled Veteran]
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Promotional Veteran Points: Veteran's points are provided to employees seeking other county positions based on the criteria set forth above for veteran or disabled veteran

Use of Veteran Points: There are currently no restrictions on amount of times Veteran Preference may be used by an applicant or employee.