

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1575

By: Representative Scott

## For An Act To Be Entitled

AN ACT TO PERMIT A PRIVATE EMPLOYER OR A LOCAL GOVERNMENT EMPLOYER TO HAVE A VOLUNTARY VETERANS' PREFERENCE EMPLOYMENT POLICY; TO HAVE THE DEPARTMENT OF WORKFORCE SERVICES MAINTAIN A REGISTRY OF EMPLOYERS WITH A VETERANS' PREFERENCE EMPLOYMENT POLICY; TO HAVE THE DEPARTMENT OF WORKFORCE SERVICES AND DEPARTMENT OF VETERANS' AFFAIRS ASSIST AN EMPLOYER IN DETERMINING WHETHER OR NOT AN EMPLOYEE IS A VETERAN; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO PERMIT A PRIVATE EMPLOYER OR A LOCAL GOVERNMENT EMPLOYER TO HAVE A VOLUNTARY VETERANS' PREFERENCE EMPLOYMENT POLICY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 11 is amended to add an additional chapter to read as follows:

Chapter 15 – Voluntary Veterans' Preference Employment Policy

11-15-101. Title.

This chapter shall be known and may be cited as the "Voluntary Veterans' Preference Employment Policy Act".

11-15-102. Definitions.

As used in this section:



(1) "DD 214" means a Department of Defense Report of Separation form or its predecessor or successor forms;

(2)(A) "Local government employer" means a municipality, a county, or township of the state that has issued a resolution to implement a veterans' preference employment policy under § 11-15-103.

(B) "Local government employer" does not include the state or a public institution of higher education;

(3)(A) "Private employer" means a sole proprietor, corporation, partnership, limited liability company, or other entity with one (1) or more employees.

(B) "Private employer" does not include the state or a public institution of higher education;

(4) "Spouse of a disabled veteran" means:

(A) The spouse of a veteran who has been classified by the United States Department of Veterans Affairs' Veterans Benefits Administration as having a permanent total disability rating; and

(B) A United States citizen;

(5) "Surviving spouse" means a spouse of a deceased veteran who is:

(A) Unmarried at the time he or she seeks a veterans' preference under § 11-15-103; and

(B) A United States citizen;

(6) "Veteran" means a person who:

(A) Served on active duty for a period of more than one hundred eighty (180) days and was discharged or released from active duty with other than a dishonorable discharge;

(B) Was discharged or released from active duty because of a service-connected disability; or

(C) As a member of a reserve component under an order to active duty, not to include training, was discharged or released from duty with other than a dishonorable discharge; and

(7) "Veterans' preference employment policy" means a private employer or local government employer's voluntary preference for hiring, promoting, or retaining a veteran, spouse of a disabled veteran, or surviving spouse of a veteran over another equally qualified applicant or employee.

11-15-103. Voluntary veterans' preference employment policy – Private employment – Local government employment.

(a)(1) A private employer or local government employer may have a voluntary veterans' preference employment policy.

(2) The veterans' preference employment policy:

(A) Shall be in writing;

(B) Shall be applied uniformly to employment decisions regarding the hiring, promotion, or retention during a reduction in force; and

(C) May be modeled after §§ 21-3-302 (d)-(g) and 21-3-303 et seq.

(b) A veteran, spouse of a disabled veteran, or surviving spouse of a veteran shall submit a DD 214 of the veteran to a private employer or local government employer with a veterans' preference employment policy to be eligible for the preference.

11-15-104. Registry – Participating employers.

The Department of Workforce Services shall maintain a registry of private employers and local government employers in Arkansas that have a voluntary veterans' preference employment policy.

11-15-105. Verification of eligibility.

The Department of Veterans' Affairs and the Department of Workforce Services shall assist a private employer or a local government employer in determining if an applicant or employee is a veteran, spouse of a disabled veteran, or surviving spouse of a veteran.

**APPROVED: 04/04/2013**