

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1575

5 By: Representative Scott
6

For An Act To Be Entitled

8 AN ACT TO PERMIT A PRIVATE EMPLOYER OR A LOCAL
9 GOVERNMENT EMPLOYER TO HAVE A VOLUNTARY VETERANS'
10 PREFERENCE EMPLOYMENT POLICY; TO HAVE THE DEPARTMENT
11 OF WORKFORCE SERVICES MAINTAIN A REGISTRY OF
12 EMPLOYERS WITH A VETERANS' PREFERENCE EMPLOYMENT
13 POLICY; TO HAVE THE DEPARTMENT OF WORKFORCE SERVICES
14 AND DEPARTMENT OF VETERANS' AFFAIRS ASSIST AN
15 EMPLOYER IN DETERMINING WHETHER OR NOT AN EMPLOYEE IS
16 A VETERAN; AND FOR OTHER PURPOSES.
17

Subtitle

18
19 AN ACT TO PERMIT A PRIVATE EMPLOYER OR A
20 LOCAL GOVERNMENT EMPLOYER TO HAVE A
21 VOLUNTARY VETERANS' PREFERENCE EMPLOYMENT
22 POLICY.
23
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

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

30 Chapter 15 – Voluntary Veterans' Preference Employment Policy

31 11-15-101. Title.

32 This chapter shall be known and may be cited as the "Voluntary
33 Veterans' Preference Employment Policy Act".
34

35 11-15-102. Definitions.

36 As used in this section:



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

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

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

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

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

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

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

17 (B) A United States citizen;

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

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

22 (B) A United States citizen;

23 (6) "Veteran" means a person who:

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

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

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

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

36

1 11-15-103. Voluntary veterans' preference employment policy – Private
 2 employment – Local government employment.

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

5 (2) The veterans' preference employment policy:

6 (A) Shall be in writing;

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

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

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

16
 17 11-15-104. Registry – Participating employers.

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

21
 22 11-15-105. Verification of eligibility.

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

27
 28
 29 **APPROVED: 04/04/2013**