

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Veterans; preference in State Employment expanded

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### Overview

This bill provides three measures for strengthening veterans preference law pertaining to State Government employment, as follows:

- 1) by requiring that if a veteran meets minimum qualifications for a State position of employment, then the veteran must be offered an interview for the position;
- 2) by applying to State government employment certain dismissal requirements currently applicable to local government employment; and
- 3) by requiring executive branch reporting of certain specified data items reflecting on agency attempts to hire veterans during the past five years.

### Section

- 1 Interview required.** Requires that the hiring authority for any State agency must grant an interview to a veteran or disabled veteran who both: 1) meets minimum qualifications for an open position for which he or she has applied; and 2) claims veterans preference.
- 2 Dismissal provisions applied to state employment.** The bill applies certain requirements for removal from local government employment to State government employment, as well, as follows.

Under current law (§ 197.446), no veteran holding a position of local government employment (including school districts) may be removed from such position except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, in writing. The veteran has 60 days within which to request a hearing on the charges, and within 15 days may appeal the decision to the district court. The hearing must be before a board appointed, one each, by the governmental agency and the veteran, with a third member being appointed by the first two appointees together.

These current law provisions do not apply to a position of private secretary, teacher, superintendent of schools, or one chief deputy of any elected official or head of a department, or to any person holding a strictly confidential relation to the appointing officer. Violation of this law is a misdemeanor.

- 3 Reporting required.** Directs the commissioner of finance to collect from each cabinet level agency for fiscal years 2004 to 2008, separately, certain specific data items reflecting on the hiring of veterans into the agency. The report is due January 15, 2010.

### **History of Veterans Preference Law in Minnesota:**

- Post Civil War – mandatory hiring of veterans into positions of public employment. If an applicant for an open position of State employment is a veteran who is qualified for the position and able to perform the required work, then the veteran must be hired into the position.
- 1939 – State Civil Service created; Point System established, but mandatory hiring of veterans is continued under MS §197.45
- 1974 – mandatory hiring of veterans is repealed; preference point system used for State and local positions of public employment.
- 2004 – Point System repealed for State Government employment (retained for local government employment only); Sorting System established (Laws 2004, ch. 207, sec. 14, 29, and 31).
- 2004 to Present – if a veteran qualifies for an open position and requests veterans preference, the veteran’s name is placed first on the list of ten qualified applicants given to the hiring authority, behind only qualified disabled veterans. However, the hiring authority need not interview or hire according to applicant order on the candidate list, and may request one or more new lists.