

**OREGON STATE BAR
LEGISLATIVE PROPOSAL
Part I – Legislative Summary**

Re: [SB 184](#) - Military and Veterans' Preference

Submitted by: Military & Veterans Law Section

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1. Does this amend current law or program? Yes **No** **Specify ORS 408.230 and ORS 408.235**

2. Problem Presented:

A) Veterans' Preference in Public Employment. ORS 408.230(2) states that "the employer shall add five preference points to a veteran's score and 10 preference points to a disabled veteran's score." At issue is the fact that "preference point" is not defined by the statute or implementing regulation, nor do the statute or regulation define a total number of points to which the preference must be applied (e.g., 100 points). This language is ambiguous.

B) Military Preference Statute. ORS 408.235 limits Veteran preference in public hiring to applications made after discharge from the Armed Forces preventing military members from applying while transitioning or on terminal leave. Disabled Vet preference is limited to post-VA claim adjudication even if medically separated.

3. Solution:

A) Veterans' Preference in Public Employment. Amend ORS 408.230(2) to make "preference point" synonymous with "percentage point." This will remove the current ambiguity and ensure that every veteran or disabled veteran receives the same level of preference regardless of the employer's hiring process or scoring scale. This will also make the application of the preference easier for public employers.

B) Military Preference Statute. Amend Oregon law to allow for a DOD Certificate of Service to be used in lieu of a DD214 when less than 120 days from an honorable separation and an approved medical separation be used in lieu of an adjudged VA claim, similar to federal public hiring preference under 5 USC § 2108- 2108a.

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Part II – Legislative Language**

SB 184 - <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/SB184>