

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form

<u>Bureau of Labor and Industries</u>	<u>839</u>
Agency and Division	Administrative Rules Chapter Number
<u>Marcia Ohlemiller</u>	<u>(971) 673-0784</u>
Rules Coordinator	Telephone
<u>Bureau of Labor and Industries, 800 NE Oregon St., Ste. 1045, Portland, OR 97232</u>	
Address	

RULE CAPTION

New and amended rule language to conform to and implement statutes relating to veterans' employment.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

ADOPT:

Division 6 rules as necessary.

AMEND:

839-006-0440, 839-006-0450, 839-006-0455, 839-006-0470, 839-006-0480, and other Division 6 rules as necessary.

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Division 6 rules as necessary.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Division 6 rules as necessary.

Statutory Authority:

ORS 659A.805

Other Authority:

HB 2241, HB 3207, SB 72, SB 277, Oregon Legislative Assembly 2011.

Statutes Implemented:

HB 2241 (expands list of eligible uniformed services protected by discrimination statute), HB 3207 (requires public employers interview veterans qualifying for eligibility list), SB 72 (clarifies definition of disabled veteran), SB 277 (clarifies veterans' preference for promotions), Oregon Legislative Assembly 2011; ORS 408.225 to 408.235; ORS 659A.082.

RULE SUMMARY

The proposed rules would implement HB 2241, which expands the definition of "uniformed service" for purpose of employment protections to match federal definitions.

The proposed rules would implement HB 3207, which requires public employers to interview each veteran who applies for a civil service position or eligibility list and who has obtained through military education or experience skills that substantially relate to the civil service position.

The proposed rules would implement SB 72, which clarifies the definition of "disabled veteran" for purposes of statutes relating to veterans' preference in public employment.

The proposed rules would implement SB 277, which clarifies that a veteran or disabled veteran who applies for a vacant civil service position or who seeks promotion to a civil service position with a higher maximum salary rate is entitled to veterans' preference.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

12-09-2011 Close of Business	Marcia Ohlemiller	Marcia.L.Ohlemiller@state.or.us	10-14-11 9:00a.m.
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

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