

<b>SUBJECT:</b> Candidate Preference in Employment	<b>NUMBER:</b> 40.055.04
<b>DIVISION:</b> Chief Human Resources Office	<b>EFFECTIVE DATE:</b> 01/01/2022

**APPROVED:** Signature on file with the Chief Human Resources Office

**POLICY STATEMENT:** Oregon state government applies preference to candidates in recruitment processes as outlined in law.

**AUTHORITY:** ORS 408.225 to 408.237, 240.306, 184.340, 284.771 to 284.801

**APPLICABILITY:** All employees, including temporary employees, according to provisions of state law.

**Resources:** Evaluation Tools; [www.oregon.gov/jobs/pages/veterans.aspx](http://www.oregon.gov/jobs/pages/veterans.aspx)

**DEFINITIONS:** Refer to State HR Policy 10.000.01, ORS 408.225 to 408.237 and ORS 284.771 to 284.801

**POLICY:**

- (1) An appointing authority or designee administers this policy as the agency's policy.
- (2) Complying with candidate preference is mandatory. An agency must apply the appropriate candidate preference as outlined below.
- (3) Veterans' Preference
  - (a) Veterans' preference is applied whenever a competitive selection process is conducted including new hire, promotion, job rotation, developmental assignment, and temporary hires. Candidate preference is applied at every stage in the selection process.
  - (b) Qualifying for veterans' preference
    - (A) An agency awards veterans' preference points when an applicant:
      - (i) Submits all required application materials and follows application instructions; and
      - (ii) Meets all minimum qualifications and special qualifications of the position; and
      - (iii) Meets the requirements to qualify as a veteran or disabled veteran as defined by statute and submits military documents as verification:
 

**Veterans (qualifying for a 5-percentage preference)**

        - (l) A copy of the Certificate of Release or Discharge from Active Duty (DD214 or 215), or a letter from the U.S. Department of Veterans Affairs indicating the applicant receives a non-service-connected pension; or

- (II) Submits a certification indicating the applicant is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification.

**Disabled Veterans (qualifying for a 10-percentage preference )**

- (III) A copy of form DD214 and a copy of a letter from the U.S. Department of Veterans Affairs indicating a disability rating unless the information is included on the DD214 or 215; or

- (IV) A copy of a letter from the U.S. Department of Veterans Affairs indicating the person is receiving service-connected compensation; or

- (V) Submits a certification indicating the applicant is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification.

- (B) For veterans' preference to apply, the agency must receive the military documents normally at time of application but no later than at the time of interview. Military documents should be submitted through the E-Recruit system.
- (C) Preference is applied when an unscored method, such as a pile system, is used.
- (D) Once an agency awards veteran preference and records it in the E-Recruit system, the military documents do not need to be submitted again.

(c) Screening veteran candidates

- (A) The hiring agency considers all of the following when determining the skills and attributes of the veteran applicant:
  - (i) Education
  - (ii) Work experience
  - (iii) Relevant life experience, i.e., experience where skills and attributes are obtained through unpaid activities such as volunteering or participating in an association or committee
  - (iv) Transferable skills, i.e., including skills obtained through military education or experience that substantially relate, directly or indirectly, to the position.
- (B) The hiring agency screens only for skills and attributes listed in the job posting.
- (C) The veteran must provide sufficient evidence in the requested application materials for the hiring agency to determine if the veteran possesses the qualifications, skills and attributes for the position.

(d) Interviewing veteran candidates

- (A) The hiring agency interviews all veteran candidates who:

- (i) Meet the evaluation criteria for an interview to be granted (after application of veteran's preference) as determined by the hiring agency; or
- (ii) Meet all the required and requested skills and attributes listed in the job posting.
  - (I) If the veteran candidate does not meet criteria in (i), the agency must review the veteran's application materials for (ii).
- (B) The hiring agency must document the reason if a veteran is not selected for an interview.
- (C) Veterans from a pre-qualified list established by pre-employment tests who will be considered for hire from a ranked order do not have to be interviewed. Pre-qualified lists are typically established by law enforcement and fire protection agencies.
- (e) Applying veterans' preference throughout the selection process
  - (A) Veterans' preference is applied at each stage of the selection process, including but not limited to an interview.
  - (B) A stage in the process occurs when two or more applicants are compared and one or more applicants are rejected for the position.
  - (C) Veterans' preference is applied on reference checks used as a tie-breaker or to distinguish between candidates. Veterans' preference does not apply when reference checks are conducted only on a top candidate to ensure suitability.
  - (D) The hiring agency may use a scored or unscored evaluation method.
    - (i) Scored evaluation method
      - (I) The applicable percentage (5 or 10) is calculated based on the total score possible and added to the applicant's total points
    - (ii) Unscored evaluation method
      - (I) Veterans will advance one level and disabled veterans will advance two levels.
      - (II) The hiring agency may choose the number of levels or rankings and define the levels and rankings such as:
        - a Sorting levels or piles (for example, "highly desirable," "substantially desirable," "moderately desirable," "possibly desirable," "not desirable")
        - b Ranking (comparing a candidate's skills and attributes to another candidate)
  - (E) The hiring agency may choose the evaluation criteria such as:
    - (i) Strengths and weaknesses
    - (ii) Competencies (skills and attributes)
    - (iii) Responses to interview questions
  - (F) The hiring agency must define and document the evaluation method and criteria.
- (f) Selection
  - (A) An agency appoints a veteran applicant if at the final stage of the selection process the veteran is ranked equal to or higher than a non-veteran candidate.

(B) A disabled veteran will be appointed over a veteran when deemed equal at the final stage of the selection process.

(g) Veterans' rights

(A) A veteran applicant who is not appointed to a position may make a written request for an explanation from the hiring agency.

(B) The hiring agency must provide the reasons for not appointing the veteran, in writing.

(4) Malheur County Residence Preference

(a) Malheur County residence preference applies whenever a competitive selection process is conducted for a vacant position or for promotion

(b) Malheur County residence preference applies to positions where the majority of work will be performed within 20 miles of the State of Oregon border and State of Idaho border, including but not limited to Ontario, Vale and Nyssa; an area in Oregon that is across the Oregon border from Weiser, Idaho; an area southwest of Vale for a distance of 10 miles; and Willow Creek and Brogan. This area is otherwise known as the Eastern Oregon Border Economic Development Region.

(c) An agency awards Malheur County residence preference when an applicant:

- (A) Submits all required application materials and follows application instructions; and
- (B) Meets all minimum qualifications and special qualifications of the position; and
- (C) Primarily resides in Malheur County

(d) Candidates may decline preference at the time of application.

(e) Applying Malheur County residence preference throughout the selection process

(A) Malheur County residence preference is applied at each stage of the selection process, including but not limited to an interview.

(B) A stage in the process occurs when two or more applicants are compared and one or more applicants are rejected for the position.

(C) Malheur County residence preference is applied on reference checks used as a tie-breaker or to distinguish between candidates. Preference does not apply when reference checks are conducted only on a top candidate to ensure suitability.

(D) The hiring agency may use a scored or unscored evaluation method. At each stage of the application screening and recruitment process that result in a score,

(i) Five percentage preference points are calculated based on the total score possible and added to the applicant's total points

(ii) At each stage of the application screening and recruitment processes which do not result in a score, the candidate is moved up one rating at each step in the recruitment.

- (D) Malheur County residence preference is applied after any veteran's points are awarded.
- (E) A qualified resident shall be appointed if the results of the resident applicant's application examination, when combined with the resident applicant's preference percentage points, are equal to or higher than the results of an application examination for an applicant who is not a resident applicant.
- (F) A resident applicant who received preference and accepted the position must maintain residency in Malheur County for at least five consecutive years following the date on which the employment begins.
- (G) Failure to maintain residency in Malheur County for this period shall be considered a voluntary termination of the employment from the position.