

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1985

By: Hoskin

COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 2011, Section 840-4.14, which relates to the Oklahoma Personnel Act; modifying veteran hiring preference requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2011, Section 840-4.14, is amended to read as follows:

Section 840-4.14 A. In establishing employment lists of eligible persons for competitive and noncompetitive appointment, certain preferences shall be allowed for honorably discharged veterans as defined by Section 67.13a and Section 67.13b of Title 72 of the Oklahoma Statutes. In determination of the register rank:

1. Five points shall be added to the final grade of any person who has passed the examination and has submitted proof of having status as a veteran or unremarried surviving spouse of a veteran;

2. Five points shall be added to the final grade of any person who has passed the examination and has submitted proof of having

1 status as a spouse of a veteran who is unemployable due to a
2 service-connected disability as certified by the Department of
3 Veterans Administration Affairs or agency of the Defense Department
4 within six (6) months of date of application; and

5 3. Ten points shall be added to the final grade of any veteran
6 who has passed the examination and has submitted proof of having a
7 service-connected disability as certified by the Department of
8 Veterans Administration Affairs or agency of the Defense Department
9 within six (6) months of date of application. Such veterans' names
10 shall be placed at the top of the register in accordance with their
11 numerical rating if in receipt of benefits payable at the rate of
12 thirty percent (30%) or more and such veterans shall not be denied
13 employment and passed over for other veterans or nonveterans,
14 without showing cause. Acceptable cause shall include a reasonable
15 expectation of the inability of the preferenced applicant to
16 satisfactorily perform at the required level of the position and
17 shall be reviewed in each instance by the Administrator of the
18 Office of Personnel Management. If the Administrator finds that
19 acceptable cause for the denial of employment to the preferenced
20 applicant does not exist, the appointing authority shall be required
21 to hire the preferenced applicant. The position shall not be
22 permanently filled until the Administrator has issued his findings.

23 B. War veterans, as defined by Section 67.13a of Title 72 of
24 the Oklahoma Statutes, who have been awarded the Purple Heart or

1 have a service-incurred disability rated by the Department of
2 Veterans ~~Administration~~ Affairs or a branch of the Armed Forces of
3 the United States and who have been a resident of Oklahoma for at
4 least one (1) year prior to the date of the examination, shall be
5 authorized to open any closed register established by the Merit
6 System of Personnel Administration.

7 C. Subsection A of this section shall not apply to special
8 disabled veterans who are considered for employment under the
9 provisions of Sections 401 through 404 of Title 72 of the Oklahoma
10 Statutes. Provided, said veterans may elect instead to be
11 considered for employment according to the procedures set out in
12 this section.

13 D. In addition to the points added to the final grade of any
14 eligible veteran pursuant to subsection A of this section, any
15 veteran who meets the basic qualifications for a position shall be
16 interviewed in person in order to allow the veteran to demonstrate
17 any transferable skills acquired in military service.

18 SECTION 2. This act shall become effective November 1, 2012.
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