

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 272

FINAL READING

Introduced by Crawford, 45; Garrett, 3; Morfeld, 46; Nordquist, 7;
Watermeier, 1.

Read first time January 14, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to veterans; to provide for a voluntary
- 2 veterans preference in private employment; and to define terms.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Private employer means a sole proprietorship, a corporation, a
3 partnership, an association, a limited liability company, or any other
4 entity with one or more employees;

5 (b) Veteran means (i) a person who served full-time duty with
6 military pay and allowances in the armed forces of the United States,
7 except for training or for determining physical fitness, and was
8 discharged or otherwise separated with a characterization of honorable or
9 general (under honorable conditions), or (ii) the spouse of a veteran who
10 (A) has a one hundred percent permanent disability as determined by the
11 United States Department of Veterans Affairs or (B) was killed in hostile
12 action; and

13 (c) Voluntary veterans preference employment policy means a private
14 employer's voluntary preference for hiring and promoting a veteran over
15 another equally qualified applicant or employee.

16 (2) A private employer may adopt a voluntary veterans preference
17 employment policy. Such policy shall be in writing and applied uniformly
18 to decisions regarding hiring and promotion.

19 (3) If a private employer offers a voluntary veterans preference
20 employment policy, a veteran desiring to use such policy shall provide
21 the private employer with a copy of the veteran's Department of Defense
22 Form 214, also known as the DD Form 214, or its successor form. A spouse
23 of a veteran desiring to use such preference shall provide the private
24 employer with a copy of the veteran's Department of Defense Form 214 or
25 its successor form, proof of marriage to the veteran, and either (a) a
26 copy of the veteran's disability verification from the United States
27 Department of Veterans Affairs demonstrating a one hundred percent
28 permanent disability rating or (b) a copy of the veteran's Department of
29 Defense Form 1300 or its successor form documenting that the veteran was
30 killed in hostile action.

31 (4) If a private employer implements a voluntary veterans preference

1 employment policy, it shall notify the Commissioner of Labor of such
2 policy. The commissioner shall use the information to maintain a registry
3 of the private employers that have a voluntary veterans preference
4 employment policy in Nebraska.

5 (5) A voluntary veterans preference employment policy shall not be
6 considered a violation of any state or local equal employment opportunity
7 law including the Nebraska Fair Employment Practice Act.