

Effective 5/12/2015

Chapter 50
Veterans Preference in Private Employment Act

34-50-101 Title.

This chapter is known as the "Veterans Preference in Private Employment Act."

Enacted by Chapter 263, 2015 General Session

34-50-102 Definitions.

As used in this chapter:

- (1) "Department" means the Department of Veterans and Military Affairs, created in Section 71A-1-201.
- (2) "Discharge document" means a document received by a service member upon separation from military service, including:
 - (a) a DD 214, United States Department of Defense Certificate of Release or Discharge from Active Duty;
 - (b) a DD 256, United States Department of Defense Honorable Discharge Certificate;
 - (c) a DD 257, United States General Discharge Certificate; or
 - (d) an NGB 22, Utah National Guard Certificate of Release or Discharge.
- (3) "Preference eligible" means the same as that term is defined in Section 71A-2-101.
- (4) "Private employer" means the same as that term is defined in Section 63G-12-102.
- (5) "Service member" means a currently serving member of the armed forces.
- (6) "Veteran" means the same as that term is defined in Section 68-3-12.5.

Amended by Chapter 44, 2023 General Session

34-50-103 Voluntary veterans preference employment policy -- Private employment -- Antidiscrimination requirements.

- (1) A private sector employer may create a veterans employment preference policy.
- (2) A veterans employment preference policy shall be:
 - (a) in writing; and
 - (b) applied uniformly to employment decisions regarding hiring, promotion, or retention including during a reduction in force.
- (3) A private employer may require a preference eligible individual to submit a discharge document form or proof of current service in the armed forces to be eligible for the preference. If the applicant is the spouse of a veteran or service member, the employer may require that the spouse submit the veteran's discharge document or proof of current service in the armed forces.
- (4) A private employer's veterans employment preference policy shall be publicly posted by the employer at the place of employment or on the Internet if the employer has a website or uses the Internet to advertise employment opportunities.

Amended by Chapter 44, 2023 General Session

34-50-104 Antidiscrimination act.

The granting of a veterans preference by a private employer in accordance with this chapter is not a violation of:

- (1) Title 34A, Chapter 5, Utah Antidiscrimination Act; or
- (2) any other state or local equal employment opportunity law.

Enacted by Chapter 263, 2015 General Session

34-50-105 Verification of eligibility.

The department and the Department of Workforce Services may assist, as permitted under state and federal laws governing privacy, a private employer in verifying if an applicant is:

- (1) a veteran or currently serving member of the armed forces; or
- (2) a spouse of a veteran or currently serving member of the armed forces.

Amended by Chapter 333, 2020 General Session