VETERAN EMPLOYMENT PROTECTION ACT

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike K. McKell

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill allows private, non-public employers to create a voluntary, written veterans employment preference program.

Highlighted Provisions:

This bill:

- authorizes private sector, non-public employers to create a voluntary veteran employment preference program;
  - provides requirements;
  - clarifies program relationship with antidiscrimination laws; and
  - specifies verification of eligibility.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

34-49-101, Utah Code Annotated 1953
34-49-102, Utah Code Annotated 1953
34-49-103, Utah Code Annotated 1953
34-49-104, Utah Code Annotated 1953
34-49-105, Utah Code Annotated 1953
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 34-49-101 is enacted to read:

CHAPTER 49. VETERANS PREFERENCE IN PRIVATE EMPLOYMENT ACT

34-49-101. Title.

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

Section 2. Section 34-49-102 is enacted to read:

34-49-102. Definitions.

As used in this chapter:

(1) "DD 214" means the United States Department of Defense Certificate of Release or Discharge from Active Duty.

(2) "Department" means the same as that term is defined in Section 71-11-2.

(3) "Preference eligible" means the same as that term is defined in Section 71-10-1.

(4) "Private employer" means the same as that term is defined in Section 63G-12-102.

(5) "Veteran" means the same as that term is defined in Section 71-10-1.

Section 3. Section 34-49-103 is enacted to read:

34-49-103. Voluntary veterans preference employment policy -- Private employment -- Antidiscrimination requirements.

(1) A private sector employer may create a veterans employment preference policy.

(2) The 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 veteran to submit a DD 214 form to be eligible for the preference.

(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.

Section 4. Section 34-49-104 is enacted to read:
34-49-104. 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.

Section 5. Section 34-49-105 is enacted to read:

34-49-105. Verification of eligibility.

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