

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Veterans Preference Hearings

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This bill makes changes to the veterans preference hearing requirements contained in current law. Presently, a person who qualifies as a veteran under Minnesota law may not be terminated from certain employment positions in classified state civil service or in service to a political subdivision until after a hearing, if requested, where the employer must prove incompetence or misconduct. The bill makes numerous changes to this process.

Among other things, the bill removes the role of civil service boards. Currently, a civil service board is authorized to conduct the hearings. Instead, the bill would require only a three-person panel to conduct the hearings. Both parties choose one appointee to the panel, and the third is a jointly-selected arbitrator from the Bureau of Mediation Services. The bill also creates statutory timelines within which each party must act.

The bill also requires that the governmental subdivision must pay all costs of the hearing, exclusive of the veterans attorneys fees. The three-person panel must issue their decision within six months of the veterans receipt of a termination notice. During this time, the veteran is entitled to all pay and benefits.

Lastly, the bill allows for the board to determine if the governmental subdivision acted with intentional disregard for the protections laid out in this section. Specifically, if the board finds that the governmental subdivision terminated the veteran without any factual evidence of incompetence or misconduct, or any other intentional disregard, the veteran is entitled to three times the actual damages sustained.

Both parties retain their right to appeal the board's decision to the district court upon written notice of appeal. The bill is effective for all termination notices issued on or after the day following final enactment.