

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Increase Employment Opportunities for Veterans

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §4573, sub-§5, as amended by PL 1995, c. 393, §19, is further amended to read:

5. Federal Indian policy. Nothing in this Act may be construed to prohibit any employment policy or action that is permitted under 42 United States Code, Section 2000e-2(i) (1982) of the federal Equal Employment Opportunity Act governing employment of Indians; ~~and~~

Sec. 2. 5 MRSA §4573, sub-§6, ¶B, as enacted by PL 1995, c. 393, §20, is amended to read:

B. Nothing in this Act may be construed to preempt, modify or amend any state, county or local law, ordinance, rule or regulation applicable to food handling that is designed to protect the public health from individuals who pose a significant risk to the health or safety of others, which can not be eliminated by reasonable accommodation, pursuant to the list of infectious or communicable diseases and the modes of transmissibility published by the United States Secretary of Health and Human Services; ~~and~~

Sec. 3. 5 MRSA §4573, sub-§7 is enacted to read:

7. Veteran preference. For a private employer to apply a voluntary veteran preference, pursuant to Title 26, chapter 7, subchapter 11, to employment decisions regarding hiring, promotion or retention during a reduction in workforce.

Sec. 4. 26 MRSA c. 7, sub-c. 11 is enacted to read:

SUBCHAPTER 11

VETERAN PREFERENCE

§ 876. Short title

This subchapter may be known and cited as "the Voluntary Veteran Preference Employment Policy Act."

§ 877. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. DD Form 214. "DD Form 214" means an Armed Forces Report of Transfer or Discharge or its predecessor or successor forms.

2. Private employer. "Private employer" means a sole proprietor, corporation, partnership, limited liability company or other entity with one or more employees. "Private employer" does not include the State, a county, a municipality, a township, a school district or a public institution of higher education.

3. Veteran. "Veteran" means a person who has served on active duty in the United States Armed Forces and was discharged or released with an honorable discharge.

4. Veteran preference employment policy. "Veteran preference employment policy" means a private employer's preference for hiring, promoting or retaining a veteran over another qualified applicant or employee.

§ 878. Veteran preference employment policy

A private employer may have a veteran preference employment policy. The policy must be in writing and must be applied uniformly to employment decisions regarding hiring, promotion or retention during a reduction in workforce. A private employer may require that a veteran submit a DD Form 214 to be eligible for the preference.

SUMMARY

This bill allows a private employer to have a veteran preference employment policy. The policy must be in writing and must be applied uniformly to employment decisions regarding hiring, promotion or retention during a reduction in workforce.