
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1013 Session of
2015

INTRODUCED BY HUGHES, VULAKOVICH, TEPLITZ, SCAVELLO, FONTANA,
RAFFERTY, TARTAGLIONE, SABATINA, YUDICHAK, COSTA, WARD,
AUMENT, BROWNE, HAYWOOD AND WILEY, OCTOBER 9, 2015

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
OCTOBER 9, 2015

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, providing for voluntary veterans'
3 preference in private employment.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 51 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 72

9 VOLUNTARY VETERANS' PREFERENCE

10 IN PRIVATE EMPLOYMENT

11 Sec.

12 7201. Scope of chapter.

13 7202. Legislative findings.

14 7203. Definitions.

15 7204. Veterans' preference private employment policy.

16 7205. Eligibility for preference.

17 7206. Nonviolation of equal opportunity laws.

1 § 7201. Scope of chapter.

2 This chapter relates to private employer's veterans'
3 preference policies.

4 § 7202. Legislative findings.

5 The General Assembly finds and declares as follows:

6 (1) The Commonwealth has a moral duty and obligation to
7 provide for and assist its military personnel and veterans,
8 including new veterans returning from deployment in United
9 States military operations in places such as Iraq and
10 Afghanistan.

11 (2) According to a 2014 annual report by the United
12 States Bureau of Labor Statistics, this Commonwealth has an
13 unemployment rate of 4.7% for veterans, while 44.3% of
14 veterans were employed, which trailed the national average of
15 47.9%.

16 (3) While the Commonwealth offers veterans' preference
17 in public employment, a similar preference does not exist for
18 private employers.

19 (4) Twenty states have enacted legislation authorizing a
20 veterans' preference by private employers. The Commonwealth
21 should follow this emerging trend.

22 (5) Many states that have enacted similar legislation
23 have lower veteran unemployment rates and higher percentages
24 of employed veterans than this Commonwealth.

25 (6) The Commonwealth has a duty to help ease the
26 transition back to society for veterans, and allowing private
27 businesses to apply a veterans' preference employment policy
28 would assist more veterans in obtaining employment.

29 § 7203. Definitions.

30 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "DD 214." A United States Department of Defense Report of
4 Separation Form 214 or a similarly effective form issued by the
5 Department of Defense relating to separation from military
6 service.

7 "Private employer." A sole proprietor, corporation,
8 partnership, limited liability company or any other legal
9 entity, including nonprofits, with more than one employee.

10 "Spouse of a disabled veteran." The spouse of a veteran who
11 has been classified by the United States Department of Veterans
12 Affairs' Veterans Benefits Administration as having a permanent
13 total disability and is a United States citizen.

14 "Surviving spouse." A spouse of a deceased veteran who is
15 married to the veteran prior to or on the effective date of this
16 section and who is a United States citizen.

17 "Veteran." An individual who served in any of the following
18 and was released under honorable conditions:

19 (1) the United States Armed Forces;

20 (2) any women's organization officially connected with
21 the United States Armed Forces; or

22 (3) the Pennsylvania National Guard.

23 "Veterans' preference employment policy." A voluntary policy
24 adopted by a private employer for hiring, promoting or retaining
25 a veteran, a spouse of a disabled veteran or a surviving spouse
26 over another qualified applicant or employee.

27 § 7204. Veterans' preference private employment policy.

28 (a) Authority.--A private employer may adopt and apply a
29 veterans' employment policy.

30 (b) Policy.--A veterans' preference employment policy shall:

- 1 (1) be in writing;
2 (2) require the inclusion of a statement in any job
3 posting that indicates that the employer has and applies a
4 veterans' preference employment policy;
5 (3) be provided to the applicant at time of hiring and
6 provided to all employees on an annual basis; and
7 (4) be applied uniformly to employment decisions
8 regarding:
9 (i) the hiring of new applicants;
10 (ii) the promotion of current employees; and
11 (iii) the retention of employees during a reduction
12 in the workforce.

13 § 7205. Eligibility for preference.

14 A veteran, spouse of a disabled veteran or surviving spouse
15 shall submit the DD 214 of the veteran to a private employer
16 with a veterans' preference employment policy for consideration
17 by the employer.

18 § 7206. Nonviolation of equal opportunity laws.

19 A voluntary veterans' preference employment policy adopted
20 and applied in accordance with this chapter shall not be
21 considered a violation of any State or local equal employment
22 opportunity law.

23 Section 2. This act shall take effect in 60 days.