

## **Robust Veterans Employment Act**

**Who:** Any veteran of a foreign war, veteran who has mobilized in support of a foreign war.

**Affected Agencies:** Any Federal, State, Local, municipal government or political subdivision who receives Federal money under any appropriation, or is a sub-recipient of Federal money under any appropriation.

**What:** Affected agencies must institute a robust veteran preference provision to their hiring programs such that any veteran covered under this act, if deemed to be fully qualified for the applied for position, shall be viewed as the default choice for the position unless otherwise determined to be not qualified, disqualified, or otherwise unsuitable. Whenever any veteran is denied employment, the agency must affirmatively document why the veteran was determined to be not qualified, disqualified, or otherwise unsuitable for the position, and shall provide a copy of the justification to the veteran.

Affected agencies shall keep detailed records and statistics of veteran employment decisions and shall make those records available to the Federal Departments of Labor and Veterans Affairs, and to any veteran contesting an adverse hiring decision.

The Departments of Labor and Veterans Affairs shall establish a joint office to oversee and administer this program. Within 60 days of enactment, the Departments shall establish criteria for determinations of qualification, disqualification, and unsuitability.

**Enforcement:** Any veteran who is denied employment, or who is subject to an adverse employment decision between the first day of employment and one year after the completion of any standard probationary period, may appeal that decision to the Department of Labor or Veterans Affairs. If the affected agency is found to have acted contrary to this act, the affected agency shall:

- a) Hire or rehire the veteran and pay 1.5 times back pay and benefits dating from the application closing deadline or the adverse hiring or employment decision, whichever is earlier.
- b) Not hire or rehire the veteran and pay 2 times back pay and benefits dating from the application closing deadline of the adverse hiring or employment decision, whichever is earlier, plus 6 months pay and benefits from the date of decision.
- c) If the affected agency is found to have acted intentionally and systematically in denying employment or imposing an adverse employment action, the agency shall be liable for damages treble that of (a) or (b) above.

**Review and appeal:** This act shall establish the Veterans Hiring Preference Appeals Board. The membership of the board shall consist of the Deputy Secretaries of the Departments of Labor and Veterans Affairs, and three independent members appointed by the President, subject to the consent of the Senate. Independent members shall serve staggered terms of 3 years and shall not be residents of the same State. No more than two independent members may be appointed by a President of the same party.

**Source of Funds:** Damages paid by any affected agency shall be paid from the general fund of the affected agency, or from the source of funds which would have paid for salary or wages of the position, but in no case shall federal appropriations be used unless by a federal agency.