



League of Women Voters of Minnesota Records

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early
bill
- not
final

1 A bill for an act

2 relating to veterans; exercise of preference in
3 public appointments or promotions; amending
4 Minnesota Statutes 1974, Section 43.30; and
5 Chapter 197, by adding a section; repealing
6 Minnesota Statutes 1974, Section 197.45.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

8 Section 1. Minnesota Statutes 1974, Section 43.30, is
9 amended to read:

10 43.30 [VETERANS PREFERENCE.] Notwithstanding sections
11 ~~197.45~~ 197.46 to 197.48, the provisions of this section
12 shall govern the granting of veterans' preference for the
13 state and municipal civil service.

14 In all examinations under this chapter or any municipal
15 civil service ordinance or rule a veterans' preference shall
16 be given to every person who has been honorably discharged
17 or separated from any branch of the armed forces of the
18 United States (1) after having served on active duty for
19 other than training purposes or (2) by reason of disability
20 incurred while serving on active duty, and who is a citizen
21 of the United States, and persons who served in the active
22 military service of any government allied with the United
23 states in World War I or World War II, and have been

1 honorably discharged therefrom, and who are citizens of the
2 United States and were citizens at the time of entrance into
3 active service. And the veteran thus preferred shall not be
4 disqualified from holding any position in the classified
5 service on account of his age or by reason of any physical
6 disability provided such age or physical disability does not
7 render him incompetent to perform the duties of the
8 position.

9 Recognizing that training and experience in the
10 services of the government and loyalty and sacrifice for the
11 government are qualifications of merit which cannot be
12 readily discovered by examination; there shall be added to
13 the examination rating of a disabled veteran a credit of ten
14 points, and in open competitive examination only if such
15 augmented rating gives to such disabled veteran a passing
16 grade and such disabled veteran is able to perform the
17 duties of the position sought with reasonable efficiency,
18 his name shall be placed at the head of the eligible list
19 for such position.

no
absolute
preference
- gets 10 pts.
P

20 There shall be added to the examination rating of all
21 other veterans a credit of five points, and if such
22 augmented rating gives to such veteran a passing grade and
23 if such veteran is able to perform the duties of the
24 position with reasonable efficiency, his name shall be
25 placed on the list of eligibles with the names of other
26 eligible persons. The name of a veteran with such augmented
27 rating shall be entered ahead of a non-veteran when their
28 ratings are the same.

29 No veteran shall be eligible for an augmented rating
30 pursuant to this section after ten years next following the
31 effective date of this act or after ten years next following
32 that veteran's most recent date of discharge or separation,

1 whichever is the later. An augmented rating once utilized
2 to secure an appointment or promotion shall not thereafter
3 again be so used.

4 Such preference is hereby extended to the widows of
5 deceased veterans and to the spouse of a disabled veteran,
6 who because of such disability is unable to qualify.

7 The fact that an applicant has claimed a veterans
8 preference shall not be made known to the examiners and the
9 preference credit shall be added to the examination rating
10 by the commissioner or municipal official, and the records
11 shall show the examination rating and the preference credit.

12 A disabled veteran is one who is rated or certified as
13 disabled by the United States Veterans Administration, or by
14 the retirement boards of the several branches of the armed
15 forces, and which disability is existing at the time
16 preference is claimed.

17 In the event of the rejection by the appointing officer
18 of the person so preferred when certified for promotion or
19 to fill a vacancy or a new position, the appointing officer
20 shall forthwith file in writing with the commissioner or
21 municipal official the reasons for such rejection and shall
22 furnish to the rejected veteran a copy thereof.

23 Sec. 2, Minnesota Statutes 1974, Chapter 197, is
24 amended by adding a section to read:

25 [197.455] [STATE LAW APPLICABLE.] The provisions of
26 Minnesota Statutes, Section 43.30 granting preference to
27 veterans in appointment to and promotion in the state civil
28 service shall also govern preference in appointment and
29 promotion of a veteran under the civil service ordinances or
30 rules of a county, city, town, school district, or other
31 municipality or political subdivision. Any provision in an
32 ordinance or rule contrary to section 43.30 is void to the

- 1 extent of such inconsistency.
- 2 Sec. 3. Minnesota Statutes 1974, Section 197.45, is
- 3 repealed.

Hpls
billEarly
bill
TD 622
- not final

1 A bill for an act

2 relating to veterans; certain preferences of
3 veterans of the armed forces, their widows, and
4 dependents; amending Minnesota Statutes 1974,
5 Section 197.45, Subdivisions 2 and 4; repealing
6 Minnesota Statutes 1974, Sections 43.30 and
7 197.45, Subdivision 3.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. Minnesota Statutes 1974, Section 197.45,
10 Subdivision 2, is amended to read:

11 Subd. 2. [PREFERENCE TO WAR VETERANS IN PUBLIC
12 APPOINTMENTS.] That in every public department and upon all
13 public works in the state of Minnesota and the counties,
14 cities, towns, school districts, and all other political
15 subdivisions and agencies thereof, honorably discharged
16 veterans shall be entitled to preference in appointments,
17 and employment ~~and promotion~~ over other applicants therefor
18 as hereinafter provided , and the persons thus preferred
19 shall not be disqualified from holding any position
20 hereinbefore mentioned on account of his age or by reason of
21 any physical disability, provided such age and disability
22 does not render him incompetent to perform properly the
23 duties of the position applied for and ~~and~~ When such veteran
24 shall apply for appointment or employment under sections

1 197.45 and 197.46 by a governmental agency which does not
2 have an established civil service or merit system, the
3 officer, board or person whose duty it is, or may be, to
4 appoint or employ such person to fill such position or
5 place, shall before appointing or employing anyone to fill
6 such position or place, ~~except where said veteran has~~
7 ~~already been qualified under civil service for the position~~
8 ~~applied for~~, make an investigation as to the qualifications
9 of said veteran for such place or position, and if he is of
10 good moral character, and can perform the duties of said
11 position applied for by him, as hereinbefore provided, said
12 officer, board or person shall appoint said veteran to such
13 position or place of employment.

14 In any governmental agency having an established civil
15 service or merit system, ~~no inquiry shall be made of any~~
16 ~~applicant for examination before such examination as to~~
17 ~~whether or not he is a veteran, nor shall any distinction be~~
18 ~~made in giving the examination or grading the results~~
19 ~~thereof on account of the fact that the applicant may be a~~
20 ~~veteran, provided, that this shall not abridge any~~
21 ~~preference to which such veteran is entitled, and~~
22 ~~governmental agencies when notifying the applicant that he~~
23 ~~has passed, shall inform the applicant of the right of a~~
24 ~~veteran to preference. The proper civil service or merit~~
25 ~~system authority shall certify his appointment and the~~
26 ~~appointing authority shall appoint such veteran before any~~
27 ~~other person is certified or appointed to fill a position~~
28 ~~for which the veteran has passed the examination~~ a veterans
29 preference as hereinafter described shall be given to every
30 person who is a veteran.

31 ~~A refusal to allow the preference provided for in this~~
32 ~~and the next succeeding section to any such honorably~~

1 ~~discharged-veteran-or-a-reduction-of-his-compensation~~
2 ~~intended-to-bring-about-his-resignation-or-discharge-shall~~
3 ~~entitle-such-honorably-discharged-veteran-to-a-right-of~~
4 ~~action-therefor-in-any-court-of-competent-jurisdiction-for~~
5 ~~damages, and such officer and the persons responsible for~~
6 ~~such refusal if such refusal was wilful shall be personally~~
7 ~~liable therefor, and also for a remedy for mandamus for~~
8 ~~righting the wrong.~~

9 Recognizing that training and experience in the
10 services of the government and loyalty and sacrifice for the
11 government are qualifications of merit which cannot be
12 readily discovered by examination; there shall be added to
13 the examination rating of a disabled veteran, obtained in an
14 open competitive examination, a credit of ten points if such
15 veteran obtained a passing grade. There shall be added to
16 the examination rating of all other veterans, obtained in an
17 open competitive examination, a credit of five points, if
18 such veteran obtained a passing grade. The name of a
19 veteran with such augmented rating shall be entered ahead of
20 a non-veteran when their ratings are the same.

21 The fact that an applicant has claimed a veterans
22 preference shall not be made known to the examiners and the
23 preference credit shall be added to the examination rating
24 by the director or commissioner of personnel and the records
25 shall show the examination rating and the preference credit.

26 In the event of the rejection by the appointing officer
27 of the person so preferred when certified for promotion or
28 to fill a vacancy or a new position, the appointing officer
29 shall forthwith file in writing with the director or
30 commissioner of personnel the reasons for such rejection and
31 shall furnish to the rejected veteran a copy thereof.

32 A disabled veteran is one who is rated or certified as

1 disabled by the United States veterans administration, or by
2 the retirement boards of the several branches of the armed
3 forces, and which disability is existing at the time the
4 preference is claimed.

5 Any exercise of the rights, privileges, and preferences
6 conferred by this section must be made within ten years
7 following honorable discharge or separation from active
8 military service excluding any time spent in a hospital or
9 similar institution for treatment of a service connected
10 disability.

11 Sec. 2. Minnesota Statutes 1974, Section 197.45,
12 Subdivision 4, is amended to read:

13 Subd. 4. [WIDOWS, WIDOWERS, AND CERTAIN SPOUSES TO Note
14 HAVE RIGHTS AND PRIVILIGES.] ~~The widows of deceased veterans~~
15 ~~and the spouses of disabled veterans who, because of such~~
16 ~~disability, are unable to qualify, shall have all~~ The rights
17 and privileges given to a veteran by this section or by
18 section 197.46 are hereby given to the widow or widower of
19 any veteran and to the spouse of any disabled veteran who,
20 because of a service connected disability, is unable to
21 qualify for any state or local governmental position .

22 Sec. 3. Minnesota Statutes 1974, Sections 43.30 and
23 197.45, Subdivision 3, are repealed.

VETERANS' PREFERENCE

Veterans' Preference in public employment is a merited means to compensate a veteran for time lost from his personal career development while serving his country. Despite its public purpose, however, veterans' preference requirements for local government have been recognized as factors that seriously handicap municipal personnel administration, both creating barriers to equality of opportunity in employment and hindering the employment and promotion of the most qualified person for the job. Further, differences between veterans' preference requirements for local and state employment are not warranted.

Brief summaries of existing laws:

LOCAL: All political subdivisions of the state of Minnesota, including counties, cities and school districts, are covered by the veterans' preference provisions in Minnesota Statutes, Section 197.45. This section provides for "absolute" veterans' preference in all entrance and promotional positions. This absolute preference is given no matter how long the veteran has been out of service and no matter how many jobs he has obtained through the use of veterans' preference. This can mean that the least qualified candidate is hired.

STATE: Until 1939 the state was covered by the above provisions, but now have provisions applying only to state employment. These are covered by Minnesota Statutes, Section 43.30. Points are added to test scores and can be used to achieve a passing grade. The disabled veteran is then placed at the top of the list and the other veterans are placed at the top of their relative rankings. They are guaranteed an interview in that order, but not absolute preference. Wives of disabled veterans and veterans' widows receive the same preference.

FEDERAL: Points are added to passing test scores and the veteran then competes with his augmented score. Certain positions are open only to veterans.

Age and physical requirements are waived for all levels as long as the person can do the job.

The laws, regulations, and court and enforcement agency interpretations pertaining to discrimination in employment on city, state and federal levels are extensive.

SUPREME COURT: Griggs vs. Duke Power Co. They decided that even when employment practices are applied equally to all groups, the practices can be discriminatory. Chief Justice Burger wrote: "The Act proscribes not only overt discrimination but also practices that are fair in form but discriminatory in operation. The touchstone is business necessity. If an employment practice which operates to exclude Negroes (interpreted to mean all protected classes - Indians, Latinos, Orientals, women etc.) cannot be shown to be related to job performance, the practice is prohibited.

Besides local ordinances in many places, the 1973 Minnesota State Act Against Discrimination and other state laws prohibit discriminatory practices in employment. At the Federal level, in addition to the Constitution, there are the Civil Rights Acts

of 1866, 1870 and 1964, as amended, the Age Discrimination in Employment Act, Executive Orders 11141, 11428, 11246, and Revised Order Number 4 and the rules, regulations, and guidelines promulgated under these.

All levels of government have been told by the EEOC (Equal Employment Opportunities Commission) that they must have an Affirmative Action Program in Hiring, i.e. setting goals for employment of members of minority groups and women. "Affirmative Action is a true merit system - minorities and women cannot be hired just because of their race or sex. This is the law, good personnel management and the right thing to do."

League of Women Voters Program Positions:

National - "Support of equal rights for all regardless of race or sex, with recognition of the special needs of American Indians: action to combat poverty and discrimination and to provide equal access to employment, housing and quality education." (The LWVUS worked for enforcement authority for the EEOC.) The 1972 Convention also authorized action at the state and local level in opposition to discriminatory practices against women.

State - "Support of policies to ensure equality of opportunity in employment 1- support of the principle that the state is responsible for all its citizens on an equal basis and should work to ensure equal treatment for all citizens by all levels of government." During the 1950s League members focused on employment on merit and worked with other groups to secure passage of the Fair Employment Practices Act (1955), which was incorporated into the State Act Against Discrimination in 1961. At this same time the LWV, working for efficiency in government through governmental reorganization, had a position on Veterans' Preference. It stated that "Preference should be available for use only once. It should not be applied to a candidate's examination grade, unless he first earned a passing grade.... No veteran should go to the head of an eligible list unless his earned grade plus veterans' preference points place him there."

Why Veterans' Preference laws should be changed:

Absolute veterans' preference is an effective employment barrier for many classes of people in Minnesota, particularly women. 1- It discriminates against people who were not in the military service because of unequal opportunity and recruitment. Many men are ineligible because of physical handicaps, learning disabilities, or cultural and educational disadvantages. The number of women veterans is very small compared to the number of male veterans. In the United States Army in 1974 there were 648,138 men and 26,328 women. In 1973 the Air Force had 556,767 enlisted men and 15,023 women. There were 60,454 male officers and 4,727 female officers. All branches of the Volunteer Army for Women are currently full at 55,000. The opportunity for training, jobs or advancement is not equal to men. 2- It discriminates against minority groups, who tend to be more mobile and are not able to comply with the ~~residency~~ residency requirement. 3- It discriminates against veterans with a less than honorable discharge. Although Veterans' Preference originally was intended for all veterans, Minnesota disqualifies any veteran who does not have an honorable discharge regardless of time in service or kind of service. These are frequently the people who need the most help in reenter-

civilian life.

It is virtually impossible for cities and counties to implement an affirmative action program and these political divisions are under statutory and court order to do so. Statistics have not been compiled by government agencies on the number of women, minorities, handicapped and other non-veterans who have been refused jobs, and there is no way of knowing how many didn't apply because they knew a veteran would be hired. However, it is known that communities have been threatened with the withholding of federal funds if they were not able to complete their affirmative action program.

The following figures are for Minneapolis, ^(excluding the Department of Education) although they do have an affirmative action program:

As of June 30, 1974	Full time jobs	Part time jobs	Total
down from 1971			
minorities	154 or 3.4 %	39 or 2.7 %	193 or 3.2 %
about the same as 1971 women	884 or 19.4 %	446 or 30.8%	1330 or 22.2 %

The Fire Departments and Police Departments of Minneapolis and St. Paul are almost exclusively veterans' organizations. There have been lawsuits in major cities on this issue.

The application of veterans' preference defeats the premise of merit in hiring. As an example of this, if five non-veterans with test scores between 90 and 100 have applied for a job and one veteran with a score of 70 (just passing) is in competition with them, the veteran must be hired. This definitely does not assure an efficient expenditure of the taxpayer's money.

Besides veterans' preference in employment, the veteran receives many other benefits. The Veterans' Administration is the third largest government agency in the United States. It employs over 200,000 people and has a budget of over \$14 billion. Veterans' benefits include VA Housing-Home Loans (\$106.3 billion since WWII), medical care, pension benefits, education, burial allowance and allied benefits, ^{and} employment preferences and privileges are extended to veterans' widows and to the wives of disabled veterans.

Proposed legislation:

Presently, in Minnesota, there are many groups which are working together to modify veterans' preference. The coalition is still growing. Some of the organizations participating so far are: The League of Minnesota Municipalities, City of Minneapolis, Hennepin County, Minnesota Womens Political Caucus, Womens Equity Action League, GOP Women for Political Effectiveness, DFL Feminist Caucus, Minneapolis Human Rights Commission, National Organization for Women, and the Association of Metropolitan Municipalities. There are at least twelve more organizations that have indicated interest in joining.

Although there have been several bills proposed, the main provisions would change the statutes applying to counties and cities to conform to the law covering the state. This would abolish absolute preference and allow a point system to be used at the local level. Present proposals would place some time limit on the use of veterans' preference, probably ten years, and would permit a veteran to use his preference for one successful hiring. These changes would still give the veterans a definite advantage, but non-veterans would not be completely shut out. The outlook for this legislation is optimistic.

Introduced by Berglin, Tomlinson, Kostohryz,
Knickerbocker, Forsythe
January 20th, 1975
Ref. to Com. on Local & Urban Affairs
Reproduced by PHILLIPS LEGISLATIVE SERVICE

H.F. No. 84
Companion S.F. _____
Ref. to S. Com. _____

unofficial impression

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1 honorably discharged therefrom, and who are citizens of the
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3 active service. And the veteran thus preferred shall not be
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13 the examination rating of a disabled veteran a credit of ten
14 points ~~and in open competitive examination only~~ if such
15 ~~augmented rating gives to such disabled~~ veteran obtained a
16 passing grade, and if such disabled veteran is able to
17 perform the duties of the position sought with reasonable
18 efficiency, his name shall be placed ~~at the head of the~~
19 ~~eligible list for such position~~ on the list of eligibles
20 with the names of other eligible persons. The name of a
21 veteran with such augmented rating shall be entered ahead of
22 a non-veteran when their ratings are the same.

23 There shall be added to the examination rating of all
24 other veterans a credit of five points ~~and if such~~
25 ~~augmented rating gives to such~~ veteran obtained a passing
26 grade and if such veteran is able to perform the duties of
27 the position with reasonable efficiency, his name shall be
28 placed on the list of eligibles with the names of other
29 eligible persons. The name of a veteran with such
30 augmented rating shall be entered ahead of a non-veteran
31 when their ratings are the same.

32 No veteran shall be eligible for an augmented rating

1 pursuant to this section after ten years next following the
2 effective date of this act or after ten years next following
3 that veteran's most recent date of discharge or separation,
4 whichever is the later. An augmented rating once utilized
5 to secure an appointment or promotion shall not thereafter
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32 service shall also govern preference in appointment and

1 promotion of a veteran under the civil service ordinances or
2 rules of a county, city, town, school district, or other
3 municipality or political subdivision. Any provision in an
4 ordinance or rule contrary to section 43.30 is void to the
5 extent of such inconsistency.

6 Sec. 3. Minnesota Statutes 1974, Section 197.45, is
7 repealed.

Summary of Berglin bill (H.F. 84 , S.F. 112) to modify Veterans'

Preference laws and a comparison with existing law.

Issue

Berglin Bill

Present Law

Comparison of laws affecting state and local employment

Makes both laws the same.

Wide differences exist; in local gov., veterans have absolute preference in original employment and one successful use for promotions; in state civil service, veterans have a point preference for both original appointments and promotions without limit.

Preference in original appointments

*5 point preference or 10 points if disabled. Credits added to passing grade.

Local - absolute preference.
State - 5 pt. preference or 10 pts. if disabled. Disabled veterans credit used to determine if passing grade is received.

Preference in promotions.

*5 pts or 10 if disabled. Credits added to passing grade

Local - 5 pts; one successful use.
State - 5 pts. or 10 if disabled; credit can be used any number of times

*Limitations on use of preference

*One successful use in either hiring or promotion and

Local - no time limit (see above).
State - no time limit

Credit must be used within 10 years following effective date of act or from date of discharge

Authors

H.F. 84 - Berglin, Tomlinson, Forsythe, Knickerbocker, Kostahryz

S.F. 112 - McCutcheon, Coleman, Sillers

From Henn Co. draft

11-4-6-2

and non-salaried positions, special deputies serving without pay, seasonal positions, a principal assistant and secretary for each elected official, and a number of justice officials, including the director of court services, examiner of titles and deputy examiners, administrative director of the district court, chief criminal deputy, court reporters and referees, clerk of municipal court, and chief municipal court probation officer. Persons holding a temporary judicial appointment to perform a special function also are not classified. There are fewer employees not in^{classified} positions in Hennepin county than in most counties, or in the state government. Thus, of the 6,000 jobs in Hennepin county, the majority are classified and have all the classical components thereof: competitive examinations, announcement of positions, a probationary period, hearings and appeals for disciplinary action, dismissal only for cause, etc.

When a new job is created in Hennepin county, the Personnel Department and the department involved draw up a detailed description of the job -- its requirements, responsibilities and duties. This is the classification process. The salary for the job is then set by the Personnel Board, using information from the Bureau of Labor statistics, the American Management Association, and other sources. Once this is all established, or whenever a job opening occurs in an already classified position, a date is set for administering the qualifying tests and the job is advertised for about two weeks. Jobs in highly specialized fields are advertised nationally in trade magazines and newspapers. For jobs that can be filled locally, employment announcements are placed on some 90 bulletin boards, in the newspapers, with the state and local employment services, and at appropriate trade schools. The Personnel Board does not use private employment agencies, that charge for their services. The tests are then given and graded by the Personnel department, and a list prepared according to the test scores.

X At this point, Veteran's Preference comes into the action in Hennepin county. When the test scores are mailed out, an explanation about Veteran's Preference and the appropriate forms for requesting same are included in the mailing. The explanation is that in ranking scores on competitive entrance examinations, the names of veterans of the armed services are placed ahead of all non-veterans in accordance with Minnesota law. The veteran then has 10 days in which to submit proof of his status and apply for the preference. Once the proof is received, the veteran's name is moved to the top of the list. In promotional examinations, a veteran who receives a passing score may choose to have 5 points added to his score, on a one-time-only basis. If the extra 5 points give the veteran the same score as a non-veteran, the name of the veteran is entered

OK

II-4-b-4

within a department, to a degree. However, there is some question as to whether the system allows for selection of the best person for the job, especially at the higher levels. Does the practice of promotional exams, which are closed to the non-employee, and promotional ratings keep out new blood at the higher levels? Could or should the system be made more compatible with the state and other countries?

ahead of the non-veteran on the eligibility list. For state jobs, the state simply adds 5 points to their score -- 10 points for a handicapped veteran -- and reranks them.

After the list of scores is adjusted to include Veteran's Preference, the personnel department certifies the top 3 names to the department which will hire the person, and they then choose. However, if one of the 3 is a veteran, they have no choice. They must hire the veteran. The state certifies a list of 10, the city of Minneapolis certifies only one. The names of the others who passed the test but were not hired are kept on a list in ranking order for a period not to exceed 3 years. They are notified when other openings in the job classification occur, and can ask to have their names submitted. The process from testing to final hiring can take as long as four to six weeks.

A person hired for a classified job is on probation for 6 months to a year. He or she can be dismissed without a hearing at any time during this time, unless he or she is a veteran. A veteran may demand a hearing. An employee who has achieved permanent status has the right to a hearing before the Personnel Board prior to dismissal. He can, however, be suspended without pay while waiting for his hearing--except the veteran, that is.

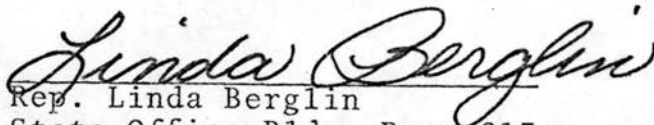
Once in the system, an employee may transfer from one department to another at the same classification level without going through the whole certification procedure again. However, for promotion to another level, the employee competes with other employees via a promotion examination plus his promotional rating score. Agencies keep promotional lists of the names of all persons employed in the agency who have passed the agency promotional exam for the class for which the list was established. County-wide promotional lists include the names of all persons employed by the county who have passed the promotional exam for the class for which the list was established. Unlike Minneapolis or Ramsey county, Hennepin county gives no seniority points on promotional scores. Thus once in the system the employee has the opportunity for advancement from within, an opportunity which is further enhanced by in-service training programs, reimbursement for job-related education, and employee training programs.

In conclusion, Hennepin county provides a system whereby anyone, including non-residents, may compete for a job. The system provides for uniform practices and does not allow ^{employment or} job security to depend on political winds. The system also provides for movement across departmental lines, giving employees an opportunity to develop a broader perspective and thus be better able to base decisions on broad inter-departmental considerations. This leads away from empire-building

A MEMO FROM REPRESENTATIVE LINDA BERGLIN

Enclosed is a copy of the proposed bill you requested.
May I personally thank you for your interest in this matter.
If I can be of further assistance, please feel free to contact
me.

Sincerely,


Rep. Linda Berglin
State Office Bldg. Room 217
St. Paul, Minn. 55155
Phone: 296-4261

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Section 1. Minnesota Statutes 1974, Section 43.30, is amended to read:

43.30 [VETERANS PREFERENCE.] Notwithstanding sections ~~197.45~~ 197.46 to 197.48, the provisions of this section shall govern the granting of veterans' preference for the state and municipal civil service.

In all examinations under this chapter or any municipal civil service ordinance or rule a veterans' preference shall be given to every person who has been honorably discharged or separated from any branch of the armed forces of the United States (1) after having served on active duty for other than training purposes or (2) by reason of disability incurred while serving on active duty, and who is a citizen of the United States, and persons who served in the active military service of any government allied with the United States in World War I or World War II, and have been

1 honorably discharged therefrom, and who are citizens of the
2 United States and were citizens at the time of entrance into
3 active service. And the veteran thus preferred shall not be
4 disqualified from holding any position in the classified
5 service on account of his age or by reason of any physical
6 disability provided such age or physical disability does not
7 render him incompetent to perform the duties of the
8 position.

9 Recognizing that training and experience in the
10 services of the government and loyalty and sacrifice for the
11 government are qualifications of merit which cannot be
12 readily discovered by examination; there shall be added to
13 the examination rating of a disabled veteran a credit of ten
14 points, ~~and in open competitive examination only~~ if such
15 augmented rating gives to such disabled veteran a passing
16 grade and such disabled veteran is able to perform the
17 duties of the position sought with reasonable efficiency,
18 his name shall be placed ~~at the head of the eligible list~~
19 ~~for such position~~ on the list of eligibles with the names
20 of other eligible persons. The name of a veteran with such
21 augmented rating shall be entered ahead of a non-veteran
22 when their ratings are the same .

23 There shall be added to the examination rating of all
24 other veterans a credit of five points, and if such
25 augmented rating gives to such veteran a passing grade and
26 if such veteran is able to perform the duties of the
27 position with reasonable efficiency, his name shall be
28 placed on the list of eligibles with the names of other
29 eligible persons. The name of a veteran with such augmented
30 rating shall be entered ahead of a non-veteran when their
31 ratings are the same.

32 No veteran shall be eligible for an augmented rating

1 pursuant to this section after ten years next following the
2 effective date of this act or after ten years next following
3 that veteran's most recent date of discharge or separation,
4 whichever is the later. An augmented rating once utilized
5 to secure an appointment or promotion shall not thereafter
6 again be so used.

7 Such preference is hereby extended to the widows of
8 deceased veterans and to the spouse of a disabled veteran,
9 who because of such disability is unable to qualify.

10 The fact that an applicant has claimed a veterans
11 preference shall not be made known to the examiners and the
12 preference credit shall be added to the examination rating
13 by the commissioner or municipal official, and the records
14 shall show the examination rating and the preference credit.

15 A disabled veteran is one who is rated or certified as
16 disabled by the United States Veterans Administration, or by
17 the retirement boards of the several branches of the armed
18 forces, and which disability is existing at the time
19 preference is claimed.

20 In the event of the rejection by the appointing officer
21 of the person so preferred when certified for promotion or
22 to fill a vacancy or a new position, the appointing officer
23 shall forthwith file in writing with the commissioner or
24 municipal official the reasons for such rejection and shall
25 furnish to the rejected veteran a copy thereof.

26 Sec. 2. Minnesota Statutes 1974, Chapter 197, is
27 amended by adding a section to read:

28 [197.455] [STATE LAW APPLICABLE.] The provisions of
29 Minnesota Statutes, Section 43.30 granting preference to
30 veterans in appointment to and promotion in the state civil
31 service shall also govern preference in appointment and
32 promotion of a veteran under the civil service ordinances or

1 rules of a county, city, town, school district, or other
2 municipality or political subdivision. Any provision in an
3 ordinance or rule contrary to section 43.30 is void to the
4 extent of such inconsistency.

5 Sec. 3. Minnesota Statutes 1974, Section 197.45, is
6 repealed.

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>	<u>PHONE</u>
Janet Dieterich	2171 Knapp St. Paul	MWPC	644-6815 296-4253
Constance Waterous	300 Hanover Bldg. 480 Cedar St., St. Paul	League of Mn. Municipalities	222-2861
Vern Peterson	300 Hanover Bldg. 480 Cedar St., St. Paul	Ass'n. of Met. Municipalities	222-2861
Dennis Gustafson	Henn. Cty. Gov't. Ctr. Mpls., 55487	Henn. County Personnel	398-2163
Karin Wille	1115 - 2nd Ave. South Mpls.	WEAL	332-6461
Ellin Lavin	618 Midwest Plaza Bldg. Mpls.	Mpls. Human Rights Commission	333-5548
Gloria Griffin	Rt. 2, Box 287 Excelsior - 55331	MWPC	474-4807
Helene Borg	PO Box 5 Mound - 55364	League of Women Voters of Mn.	472-2674
Pam Berkwitz	2425 France Ave. South Mpls., 55416	League of Women Voters of Mpls.	920 -3364
Jeanne Johnson ✓	1920 James Ave. So. Mpls., 55403	Minn. Wm's! Political Caucus	374-9058
Mary Ellen Pearson	1505 Washburn North 55411	League of Women Voters	521-3225
Ann O'Loughlin ✓	3833 Aldrich Ave. So. Mpls., 55409	GOP Wm. for Political Effectiveness	824-1455
Bernie Wright	Room 265 City Hall St. Paul, 55102	City of St. Paul	298-4221
Stan Kehl	Room 311 - City Hall	City of Mpls.	348-7552
Mark Vaught	Room 328 - Court House St. Paul, 55104	Ramsey County	298-5591
Tom Rynn	347 City Hall St. Paul	Mayor's Office	298-4323
Linda Berglin	217 State Office Bldg.		296-4261
Edward Hermel	Room 203 55 Sherburne, St. Paul	Ass'n. of Minn. Counties	222-5821
John St. Marre	Rm. 24, Capitol	Mpls. Mayor's Advisory Committee on Handicapped	296-2511
Vivian Nelsen (Mrs.)	926 Thomas Ave. No.	WEAL	522-1469

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>	<u>PHONE</u>
Earl Netwal	307 City Hall, Mpls.	City of Mpls.	348-2206
✓ Lauren Maker	6612 - 41st Pl. N., 55427	DFL Feminist Caucus	537-4998
Lyall Schwarzkopf	311 City Hall	City of Mpls.	348-2215
Tom Johnson	307 City Hall., Mpls.	City Council	348-2202
Sherie Lurth	PO Box 9629, Mpls., 55402		
John Connelly	706 City Hall St. Paul, 55102	Council Research Ctr.	
Dolores C. Orey (Mrs.)	41 Arthur Ave. SE Mpls., 55414	Mpls. Human Relations Commission	227-9441 339-6245
Judy Healey (Mrs.)	122 Franklin Ave. W. Mpls., 55404	Joint Religious Legislative Committee	871-8026
✓ Virginia Watkins	Box 9629 Mpls., Mn. 55440	Nat'l. Organization for Women	938-8342 920-4802
Koryne Horbyl	378 Griggs Midway Bldg. 1821 University Ave. St. Paul, Mn., 55104 8380 Palm St. NW., Mpls., 55433	DFL Feminist Caucus	646-4004 786-9400
Randy Staten	1200 Cargill Bldg. 110 South 7th St. Mpls., 55402		330-7016
Mrs. Lois Gibson	111 E. Elmwood Pl., Mpls., Minn. 55419 ADA - 2708 E. Lake St., Mpls., 55406		822-7012 724-2093
MCLU	628 Central Ave. NE Mpls., 55414		332-2883
Sandy Stokesbary	2601 Columbus		335-6976
Carrie Wasley	1171 Ingerson Rd. St. Paul, 55112		373-3850 (work) 484-7090
Nancy Lux	3301 North County Rd. 18 Mpls., 55427		545-0020
Ellin Skinner	934 Summit Ave., St. Paul, 55105		225-4356
Mary Jean Poplinski	282 Northway Dr., Mpls., 55430		561-2669

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>	<u>PHONE</u>
Dave Cowan	480 Cedar St. Paul, 55101	League Of Mn. Human Rights Comm.	222-2861
Mr. Flippen	130 S. 10th St. Mpls., 55403	NAACP	
Gleason Glover	3750 - 4th Ave. South Mpls., 55409	Mpls. Urban League	
Ruth Murphy	1009 Nicollet Mall 3rd Floor Mpls., 55403	Urban Coalition	348-8550

minneapolis

city of lakes

OFFICE OF CITY CLERK

LYALL A. SCHWARZKOPF, CITY CLERK
311 CITY HALL, MINNEAPOLIS, MINNESOTA 55415
PHONE: 348-2215

January 17, 1975

To All People Concerned with Modification of Veterans' Preference:

Two meetings have been held to discuss bills suggested by Representative Linda Berglin and the City of Minneapolis for modification of the existing Veterans' Preference Laws. Attached for your information, is a list of all those persons who either attended these meetings, or indicated interest in this subject.

A consensus was reached that Representative Berglin's bill should be supported and that the City of Minneapolis' bill should only be introduced.

It was suggested that the City of Minneapolis, and myself, coordinate all testimony before committees of the State Legislature. In order to accomplish this, I would like to request two things: (1) A statement as to whether you would like to provide testimony before a legislative committee (2) If so, a copy of what you would present in your testimony. This material should include the specifics of how the present Veterans' Preference Law has affected the members of your organization. It would facilitate my review of this matter if I could receive it within two weeks. I will review this matter and then get back to you if there are further questions that need to be answered concerning your testimony.

It was also decided that it would be necessary to have resolutions from each organization supporting Representative Berglin's bill. Please forward to me a copy of this resolution and a cover letter at your earliest convenience.

Other individuals have been selected to coordinate the individual lobbying effort and research of other specific statistical matters. They will contact you concerning their activities.

Representative Berglin will be sending copies of her bill to you within the next few days. If you have not received a copy of the Minneapolis bill, please give me a call.

If you have any questions, please feel free to call me.

Sincerely,

Stan E. Kehl

Stan E. Kehl
Legislative Liaison

SEK:db
Encl.

League of Women Voters of Minnesota, 555 Wabasha, St. Paul, Minnesota 55102 - January 1975

Memo to: Local League Presidents
From: Helene Borg, State Legislative Action Chairman
Re: Proposal to Modify Veterans' Preference Legislation
January 24, 1975

Veterans' Preference in public employment is a merited means to compensate a veteran for time lost from his personal career development while serving his country.

Brief summaries of existing laws:

LOCAL: All political subdivisions of the state of Minnesota, including counties, cities and school districts, are covered by the veterans' preference provisions in Minnesota Statutes, Section 197.45. This section provides for "absolute" veterans' preference in all entrance and promotional positions. This absolute preference is given no matter how long the veteran has been out of service and no matter how many jobs he had obtained through the use of the veterans' preference. This can mean that the least qualified candidate is hired.

STATE: Until 1939, the state was covered by the above provisions, but now there are other provisions applying only to state employment. These are covered by Minnesota Statutes, Section 43.30. Points are added to test scores and can be used to achieve a passing grade. The disabled veteran is then placed at the top of the list and the other veterans are placed at the top of their relative rankings. They are guaranteed an interview in that order, but not absolute preference. Wives of disabled veterans and veterans' widows receive the same preference.

FEDERAL: Points are added to passing test scores and the veteran then competes with his augmented score. Certain positions are open only to veterans.

Age and physical requirements are waived for all levels as long as the person can do the job.

Discrimination in employment:

The laws, regulations, and court and enforcement agency interpretations pertaining to discrimination in employment on city, state and federal levels are extensive.

Court Test: SUPREME COURT: Griggs vs. Duke Power Co.

They decided that even when employment practices are applied equally to all groups, the practices can be discriminatory. Chief Justice Burger wrote: "The Act proscribes not only the overt discrimination but also practices that are fair in form but discriminatory in operation. The touchstone is business necessity. If an employment practice which operates to exclude Negroes (interpreted to mean all protected classes - Indians, Latinos, Orientals, women, etc.) cannot be shown to be related to job performance, the practice is prohibited."

Antidiscrimination Act:

Besides local ordinances in many places, the 1973 Minnesota State Act Against Discrimination and other state laws prohibit discriminatory practices in employment. At the federal level, in addition to the Constitution, there are the Civil Rights Acts of 1866, 1870 and 1964, as amended, the Age Discrimination in Employment Act, Executive Orders 11141, 11428, 11246, and Revised Order Number 4 and the rules, regulations and guidelines promulgated under these.

All levels of government have been told by the EEOC (Equal Employment Opportunities Commission) that they must have an Affirmative Action Program in Hiring, i.e. setting goals for employment of members of minority groups and women. Affirmative Action is a true "merit" system - minorities and women cannot be hired just because of their race or sex. This is the law, good personnel management and the right thing to do.

League of Women Voters Program Positions:

National - "Support of equal rights for all regardless of race or sex, with recognition of the special needs of American Indians: action to combat poverty and discrimination

and to provide equal access to employment, housing and quality education." (The LWVUS worked for enforcement authority for the EEOC.) In 1972, Convention also authorized action at the state and local level in opposition to discriminatory practices against women.

State - "Support of policies to ensure equality of opportunity in employment . . . 1- Support of the principle that the state is responsible for all its citizens on an equal basis and should work to ensure equal treatment for all citizens by all levels of government." During the 1950s, League members focused on employment on merit and worked with other groups to secure passage of the Fair Employment Practices Act (1955), which was incorporated into the State Act Against Discrimination in 1961. At this same time, the LWV, working for efficiency in government through governmental reorganization, had a position on Veterans' Preference. It stated that "Preference should be available for use only once. It should not be applied to a candidate's examination grade, unless he first earned a passing grade.... No veteran should go to the head of an eligible list unless his earned grade plus veterans' preference points place him there."

Reasons for proposed changes in veterans' preference legislation:

Despite their public purpose, veterans' preference requirements for local government have been recognized as factors that seriously handicap municipal personnel administration, both creating barriers to equality of opportunity in employment and hindering the employment and promotion of the most qualified person for the job. Warrant is not found for differences between veterans' preference requirements for local and state employment.

Absolute veterans' preference is an effective employment barrier for many classes of people in Minnesota, particularly women. 1-It discriminates against people who were not in the military service because of unequal opportunity and recruitment. Many men are ineligible for military service because of physical handicaps, learning disabilities, or cultural and educational disadvantages. The number of women veterans is very small compared to the number of male veterans. Figures for those on active duty show the continuing inequity. In the United States Army in 1974 there were 648,138 men and 26,328 women. In 1973, the Air Force had 556,767 enlisted men and 15,023 women. There were 60,454 male officers and 4,727 female officers. All women's branches of the volunteer armed services are currently full at 55,000. 2-It discriminates against minority groups, who tend to be more mobile and are not able to comply with the residency requirement. 3-It discriminates against veterans with a less than honorable discharge. Although veterans' preference originally was intended for all veterans, Minnesota disqualifies any veteran who does not have an honorable discharge regardless of time in service or kind of service. These are frequently the people who need the most help in re-entering civilian life.

It is virtually impossible for cities and counties to implement an affirmative action program and these political divisions are under statutory and court order to do so. Statistics have not been compiled by government agencies on the number of women, minorities, handicapped and other nonveterans who have been refused jobs, and there is no way of knowing how many didn't apply because they knew a veteran would be hired. However, it is known that communities have been threatened with the withholding of federal funds if they were not able to complete their affirmative action program. The following figures are for Minneapolis (excluding the Department of Education), although they do have an affirmative action program.

As of June 30, 1974		Full time jobs	Part-time jobs	Total
down from 1971	minorities	154 or 3.4%	39 or 2.7%	193 or 3.2%
about the same as 1971	women	884 or 19.4%	446 or 30.8%	1330 or 22.2%

The Fire Departments and Police Departments of Minneapolis and St. Paul are almost exclusively veterans' organizations. There have been lawsuits in major cities on this issue.

The application of veteran's preference defeats the premise of merit in hiring. As an example of this, if five nonveterans with test scores between 90 and 100 have applied for a job and one veteran with a score of 70 (just passing) is in competition with them, the veteran must be hired. This definitely does not assure an efficient expenditure of taxpayer's money.

Besides veterans' preference in employment, the veteran receives many other benefits. The Veterans' Administration is the third largest government agency in the United States. It employs over 200,000 people and has a budget of over \$14 billion. Veterans' benefits include VA Housing-Home Loans (\$106.3 billion since WWII), medical care, pension benefits, education, burial allowance and allied benefits, and employment preferences and privileges are extended to veterans' widows and to the wives of disabled veterans.

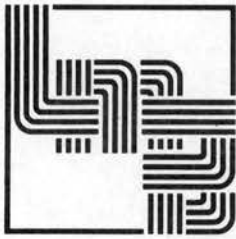
Proposed legislation:

Presently, in Minnesota, many groups are working to modify veterans' preference. They include:

The League of Minnesota Municipalities, city of Minneapolis, Hennepin County, Minnesota Women's Political Caucus, Women's Equity Action League, GOP Women for Political Effectiveness, DFL Feminist Caucus, Minneapolis Human Rights Commission, National Organization for Women, and the Association of Metropolitan Municipalities. There are at least 12 more organizations that have indicated interest in joining.

Although there have been several bills proposed, the main provisions would change the statutes applying to counties and cities to conform to the law covering the state. This would abolish absolute preference and allow a point system to be used at the local level. Other proposals would place some time limit on the use of veterans' preference, probably 10 years, and would permit a veteran to use his preference for one successful hiring. These changes would still give the veterans a definite advantage, but nonveterans would not be completely shut out. The outlook for this legislation is optimistic.

On the basis of our positions, the LWVMN is prepared to take positive action on these bills. If there are any questions about the information included in this memo, call Helene Borg, 472-2674, or the state office.



league of minnesota municipalities

January 24, 1975

TO: Persons interested in modifying the Veterans' Preference Law

FROM: Constance G. Waterous, Co-coordinator
Coalition for Fair Employment

SUBJECT: Legislative developments to date; request for lobbying assistance

As a result of meetings among the persons and organizations interested in modifying the Veterans' Preference law for state and local government, there was agreement to support the bill authored by Representative Linda Berglin (summary attached). Other House authors are Tomlinson, Forsythe, Knickerbocker and Kostahryz. Some of the concerned organizations also informally agreed to form a Coalition for Fair Employment, to continue to coordinate efforts of the supporters of the bill.

The first committee hearing on the Berglin bill has been scheduled for Monday, February 3, before the House Local and Urban Affairs committee, from 10 a.m. to 12 noon in Room 83, State Office Building. The Senate companion bill (that is, the identical bill) has been introduced in the Senate and referred to the Senate Governmental Operations committee, where hearings have not as yet been scheduled. Senate authors are William McCutcheon, (chief author) Coleman and Sillers.

In view of the fact that the House hearing is scheduled in little more than a week, it is important to make contact with the committee members as soon as possible. While it is not possible to predict at this time exactly what action the committee may take, several alternatives come to mind. They could 1) immediately recommend passage; 2) delay a decision until the opponents have had a hearing, possibly at a committee meeting February 5; 3) send it to a sub-committee. Our strategy is to work for alternative 1), that is to work for the earliest favorable decision possible. We should recognize, however, that this recommendation is not likely to be forthcoming until the opponents have had a hearing.

Lists of the members of both the House Local and Urban Affairs and the Senate Governmental Operations committees are enclosed. I would suggest that during the coming week you contact as many of these legislators as possible, giving priority to the House committee members. Some of the concerned organizations have designated a contact person for the veterans' preference issue, and it would be helpful if members of these groups would telephone their own contact person if they have questions about contacting a specific legislator. These contact persons and the groups they represent are Lauren Maker, DFL Feminist Caucus; Virginia Watkins, National Organization for Women; Pam Berkwitz, League of Women Voters; Jeanne Johnson, Minnesota Women's Political Caucus, and Ann O'Loughlin, GOP Women for Political Effectiveness.

On Wednesday, January 29, at 3 p.m., there will be a meeting of interested persons at the League of Minnesota Municipalities office. The purpose of this meeting is to discuss testimony before the House Local and Urban Affairs committee; to share research and information about the veterans' preference issue; to discuss and plan a future training session for members of interested organizations, and any other pertinent topics. Lauren Maker of the DFL Feminist Caucus, Co-coordinator of the Coalition, is calling the contact person for each organization about this meeting. However, any interested persons are welcome. The League office is close to the Capitol and there is free parking in the ramp below it.

If you have any questions or comments, please give me a call.

CGW:ct

Senate - Page 7
January 30th, 1975

Helene

Public Employment - Veterans Preference Limited

S.F.No. 223-Introduced by S. Keefe x(Mpls) Gearty x(Mpls) J. Keefe* (Hopkins)
Bill Amends Minnesota Statutes 1974, Section 197.45, Subd. 2 and 4;
repeals Sections 43.30 and 197.45, Subd. 3, relating to veterans
preference in public employment. Limits veterans preference to em-
ployment and deletes preference in promotion. Provides for 10 points
additional on examination scores for disabled veterans and 5 points
additional for other veterans, provided they attained passing scores.
Provides for listing of veterans along with other applicants by order
or scores achieved, including veterans augmentation. Eliminates ab-
solute veterans preference. Committee on Governmental Operations.

Helene

Messrs. Keefe, S.; Gearty and Keefe, J. introduced--

S. F. No. 223: Referred to the Committee of GOVERNMENTAL OPERATIONS

1 A bill for an act

2 relating to veterans; certain preferences of
3 veterans of the armed forces, their widows, and
4 dependents; amending Minnesota Statutes 1974,
5 Section 197.45, Subdivisions 2 and 4; repealing
6 Minnesota Statutes 1974, Sections 43.30 and
7 197.45, Subdivision 3.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. Minnesota Statutes 1974, Section 197.45,
10 Subdivision 2, is amended to read:

11 Subd. 2. [PREFERENCE TO WAR VETERANS IN PUBLIC
12 APPOINTMENTS.] That in every public department and upon all
13 public works in the state of Minnesota and the counties,
14 cities, towns, school districts, and all other political
15 subdivisions and agencies thereof, honorably discharged
16 veterans shall be entitled to preference in appointments,
17 and employment ~~and promotion~~ over other applicants therefor
18 as hereinafter provided, and the persons thus preferred
19 shall not be disqualified from holding any position
20 hereinbefore mentioned on account of his age or by reason of
21 any physical disability, provided such age and disability
22 does not render him incompetent to perform properly the
23 duties of the position applied for. ~~and~~ When such veteran
24 shall apply for appointment or employment under sections

1 197.45 and 197.46 by a governmental agency which does not
2 have an established civil service or merit system, the
3 officer, board or person whose duty it is, or may be, to
4 appoint or employ such person to fill such position or
5 place, shall before appointing or employing anyone to fill
6 such position or place, ~~except where said veteran has~~
7 ~~already been qualified under civil service for the position~~
8 ~~applied for~~, make an investigation as to the qualifications
9 of said veteran for such place or position, and if he is of
10 good moral character, and can perform the duties of said
11 position applied for by him, as hereinbefore provided, said
12 officer, board or person shall appoint said veteran to such
13 position or place of employment.

14 In any governmental agency having an established civil
15 service or merit system, ~~no inquiry shall be made of any~~
16 ~~applicant for examination before such examination as to~~
17 ~~whether or not he is a veteran, nor shall any distinction be~~
18 ~~made in giving the examination or grading the results~~
19 ~~thereof on account of the fact that the applicant may be a~~
20 ~~veteran, provided that this shall not abridge any~~
21 ~~preference to which such veteran is entitled, all~~
22 ~~governmental agencies when notifying the applicant that he~~
23 ~~has passed, shall inform the applicant of the right of a~~
24 ~~veteran to preference, the proper civil service or merit~~
25 ~~system authority shall certify his appointment and the~~
26 ~~appointing authority shall appoint such veteran before any~~
27 ~~other person is certified or appointed to fill a position~~
28 ~~for which the veteran has passed the examination~~ a veterans
29 preference as hereinafter described shall be given to every
30 person who is a veteran.

31 ~~A refusal to allow the preference provided for in this~~
32 ~~and the next succeeding section to any such honorably~~

1 ~~discharged-veteran-or-a-reduction-of-his-compensation~~
2 ~~intended-to-bring-about-his-resignation-or-discharge-shall~~
3 ~~entitle-such-honorably-discharged-veteran-to-a-right-of~~
4 ~~action-therefor-in-any-court-of-competent-jurisdiction-for~~
5 ~~damages,-and-such-officer-and-the-persons-responsible-for~~
6 ~~such-refusal-if-such-refusal-was-willful-shall-be-personally~~
7 ~~liable-therefor,-and-also-for-a-remedy-for-mandamus-for~~
8 ~~righting-the-wrong-~~

9 Recognizing that training and experience in the
10 services of the government and loyalty and sacrifice for the
11 government are qualifications of merit which cannot be
12 readily discovered by examination; there shall be added to
13 the examination rating of a disabled veteran, obtained in an
14 open competitive examination, a credit of ten points if such
15 veteran obtained a passing grade. There shall be added to
16 the examination rating of all other veterans, obtained in an
17 open competitive examination, a credit of five points, if
18 such veteran obtained a passing grade. The name of a
19 veteran with such augmented rating shall be entered ahead of
20 a non-veteran when their ratings are the same.

21 The fact that an applicant has claimed a veterans
22 preference shall not be made known to the examiners and the
23 preference credit shall be added to the examination rating
24 by the director or commissioner of personnel and the records
25 shall show the examination rating and the preference credit.

26 In the event of the rejection by the appointing officer
27 of the person so preferred when certified for promotion or
28 to fill a vacancy or a new position, the appointing officer
29 shall forthwith file in writing with the director or
30 commissioner of personnel the reasons for such rejection and
31 shall furnish to the rejected veteran a copy thereof.

32 A disabled veteran is one who is rated or certified as

1 disabled by the United States veterans administration, or by
2 the retirement boards of the several branches of the armed
3 forces, and which disability is existing at the time the
4 preference is claimed.

5 Any exercise of the rights, privileges, and preferences
6 conferred by this section must be made within ten years
7 following honorable discharge or separation from active
8 military service excluding any time spent in a hospital or
9 similar institution for treatment of a service connected
10 disability.

11 Sec. 2. Minnesota Statutes 1974, Section 197.45,
12 Subdivision 4, is amended to read:

13 Subd. 4. [WIDOWS, WIDOWERS, AND CERTAIN SPOUSES TO
14 HAVE RIGHTS AND PRIVILIGES.] ~~The widows of deceased veterans~~
15 ~~and the spouses of disabled veterans who, because of such~~
16 ~~disability, are unable to qualify, shall have all~~ The rights
17 and privileges given to a veteran by this section or by
18 section 197.46 are hereby given to the widow or widower of
19 any veteran and to the spouse of any disabled veteran who,
20 because of a service connected disability, is unable to
21 qualify for any state or local governmental position .

22 Sec. 3. Minnesota Statutes 1974, Sections 43.30 and
23 197.45, Subdivision 3, are repealed.

League of Women Voters of Minnesota, 555 Wabasha, St. Paul, Minnesota 55102

T I M E F O R A C T I O N

To: Local League Presidents (3 copies enclosed: Please keep one and send one each to Action Chairman and Human Resources Chairman)

From: Helene Borg, State Action Chairman

Re: H.F. 84 - Berglin, Tomlinson, Kostohryz, Knickerbocker, and Forsythe
S.F. 112 - McCutcheon, Coleman, Sillers

January 31, 1975

Background: MEMO: Proposal to Modify Veterans Preference Legislation (mailed with 1st Class January State Board Memo).

Brief Summary:

- 1 - Make local veteran preference laws conform with the state law.
- 2 - Place a ten year time limit on its use.
- 3 - Permit one successful use of veterans preference in either hiring or promotion.

WHAT TO DO: Please contact your Representative or Senator listed below and indicate League (and individual) support for H.F. 84 and S.F. 112

House Committee on Local and Urban Affairs - hearings beginning February 3, 1975 -
Room 83 State Office Building - 10:00 AM.

Berg - Chairman		
Schultz - Vice Chairman		
Begich	Kelly, R.	Pleasant
Berglin - chief author	Kelly, W.	Reding
Casserly	-McEachern	Savelkoul
Clawson	Munger	Schreiber
Dahl	Neisen	Setzepfandt
Dean	Niehaus	Sieben, M.
Friedrich	Pehler	Tomlinson - author
George	Petrafeso	Voss
		Williamson

Senate Committee on Governmental Operations - hearings beginning February 10, 1975.

• Gearty, Chairman		
• McCutcheon, Vice Chairman - chief author		
• Ashbach	• Milton	• Pillsbury
• Bordon	• Nelson	• Schaaf
• Brown	• North	• Schmitz
• Chenoweth	• Ogdahl	• Stassen
• Hansen, Mel	• Perpich, A.	• Stokowski
• Hughes		• Ueland

Helene

Messrs. Hansen, Baldy; Frederick and Laufenburger introduced--

S. F. No. 305: Referred to the Committee on GOVERNMENTAL OPERATIONS

1 A bill for an act

2 relating to public employment; preference of
3 veterans in public employment; establishing the
4 office of veterans preference counselor.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

6 Section 1. [VETERANS PREFERENCE.] Subdivision 1. The
7 word "veteran" as used in this section means:

8 (a) any man or woman separated under honorable
9 conditions from the army, navy, marine corps, or Womens'
10 Auxiliary Army Corps of the United States in the Civil War,
11 Spanish-American War, Philippine Insurrection, China Relief
12 Expedition, or any armed expedition for which Congress has
13 awarded a campaign badge or medal, World War wherein the
14 United States of America and the allied nations of England,
15 France, and others were engaged in war against the Imperial
16 German Government and its allies;

17 (b) any person who, on or after December 7, 1941, has
18 been separated under honorable conditions from any branch of
19 the armed forces of the United States;

20 (1) after having served on active duty for 181
21 consecutive days, or

22 (2) by reason of disability incurred while serving on

1 active duty;

2 (c) any person who served in the active military or
3 naval service of any government allied with the United
4 States and who was separated under honorable conditions
5 therefrom;

6 who is a citizen of the United States and has been a
7 resident of the state of Minnesota six months immediately
8 preceding his application.

9 Subd. 2. In every public department and upon all
10 public works in the state of Minnesota and the counties,
11 cities, towns, school districts, and all other political
12 subdivisions and agencies thereof, veterans shall be
13 entitled to preference in appointments and employment, over
14 other applicants therefor. The persons thus preferred shall
15 not be disqualified from holding any position mentioned on
16 account of age or by reason of any physical disability,
17 provided such age or disability does not render the veteran
18 incompetent to perform properly the duties of the position
19 applied for. When a veteran shall apply for appointment or
20 employment, the officer, board or person whose duty it is to
21 appoint or employ a person to fill the position or place,
22 shall before appointing or employing anyone to fill the
23 position or place, except where the veteran has already been
24 qualified under civil service for the position applied for,
25 make an investigation as to the qualifications of the
26 veteran for the place or position, and if the veteran can
27 perform the duties of the position applied for, as
28 hereinbefore provided, the officer, board or person shall,
29 subject to the conditions of this section, appoint the
30 veteran to the position or place of employment.

31 In any governmental agency having an established civil
32 service or merit system, no inquiry shall be made of any

1 applicant for examination before such examination as to
2 whether or not the applicant is a veteran, nor shall any
3 distinction be made in giving the examination or grading the
4 results thereof on account of the fact that the applicant
5 may be a veteran; provided, that this shall not abridge any
6 preference to which a veteran is entitled. All governmental
7 agencies when notifying the applicant that he has passed,
8 shall inform the applicant of the right of a veteran to
9 preference.

10 A refusal to allow the preference provided for in this
11 section to a veteran, or a reduction of his compensation
12 intended to bring about resignation or discharge of the
13 veteran, shall entitle the veteran to a right of action for
14 damages in any court of competent jurisdiction. The officer
15 and persons responsible for the refusal, if the refusal was
16 wilful, shall be personally liable therefor, and also
17 subject to equitable relief.

18 Subd. 3. In all civil service examinations a veterans
19 preference shall be given to every person who is a veteran,
20 a citizen of the United States and a resident of the state
21 of Minnesota for six months, immediately preceding
22 application, and to persons who served in the active
23 military service of any government allied with the United
24 States and who have been separated under honorable
25 conditions therefrom, who are citizens of the United States
26 and residents of the state of Minnesota for six months
27 immediately preceding their application. The veteran thus
28 preferred shall not be disqualified from holding any
29 position on account of age or by reason of any physical
30 disability, as determined by a qualified physician, which
31 disability does not render the veteran incompetent to
32 perform the duties of the position.

1 Recognizing that training and experience in the
2 services of the government and loyalty and sacrifice for the
3 government are qualifications of merit which cannot be
4 readily discovered by examination, veterans who have
5 received a passing grade in a civil service entrance
6 examination, shall have added to their examination grade
7 rating a total of five points, and their name shall be
8 placed on the eligibility list in the position in which the
9 augmented rating places them with other eligible persons.

10 In all cases where examination or augmented ratings are the
11 same, a veteran shall be placed ahead of a nonveteran.

12 A veteran who is adjudicated by the United States
13 Veterans Administration as having a compensable service
14 connected disability and who has attained a passing grade in
15 an entrance examination shall have added to his grade a
16 total of ten points and shall be placed ahead of all other
17 eligibles.

18 Subd. 4. A nominating or appointing officer shall
19 request from the civil service commission or other agency
20 certification of eligibles for appointment purposes. The
21 civil service commission shall certify the first three names
22 on the top of the register of eligibles. The appointing
23 officer shall appoint one of the three. No candidate shall
24 be passed over more than twice. When an eligible person is
25 not appointed his name shall be returned to its former place
26 on the list of eligible persons.

27 Subd. 5. In any governmental agency having an
28 established civil service or merit system, when an applicant
29 is a veteran and he has passed the promotional examination
30 for his first promotion, he may elect to have a credit of
31 five points added to the examination rating. The decision
32 to make the election may be made either before or after the

1 examination. The decision to make the election must be made
2 no more than six years after the applicant's initial
3 appointment. If the election is made and the promotion is
4 gained, the election shall preclude the use of a five point
5 preference in further promotions. The name of the veteran
6 with the augmented rating shall be placed on the list of
7 eligibles along with other eligible persons for the position
8 or place. The name of the veteran shall be entered ahead of
9 a non-veteran when the ratings are the same.

10 Subd. 6. In any reduction in personnel in any agency,
11 employees shall be released, with due regard to veterans
12 preference, tenure of employment, length of service. When a
13 function of a department or agency is transferred, or when
14 an agency or department is replaced by some other agency or
15 department, all preference employees in the function
16 transferred to the replacing agency or department, shall be
17 transferred to the replacing agency or department for
18 employment in positions for which they are qualified, before
19 the agency or department shall appoint additional employees
20 from any other source for the positions.

21 Subd. 7. The spouse of a veteran who has a disability
22 which disqualifies him for civil service appointment to a
23 position, shall have all the rights and privileges given to
24 a veteran by this section. The surviving spouse of a
25 deceased veteran shall have the same rights and privileges
26 until remarriage.

27 Subd. 8. The provisions of Minnesota Statutes,
28 Sections 43.30, 197.45, 197.46, 197.47 or any other law or
29 municipal charter or ordinance inconsistent with the
30 provisions of this section are superseded to the extent of
31 the inconsistency. This section shall not be construed to
32 take away any preference or any eligible rights heretofore

1 granted to or possessed by a veteran under any existing law,
2 executive order, civil service rule or regulation.

3 Sec. 2. [VETERANS PREFERENCE COUNSELOR.] There is
4 established in the department of veterans affairs, a
5 position within the unclassified service to be known as a
6 veterans preference counselor. He shall have the same
7 qualifications as the commissioner of veterans affairs. The
8 veterans preference counselor shall be responsible for the
9 protection of all veterans' rights and privileges accorded
10 by this act. He shall be available for counsel by
11 appointment, to any veteran whose rights and privileges
12 under this act, have been questioned.

February 3, 1975

Minnesota Women's Political Caucus

Contact Person: Jeanne Johnson 374-9058 nights
222-2861 days

FOR IMMEDIATE RELEASE

"Veterans preference hurts veterans," said Jeanne Johnson of the Minnesota Women's Political Caucus today. "The absolute veteran's preference operates to exclude NOT just the men who stayed home, but their wives, children, and strangely enough, younger veterans."

Ms. Johnson spoke at legislative hearings being held in the House of Representatives in St. Paul.

"I, personally, favor many benefit programs for veterans. They deserve special consideration. But the absolute veterans preference excludes the wrong people and works against the original intent of the legislation," she said.

The MWPC, formed in 1971 to aid women to become more effective in politics, unanimously voted at their convention held February 1 to actively work for revision of the present veteran's preference statutes.

"Veterans who favor a competitive system will support revision because they recognize that absolute veteran's preference often selects the least competent person for the job," declared Ms. Johnson.

Hearings on Representative Linda Berglin's compromise bill will continue in the House Wednesday, February 5.

February 3, 1975

To:

From: Helene Borg, Action Chairman, League of Women
Voters of Minnesota

Subject: Veterans' Preference Hearing
Monday, February 3, 1975

It was stated at your Committee Hearing that the League of Women Voters had worked for Veterans' Preference and the implication was that we had been for absolute Veterans' Preference. This statement was incorrect.

In working for "efficiency in government" the LWV considered Veterans' Preference. We concluded that "preference should be available for use only once. It should not be applied to a candidate's examination grade, unless he first earned a passing grade No veteran should go to the head of an eligible list unless his earned grade plus veterans' preference points place him there." This was the position the LWV held while we worked for the Reorganization Bill of 1939, the Civil Service Act, the 1955 Fair Employment Practices Act and the 1961 State Act Against Discrimination.

We work in support of policies to ensure equality of opportunity in employment. We support the principle that the state is responsible for all its citizens by all levels of government.

The proposed bill, H.F. 84, compensates the veteran for time lost while in military service, but still allows the employment and promotion of the most qualified person for the job.

League of Women Voters of Minnesota, 555 Wabasha, St. Paul, Minnesota 55102

Testimony before House Committee on Local and Urban Affairs
by Helene Borg, Action Chairman,
League of Women Voters of Minnesota
February 3, 1975 - 10 a.m. - Room 83

The League of Women Voters of Minnesota supports H.F. 84
modifying veterans' preference.

In spite of its public purpose to compensate a veteran
for time lost and allow re-entry into the work force, the
League believes that absolute veterans' preference greatly
hinders affirmative action efforts and denies equality of
opportunity in employment for many people, particularly
women and the handicapped. It also hinders the employment
and promotion of the most qualified person for the job.

Committee on Local and Urban Affairs

House of Representatives

Monday, February 3, 1975

Organizations and persons testifying on behalf of H.F. 84:

State Representative Linda Berglin
Alderman Earl Netwal, City of Minneapolis
~~Bill Douglas~~, Minneapolis Advisory Commission on Affirmative Action *Sherry Lurth*
Ron Jones, Affirmative Action Officer, City of St. Paul
G. Stevens Bernard, City Manager, White Bear Lake, League of Minnesota *Duke Athies*
Municipalities
JoAnn Bloomberg, Vice President, League of Minnesota Human Rights *Michael O'Donnell*
Commissions *- didn't speak* *Acting Director of*
James W. Fritzie, Assistant Commissioner, Department of Personnel, *Department of Personnel*
State of Minnesota *- introduced Fritzie*
Bob Currie, Assistant to Director, State of Minnesota Employees Union,
AFS-CME Council 6 *67 male*
Carrie Wasley, DFL Feminist Caucus *92 female*
Pam Berkwitz, League of Women Voters *Helene Berg*
Jeanne Johnson, Minnesota Womens Political Caucus
Ann O'Laughlin, ~~GOP Women for Political Effectiveness~~ *GOP Feminist Caucus*
Sherry Lurth, ~~National Organization of Women~~
Bernie Johnson, United Handicapped Federation
Jerry Fair, National Paraplegia Foundation
Kay Brown, Mayor's Advisory Committee on Handicapped, Minneapolis
Gale Ausen, Minneapolis Epilepsy League
Peter Meyer, City of Golden Valley Civil Service Commission
Dennis Gustafson, Hennepin County, Department of Personnel
John Hanson, Citizens League
Sue Cote, Minneapolis Human Rights Commission
Chas Baker MN Com. for the Handicapped

Written testimony included with this information:

Ruby Hunt, President, City Council of St. Paul
Civil Service Commission, City of St. Paul
Diane Ahrens, Commissioner, Ramsey County
Don Mead, Director of Civil Service, Ramsey County
Betty Howard, Minnesota Department of Human Rights
G. Stevens Bernard, League of Minnesota Municipalities
Sherry Lurth, National Organization of Women

Opposition

Joseph ^{Pango} ~~Engle~~ - State United Veterans Council

Tony Caligatti - Department of Labor - Veteran employment

Hiram Fuller - Leg. chairman - Disabled Amer. Vets

Charles Tim - Leg. Com. for " " "

Tony Thomas - just wanted to be seen

Frank Monson - VFW St. Leg. chairman

Frank Monson - Amer. Leg.



league of minnesota municipalities

February 4, 1975

TO: Minnesota Legislators

FROM: Coalition for Fair Employment
Constance G. Waterous, League of Minnesota Municipalities -
Coordinator

SUBJECT: Veterans Preference in Local and State Employment

The legislature is now engaged in a discussion of modifying veterans preference laws for state and local employment. The purpose of this presentation is to clarify the provisions of the two proposals for modification that have been most widely discussed. One is the proposal embodied in the Berglin bill (H.F. 84, S.F. 112) now being heard in the House Local and Urban Affairs Committee and backed by the Coalition for Fair Employment. The second is the proposal to be presented by veterans groups. We understand the veteran's proposal is being revised; however, comparisons here are taken from a draft bill distributed to the League of Minnesota Municipalities Board on February 1.

The attached analysis compares existing veterans preference laws with the two proposals on a point-by-point basis. In summary, however, the following is the net effect of the two proposals for modification:

H.F. 84, S.F. 112. clearly moves toward modification of veterans preference laws. It makes the local law the same as the state law, and limits the use of point preference to one successful use in either hiring or promotion. The preference credit must be used within 10 years following discharge or the effective date of the act. The authors of H.F. 84 are Berglin, Tomlinson, Forsythe, Knickerbocker, and Kostahryz. The authors of S.F. 112 are McCutcheon, Coleman and Sillers.

The Veterans proposal purports to make both state and local laws the same. However, in several crucial areas, the effect of the bill is unclear, and there are provisions that would in fact strengthen the present veterans preference. These include the "rule of three" for all state and local civil service systems, with absolute preference on the third try, and a provision that specifies that in any reduction in personnel in any agency, all preference employees shall be given first preference in job transfers or other placements. Absolute preference is retained for local units with no civil service system.

CGW:pjr

Coalition for Fair Employment

The Coalition is an informal group of organizations that are committed to modifying the present state and local veterans preference laws and to move toward less preference for the veterans group. The following organizations are represented in the Coalition:

- City of Minneapolis
- League of Minnesota Municipalities
- League of Minnesota Human Rights Commissions
- DFL Feminist Caucus
- League of Women Voters of Minnesota
- Minnesota Womens Political Caucus
- GOP Women for Political Effectiveness
- National Organization of Women
- United Handicapped Federation
- National Paraplegia Foundation
- Mayor's Advisory Committee on Handicapped, Minneapolis
- Minneapolis Epilepsy League
- Hennepin County
- Citizens League

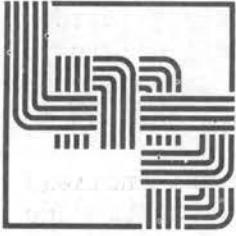
Co-coordinators

Constance G. Waterous, League of Minnesota Municipalities
222-2861

Loren Maker, DFL Feminist Caucus
646-4004

<u>Issue</u>	<u>Present Law</u>	<u>Berglin Bill</u>	<u>Veteran's Bill</u>
Whether state and local laws are the same.	Wide differences exist; in local gov., veterans have absolute preference in original employment and one successful use for promotions; in state civil service, veterans have a point preference for both original appointments and promotions without limit.	Makes both laws the same.	Effect is unclear. Absolute preference retained for local units with no civil service system. (Sec. 1, Subd. 2) Apparently makes state and local civil service laws the same except that existing laws are continued to the extent not inconsistent with the bill. Provides universal "rule of three", replacing more liberal state rule and local "rule of one" (Minneapolis).
Preference in original appointments in local governments with <u>no</u> civil service.	Absolute preference.	Point preference as in other local and all state units.	Absolute preference.
Preference in original appointments in local governments with civil service	Absolute preference.	5 pt. preference or 10 if disabled.	Effect is unclear, subd. 3 specifies 5 pts; or 10 pts. if disabled. However, subd. 4 provides "rule of 3" and that "no candidates shall be passed over more than twice;" i.e., absolute preference on the 3rd try.
Preference in original appointments in state civil service.	5 pts; or 10 if disabled. Disabled veterans automatically go to top of the list. Disabled veterans need not pass examination.	5 pt. preference or 10 if disabled.	Same as above. Note that state now has "rule of 10." This would be amended.
Preference in promotions in local civil service.	5 pts. or 10 if disabled; limited to one successful use.	5 pts. or 10 if disabled. *Limited as below.	5 pts. Veterans go to top of list. Limited to one successful use within 6 yrs. of original appointment.

<u>Issue</u>	<u>Present Law</u>	<u>Berglin Bill</u>	<u>Veteran's Bill</u>
Preference in promotions in state civil service.	5 pts. or 10 if disabled. No limit on use.	Same as above.	Same as above.
Time limitations on use of preference.	No time limitations in state or local.	*10 years from discharge or effective date of bill.	No limit in original appointment. Promotion preference limited to 6 yrs. within original appointment.
Limits on number of situations where preference may be used.	No limit in original appointments; preference may be re-used in multiple jurisdictions. Local law specifies one successful use in promotions.	*One successful use in original appointment or promotion. No re-use in multiple jurisdictions.	No limit in original appointments; use in multiple jurisdictions permitted. Evidently some limit in promotion, as above.
Effect on veterans who have already used preference to gain public employment	-----	No further use of preference.	Retains present laws to the extent they are consistent, which may cause confusion. Specifically provides that the bill if adopted would not take away any preference a veteran has under any existing law.
Disability definition.	Rated or certified as disabled by U. S. Veterans Administration or by armed forces retirement boards.	Same as present law.	Must be a compensable, service-connected disability.



league of minnesota municipalities

TO: Coalition for Fair Employment and Persons Interested
in Modifying Veterans Preference Laws

FROM: Constance G. Waterous, League of Minnesota Municipalities
Coalition Coordinator

DATE: February 7, 1975

Action on the bills to modify veterans preference laws has been moving very quickly. On Wednesday, February 5, the House Local and Urban Affairs Committee voted to lay-over H.F. 84 (the Berglin bill) until Wednesday, February 12. It is anticipated that the committee will hold an internal session on that day to make its final decision. There will likely be no testimony on that day, so that committee members can fully discuss the Berglin bill, the veterans bill and any proposed amendments. However, all interested persons are urged to be present at the hearing in the Auditorium of the State Office Building to show that they are supporting the bill. Additionally, supporters should be present in the event legislators have any questions about previous testimony.

On Monday, February 10, there will be two important activities. First, the Senate committee on Governmental Operations will begin hearing S.F. 112, the Senate companion of H.F. 84, sponsored by Senator William McCutcheon. The hearing will be at 8:30 in Capitol 112 and again all interested persons are urged to be present.

After the hearing, Coalition members will begin a major lobbying effort to make personal contact with all legislators. Headquarters will be Room 57 of the State Office Building and the dates are Monday, February 10 and Tuesday, February 11. Coalition members will provide lobbying training, information and identification tags for anyone who is interested in lobbying on H.F. 84/S.F. 112. Since there is no doubt that the veterans groups will be lobbying in force, it is very important that supporters of H.F. 84/S.F. 112 continue their efforts in high gear at this point.

If you have any questions, please give me a call.

CGW/eb

League of Women Voters of Minnesota, 555 Wabasha, St. Paul, Minnesota 55102

Testimony before Senate Committee on Governmental Operations
by Helene Borg, Action Chairman,
League of Women Voters of Minnesota
February 10, 1975 - 8 a.m. - Room 112
State Capitol, St. Paul, Minnesota

The League of Women Voters of Minnesota supports S.F. 112 modifying veterans' preference.

In working for "efficiency in government," the LWV considered Veterans' Preference. We concluded that "preference should be available for use only once. It should not be applied to a candidate's examination grade, unless he first earned a passing grade No veteran should go to the head of an eligible list unless his earned grade plus veterans' preference points place him there." This was the position the LWV held while we worked for the Reorganization Bill of 1939, the Civil Service Act, the 1955 Fair Employment Practices Act and the 1961 State Act Against Discrimination.

We work in support of policies to ensure equality of opportunity in employment. We support the principle that the state is responsible for all its citizens by all levels of government.

In spite of its public purpose to compensate a veteran for time lost and allow re-entry into the work force, the League believes that absolute veterans' preference greatly hinders affirmative action efforts and denies equality of opportunity in employment for many people, particularly women and the handicapped. The proposed bill, S.F. 112, compensates the veteran for time lost while in military service, but still allows the employment and promotion of the most qualified person for the job.

Committee on Governmental Operations

Minnesota Senate

Monday, February 10, 1975

Organizations and persons testifying on behalf of S.F. 112:

City of Minneapolis

Albert R. Zangs, Member, Civil Service Commission, City of St. Paul

Carrie Wasley, DFL Feminist Caucus

John Elwell, City Manager, Albert Lea, Minnesota, League of Minnesota

Municipalities

Michael Bjerkesett, United Handicapped Federation

Tom Ticen, Chairman, Hennepin County Board of Commissioners

Ann O'Laughlin, GOP Women for Political Effectiveness

Ron Jones, Affirmative Action Officer, City of St. Paul

Bob Currie, Assistant to Director, State of Minnesota Employees

Union, AFS-CME Council 6

Clifford Miller, Executive Director, Minnesota Commission on Handicapped

Martha Kahne

John Hanson, Citizens League

Helen Borg, League of Women Voters of Minnesota

James W. Fritzie, Assistant Commissioner, Department of Personnel,

State of Minnesota

National Organization of Women

Jeanne Johnson, Minnesota Women's Political Caucus

Summary of Governmental Benefits
to Veterans in Minnesota - 1974

\$235,318,000

- Benefits to veterans through the federal Veterans Administration (Itemized list attached).

Source: Executive Office of the President

\$ 1,630,000

- Estimated cost to counties for administration of network of county veteran service officers

Source: Letter from Veterans Administration to State Representative Neil Dieterich

\$ 46,000,000

- Cost to August, 1974 of Minnesota Vietnam veterans bonus program

Source: Minnesota Department of Veterans Affairs

\$ 1,300,000

- Expenditures of Minnesota Department of Veterans Affairs, FY 1973-74 (includes salaries and departmental expenses as well as direct aids)

Source: Minnesota Department of Veterans Affairs

Benefits to Veterans in Minnesota
through the federal Veterans Administration
for fiscal years 1973 and 1974*

Note: only benefits to veterans in the state of Minnesota are listed

<u>Type of Benefit</u>	<u>1973 Outlays</u>	<u>1974 Outlays</u>
Veterans readjustment training (educational benefits)	49,266,000	\$57,811,000
Direct loans (housing credit assistance)	6,952,000	5,109,000
Rehabilitation training for disable	2,335,000	1,833,000
Dependents education	1,580,000	1,911,000
Disability compensation	60,147,000	63,489,000
Disability pensions	33,538,000	33,475,000
Hospitalization benefits	60,651,000	53,671,000
Insurance and Indemnity benefits	15,591,000	18,019,000
TOTALS	\$230,060,000	\$235,318,000
Loan value of guaranteed and insured loans (housing and business loans)	\$189,230,000	\$158,845,000

*This display lists major benefits only

Source: Federal Outlays in Minnesota

Fiscal Years 1973 and 1974
Office of Economic Opportunity
Executive Office of the President

SOME COMMONLY ASKED QUESTIONS ABOUT VETERAN'S PREFERENCE:

1. Veterans need veteran's preference because draftees are usually from disadvantaged groups and the preference assures them a job they would not otherwise be able to get.

FACT: Of the total number of males serving in the Armed Forces from the State of Minnesota in the vietnam conflict, white males comprised 98.5% (91,415), black males were .78% (717) and spanish speaking american males were .77% (729) resulting in a total population of 92,781 veterans.

---Minnesota Department of Manpower Services. 1970 Minnesota Census.

"Veteran's preference rights are not rights that have been earned through years of service to the state, but are a gratuity, given to a class of persons to show the state's appreciation for service to armed forces of the United States, and they do not amount to vested rights in the recipients."

---State ex rel. Dolan v. Civil Service Bureau of City of St. Paul. 1972, 293 Minn.477.197N.W.2nd711.

2. Vietnam veterans have the highest rate of unemployment in the current unemployment spiral.

FACT: According to the MONTHLY LABOR REVIEW, November 1974, the National unemployment statistics for September 1974 were:

Total unemployment - 20 yrs +	5.8%
Male unemployment - 20 yrs +	3.9%
vietnam era veteran total	5.2%*
female unemployment 20 yrs +	5.7%
total black unemployed 20 yrs +	9.8%

*Breakdown for total vietnam veteran unemployment:

20-34 years	5.2%	
20-24 years	12.4%**	**this is a normal high unemployment
25-29 years	3.8%	figure for this age grouping due to
30-34 years	2.2%	school attendance, etc.

Note: As reported in the MINNEAPOLIS TRIBUNE for January 28, 1975, Twin Cities unemployment rate is 5.1%. State unemployment is currently 5.9%.

3. Everybody knows that all the best jobs are going to women. And they don't even need them!

FACT: Women comprise 22% of the city of Minneapolis' work force. Of this percentage, 57% are in the office and clerical category and another 5½% are in the para-professional category. These two categories are the lowest paid of the nine categories. 62½% of women workers make on the average \$133.50 per week.*

---62½% of the male work force would make on the average of \$193.50 for the week.

FACT: In 1970 women in Minnesota comprised 38% of the total workforce. Of these, 40% are single, widowed, divorced or separated with over 36,000 being female heads of households.

---WOMEN WORKERS IN MINNESOTA, 1970
US Dept. of Labor, Wash., D.C.

4. How are women affected by veteran's preference?

FACT: When it comes to promotions and higher paying job categories, there are virtually no women or only a token few.

There are only 5 women in the professional category for the city of Minneapolis who are directly competing with men for their jobs. All other professional women are in traditional occupations, i.e. public health nurse, social worker, registered nurse and recreation supervisor.

And even among the 5 who are competing with men, only in one category is the female employee at a promotional level. In all other categories the women are at the entry level and are the only women in that department. All promotional and higher positions are occupied by males.

"At the Hennepin County Attorney's office, the register for junior attorneys is so glutted with veterans names that women minorities need not apply."

---Ed Mansfield, Director
Affirmative Action for
Hennepin County

5. Why is there a need for new legislation?

FACT: Today there exists at least two systems of veteran's preference in the state. The state civil service under section 43.30 is a 5 and 10 point preference in hiring and promotion. The state statute which covers all other employees, 197.45, gives the veteran an absolute preference in hiring. ~~As shown below~~ As shown below one can readily see the difference this makes:

Hennepin County
vets 59.2%
non vets 40.8%

State of Minnesota
vets 19.46%
non vets 80.54%

---Paul Roberts, Minnesota
Department of Personnel

---Hennepin County, Department
of Affirmative Action

Prepared for the
DFL Feminist Caucus
by Nancy Lux and
Carrie Wasley
January 30, 1975

4. Selected unemployment indicators, seasonally adjusted

Selected categories	Annual average		1973				1974								
	1972	1973	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.
Total, 16 years and over.....	5.6	4.9	4.7	4.6	4.7	4.8	5.2	5.2	5.1	5.0	5.2	5.2	5.3	5.4	5.8
Males, 20 years and over.....	4.0	3.2	3.0	3.0	3.0	3.0	3.4	3.5	3.4	3.6	3.4	3.5	3.5	3.8	3.9
Females, 20 years and over.....	5.4	4.8	4.8	4.4	4.7	5.0	5.2	5.1	5.0	4.9	5.1	5.1	5.2	5.2	5.7
Both sexes, 16-19 years.....	16.2	14.5	14.3	14.0	14.5	14.4	15.6	15.3	15.0	13.8	15.8	15.6	16.2	15.3	16.7
White, total.....	5.0	4.3	4.2	4.1	4.2	4.4	4.7	4.7	4.6	4.5	4.7	4.8	4.8	4.8	5.3
Males, 20 years and over.....	3.6	2.9	2.8	2.7	2.7	2.9	3.1	3.2	3.0	3.2	3.1	3.2	3.3	3.5	3.5
Females, 20 years and over.....	4.9	4.3	4.3	4.0	4.1	4.4	4.7	4.7	4.6	4.6	4.7	4.8	4.8	4.8	5.3
Both sexes, 16-19 years.....	14.2	12.6	12.2	12.4	12.7	12.8	13.7	13.3	12.8	11.9	14.0	13.9	13.9	13.3	15.2
Negro and other races, total.....	10.0	8.9	9.2	8.4	8.9	8.6	9.4	9.2	9.4	8.7	9.5	8.8	9.4	9.2	9.8
Males, 20 years and over.....	6.8	5.7	5.4	5.5	5.5	4.9	5.8	6.6	6.8	6.5	6.3	6.5	5.9	6.3	6.7
Females, 20 years and over.....	8.8	8.2	8.1	7.8	8.7	8.7	9.1	7.9	7.0	6.8	8.9	6.9	8.0	8.0	8.3
Both sexes, 16-19 years.....	33.5	30.2	33.7	27.3	29.1	28.7	29.1	29.2	33.8	30.3	33.5	30.3	35.3	31.4	32.4
Household heads.....	3.3	2.9	2.7	2.7	2.8	2.8	3.0	3.0	3.0	3.1	3.0	3.1	3.0	3.1	3.4
Married men, spouse present.....	2.8	2.3	2.1	2.1	2.1	2.2	2.3	2.4	2.4	2.5	2.2	2.6	2.6	2.6	2.8
Full-time workers.....	5.5	4.3	4.2	4.1	4.3	4.4	4.7	4.7	4.6	4.6	4.6	4.7	4.8	4.8	5.3
Part-time workers.....	8.6	7.9	7.7	7.5	7.3	7.5	8.2	8.4	8.1	7.3	8.3	8.9	8.6	3.7	8.8
Unemployed 15 weeks and over.....	1.3	.9	.9	.8	.9	.8	.8	.9	.9	.9	1.0	1.0	1.0	1.0	1.1
State insured ¹	3.5	1.7	2.6	2.6	2.6	2.7	3.1	3.3	3.4	3.4	3.3	3.4	3.4	3.3	3.4
Labor force time lost ²	5.9	5.2	5.1	5.1	5.2	5.4	5.7	5.7	5.6	5.7	5.7	5.6	5.7	5.8	6.4
OCCUPATION															
White-collar workers.....	3.4	2.9	2.9	2.6	2.8	3.1	3.2	3.2	2.8	2.8	3.2	3.1	3.3	3.1	3.5
Professional and technical.....	2.4	2.2	2.3	2.2	2.1	2.3	2.5	2.0	1.9	2.2	2.1	1.9	2.1	2.2	2.6
Managers and administrators, except farm.....	1.8	1.4	1.3	1.4	1.2	1.4	1.7	1.8	1.5	1.6	1.9	1.8	1.4	1.9	2.0
Sales workers.....	4.3	3.7	3.5	3.0	3.3	4.5	4.0	4.2	3.8	3.3	4.2	4.6	4.0	3.7	4.1
Clerical workers.....	4.7	4.2	4.2	3.6	4.0	4.3	4.5	4.5	4.0	3.9	4.6	4.4	5.0	4.4	4.9
Blue-collar workers.....	6.5	5.3	5.1	5.1	5.4	5.2	6.0	6.1	6.1	6.4	5.7	6.2	6.1	6.5	6.8
Craft and kindred workers.....	4.3	3.7	3.7	3.5	3.9	3.2	3.8	3.9	3.6	3.9	3.7	4.2	4.2	4.2	4.8
Operatives.....	6.9	5.7	5.3	5.4	5.6	5.8	7.0	6.8	7.2	7.1	6.3	6.8	6.3	7.0	7.4
Nonfarm laborers.....	10.3	8.4	8.1	8.0	8.6	8.3	8.4	9.3	9.0	10.4	8.8	9.6	10.7	10.7	10.1
Service workers.....	6.3	5.7	5.7	5.1	5.9	6.2	5.5	6.1	6.1	5.8	6.7	5.8	6.3	6.2	6.4
Farm workers.....	2.6	2.5	2.4	2.5	2.3	2.4	1.9	2.1	2.8	2.7	2.6	2.8	2.9	2.8	2.5
INDUSTRY															
Nonagricultural private wage and salary workers ³	5.7	4.8	4.7	4.5	4.8	5.0	5.3	5.4	5.1	5.3	5.2	5.4	5.4	5.5	6.0
Construction.....	10.3	8.8	9.5	9.0	9.1	8.2	9.1	7.9	8.4	10.3	9.6	10.2	10.6	11.1	12.4
Manufacturing.....	5.6	4.3	4.2	3.9	4.3	4.3	5.1	5.3	5.2	5.0	4.7	5.2	5.1	5.4	5.8
Durable goods.....	5.4	3.9	4.0	3.7	3.6	3.9	5.0	5.1	5.0	5.0	4.5	4.3	4.4	4.8	5.1
Non-durable goods.....	5.7	4.9	4.4	4.1	5.3	4.9	5.3	5.7	5.5	5.1	5.0	5.7	6.0	6.4	6.8
Transportation and public utilities.....	3.5	3.0	2.8	2.9	3.1	3.1	2.9	3.1	2.3	3.0	3.0	3.2	3.4	3.5	3.4
Wholesale and retail trade.....	6.4	5.6	5.6	5.1	5.4	6.1	6.1	6.0	5.8	5.9	6.3	6.1	6.4	5.1	6.6
Finance and service industries.....	4.8	4.3	4.0	4.1	4.3	4.6	4.5	4.9	4.4	4.3	4.3	4.3	4.3	4.4	4.8
Government workers.....	2.9	2.7	3.0	2.7	2.5	2.5	2.5	2.8	2.8	2.9	3.4	2.9	3.1	2.9	3.1
Agricultural wage and salary workers.....	7.6	6.9	5.8	6.7	7.4	6.4	6.3	6.7	7.8	8.2	7.1	7.5	7.8	6.9	6.4
VETERAN STATUS															
Males, Vietnam-era veterans ⁴															
20 to 34 years.....	6.7	5.0	4.9	4.5	3.7	4.3	5.2	5.0	5.1	5.1	4.8	5.2	4.9	5.0	5.2
20 to 24 years.....	10.6	8.9	8.0	8.2	7.2	7.5	10.6	10.0	9.0	9.2	10.3	10.1	9.5	11.4	12.4
25 to 29 years.....	5.0	3.7	4.0	3.4	2.5	3.4	3.6	3.8	4.3	4.5	3.6	4.4	4.3	3.6	3.8
30 to 34 years.....	2.9	2.6	3.1	2.7	2.4	2.8	3.1	2.7	2.8	2.8	2.5	2.6	2.0	2.5	2.2
Males, nonveterans.....															
20 to 34 years.....	5.8	4.9	4.7	4.2	4.6	4.7	5.2	5.4	5.5	5.8	5.6	5.4	5.5	6.3	5.7
20 to 24 years.....	8.8	6.8	6.6	5.7	6.5	6.5	7.2	7.9	7.8	7.6	7.9	7.5	7.8	9.2	8.0
25 to 29 years.....	4.2	4.3	4.2	4.0	4.2	4.0	4.0	4.1	4.3	4.9	4.8	4.6	4.0	4.3	4.2
30 to 34 years.....	3.1	2.4	2.2	2.1	2.0	2.1	3.2	2.8	3.2	3.7	2.6	2.3	3.5	3.8	3.5

¹ Insured unemployment under State programs; unemployment rate calculated as a percent of average covered employment.

² Man-hours lost by the unemployed and persons on part time for economic reasons as a percent of potentially available labor force man-hours.

³ Includes mining, not shown separately.

⁴ Vietnam-era veterans are those who served after Aug. 4, 1964.

5. Unemployment

Age and sex

Total, 16 years and over.....	5.8
16 to 19 years.....	3.9
16 and 17 years.....	5.7
18 and 19 years.....	5.7
20 to 24 years.....	5.3
25 years and over.....	5.3
25 to 54 years.....	5.3
55 years and over.....	5.3
Male, 15 years and over.....	5.3
16 to 19 years.....	5.3
16 and 17 years.....	5.3
18 and 19 years.....	5.3
20 to 24 years.....	5.3
25 years and over.....	5.3
25 to 54 years.....	5.3
55 years and over.....	5.3
Female, 16 years and over.....	5.3
16 to 19 years.....	5.3
16 and 17 years.....	5.3
18 and 19 years.....	5.3
20 to 24 years.....	5.3
25 years and over.....	5.3
25 to 54 years.....	5.3
55 years and over.....	5.3

5. Unemployed persons

Numbers in thousands

Reason for unemployment

NUMBER OF UNEMPLOYED

Lost last job.....	6.0
Left last job.....	12.4
Entered labor force.....	5.8
Never worked before.....	5.1

PERCENT DISTRIBUTION

Lost last job.....	6.8
Left last job.....	3.4
Entered labor force.....	6.6
Never worked before.....	3.1

UNEMPLOYED AS A PERCENT OF CIVILIAN LABOR FORCE

Lost last job.....	5.2
Left last job.....	12.4
Entered labor force.....	3.8
Never worked before.....	2.2

Duration of unemployment

Numbers in thousands

Less than 5 weeks.....	2.0
5 to 14 weeks.....	4.2
15 to 26 weeks.....	3.5
27 weeks and over.....	3.5

Period

1974	1
1973	1
1972	1

Rate (mean) duration, in weeks

1974	1
1973	1
1972	1

VIETNAM
Vietnam Bonus Division's
Progress Report

VIETNAM BONUS DOLLARS PAID TO MINNESOTANS BY COUNTIES

<u>County</u>	<u>Amount</u>	<u>County</u>	<u>Amount</u>
AITKIN	\$ 135,765.00	MARSHALL	\$ 145,615.00
ANOKA	2,501,970.00	MARTIN	267,350.00
BECKER	312,855.00	MEeker	242,355.00
BELTRAMI	370,015.00	MILLE LACS	202,110.00
BENTON	350,035.00	MORRISON	325,605.00
BIG STONE	66,355.00	MOWER	529,150.00
BLUE EARTH	732,115.00	MURRAY	126,350.00
BROWN	369,265.00	NICOLLET	314,015.00
CARLETON	336,920.00	NOBLES	242,135.00
CARVER	383,905.00	NORMAN	97,075.00
CASS	201,630.00	OLMSTEAD	977,155.00
CHIPPEWA	141,850.00	OTTERTAIL	497,545.00
CHISAGO	270,990.00	PENNINGTON	197,550.00
CLAY	487,295.00	PINE	224,215.00
CLEARWATER	126,675.00	PIPESTONE	98,770.00
COOK	36,205.00	POLK	368,960.00
COTTONWOOD	166,295.00	POPE	99,175.00
CROW WING	426,160.00	RAMSEY	5,506,885.00
DAKOTA	2,001,025.00	RED LAKE	74,770.00
DODGE	146,700.00	REDWOOD	191,680.00
DOUGLAS	295,690.00	RENVILLE	202,095.00
FARIBAULT	205,805.00	RICE	407,225.00
FILLMORE	206,875.00	ROCK	99,395.00
FREEBORN	417,375.00	ROSEAU	133,970.00
GOODHUE	353,185.00	ST. LOUIS	2,591,730.00
GRANT	71,380.00	SCOTT	493,920.00
HENNEPIN	11,243,280.00	SHERBURNE	292,610.00
HOUSTON	179,170.00	SIBLEY	167,300.00
HUBBARD	153,385.00	STEARNS	1,329,060.00
ISANTI	232,420.00	STEELE	300,155.00
ITASCA	462,420.00	STEVENS	92,455.00
JACKSON	118,530.00	SWIFT	135,945.00
KANABEC	137,755.00	TODD	253,840.00
KANDIYOHI	353,130.00	TRAVERSE	44,755.00
KITTSO	76,205.00	WABASHA	235,500.00
KOOCHICHING	213,130.00	WADEHA	153,315.00
LAC QUI PARLE	92,755.00	WASELA	213,415.00
LAKE	144,930.00	WASHINGTON	1,153,600.00
LAKE OF THE WOODS	50,815.00	WATONWAN	145,060.00
LE SUEUR	236,450.00	WILKIN	64,430.00
LINCOLN	69,850.00	WINONA	506,585.00
LYON	281,545.00	WRIGHT	666,835.00
MCLEOD	399,845.00	YELLOW MEDICINE	109,375.00
MAHOMEN	61,460.00		

TOTAL by Minnesota Counties	\$ 46,152,555.00
Paid to Minnesotans without county designation	33,270.00
	<u>\$ 46,185,825.00</u>

Source: Minnesota Dept of Vets Affairs, 1974

SUMMARY OF APPROPRIATIONS AND EXPENDITURES
FOR THE FISCAL YEAR JULY 1, 1973 THROUGH JUNE 30, 1974

<u>General Revenue Fund</u>	<u>Appropriation</u>	<u>Expenditures</u>	<u>Unexpended Balance</u>
Laws 1973 Chapter 720, Sec. 40			
Approved Complement -- 41.5			
Salaries			
FICA, MSRS & Insurance	\$ 388,179.55	\$ 387,177.93	\$ 1,001.62
Supplies and Expenses			
	67,072.00		
Rents, Repairs, Insurance, Etc.		42,472.36	
Communication and Travel		17,625.47	
Materials and Supplies		2,485.79	
Equipment Purchases		2,190.92	2,297.46
War Veterans & War Orphans			
Educational Aid	40,000.00	39,588.80	411.20
War Veterans Relief			
	860,000.00	818,515.05	41,484.95
Headstones, Markers, & Sockets for			
Soldiers and Sailors Graves	5,000.00	4,999.95	.05
GRAND TOTALS -- All Funds	\$1,360,251.55	\$1,315,056.27	\$45,195.28

Source: Hbom. Dept of Vete Affairs, 1974

WAR VETERANS ASSISTANCE

For Year Ending June 30, 1974

<u>COUNTY</u>	<u>AMOUNT</u>	<u>COUNTY</u>	<u>AMOUNT</u>
Aitkin	4,666.94	Necker	8,612.39
Anoka	37,802.03	Millie Laas	3,693.43
Becker	12,430.20	Morrison	8,991.77
Beltzemi	16,510.38	Mower	12,407.18
Benton	14,142.90	Murray	1,081.64
Bigstone	1,132.60	Nicollet	4,883.06
Blue Earth	6,169.44	Nobles	10,249.77
Brown	5,518.50	Norman	5,424.03
Carlton	6,893.10	Onsted	3,484.91
Carver	6,023.52	Ottertail	14,889.56
Cass	23,608.48	Pennington	2,710.59
Chippewa	7,038.12	Pine	1,453.43
Chisago	12,399.77	Pipestone	5,034.93
Clay	4,077.95	Polk	3,115.23
Clearwater	5,373.50	Pope	4,125.35
Cook	2,363.67	Red Lake	-----
Cottonwood	434.90	Redwood	5,737.31
Crow Wing	14,767.92	Renville	6,734.53
Dakota	19,871.46	Rice	5,276.45
Dodge	3,856.37	Rock	372.76
Douglas	5,211.07	Roseau	2,704.35
Faribault	12,555.84	Scott	3,957.64
Fillmore	7,846.34	Sherburne	1,520.12
Freeborn	5,216.99	Sibley	1,985.35
Goodhue	4,632.09	Stearns	42,540.79
Grant	1,346.34	Steele	5,544.49
Houston	1,350.80	Stevens	619.20
Hubbard	6,462.87	Swift	6,303.73
Isanti	7,183.85	Todd	6,218.27
Itasca	12,592.75	Traverse	170.94
Jackson	621.10	Wabasha	3,498.84
Kanabec	11,247.22	Wadena	6,737.79
Kandiyohi	12,577.79	Waseca	744.71
Kittson	518.50	Washington	13,926.18
Koochiching	7,409.74	Watonswan	6,568.41
La c qui Parle	4,128.61	Vilkin	385.40
Lake	1,193.25	Winona	4,797.82
Lake of the Woods	280.70	Wright	20,718.41
LeSueur	7,138.37	Yellow Medicine	1,206.74
Lincoln	334.20	St. Louis	33,485.84
Lyon	2,604.42	Ramsey	58,943.48
Mahnomen	839.61	Hennepin	131,327.13
Marshall	1,761.12		
Martin	6,535.68		
McLeod	3,867.02		
		Total	792,792.96

The male-female balance of the work force has also been shifting. Perhaps the most significant development in the labor force in the postwar period was the entry of large numbers of female workers into the work force. This was true both in the nation and in Minnesota. From 1950 to 1970 the female labor force in Minnesota increased by nearly 89%; the male labor force grew only by 11%. In outstate areas the entry of large numbers of women into the labor force has been one of the primary resources in rural areas in the 1960's. Whereas the male labor force in outstate areas actually declined over the two decades, the female labor force increased by more than 110,000.

Public Policy and Minnesota's
Economy, Bruce MacLary, p. 13

In the city of Mpls women comprise 22% of the work force. 57% of this percentage is in the office and clerical category. They make \$141 per week.

In the city of St. Paul women comprise 22% of the work force. 61% of this percentage is in the office and clerical category.

In Hennepin County women comprise 64% of the workforce. 41% of this percentage is in the office and clerical category.

In Ramsey county women comprise 61% of the workforce. 36% of this percentage is in the office and clerical category. Less than half make under \$7,900., yearly.

---statistics taken from appropriate
affirmative action departments
for the unites of government cited.

Minneapolis Civil Service Employment Population (6/30/73)

GED Only	12.35%	female	87.65%	males
GED or experience	14.11%	"	85.89%	"
1-3 years college	37.8 %	"	62.2 %	"
1-3 years college +	6.67%	"	93.33%	"
4 years college	46.8 %	"	53.2 %	"
4 years college +	18.62%	"	81.38%	"

av. wk. salary	category	male	female	total
\$279	professional	312	164	476
254	skilled crafts	634	1*	635
156	service main.	1628	185	1813
205	technician	223	28	251
141	office/clerical	170	750	920
364	officials/admin.	91	11	102
126	para professional	85	73	158
254	protective service	1421	15	1436
309	unclassified (in- cludes librarians and recreational personnel)	63	94	157

*asphalt operator

Analysis:

Women comprize approximately 23% of the city of Minneapolis work force. Of this percentage, 57% is in the office and clerical category and another 5 1/2% is in the para professional category. They make on the average \$133.50 per week.**

The two categories where women are over-represented -- 1-3 years college (37.8% women employees) and 4 years college only (46.8% women employees) must be looked at closer.

26 out of the total population of 28 females in the 1-3 years college job description are in what is called an administrative intern student position. It is a para professional category and there are 37 corresponding males in that job description. However, when that position is promoted into an Administrative Assistant I position (a professional category) there are no women and 3 males in the city's employ.

** the corresponding 62.5% males would average a weekly salary of \$193.50.

City of Minneapolis continued.

In the professional category women comprise a population of 164. But they are concentrated in traditional "women's occupations", i.e. nursing, social work, recreation, etc. In only 5 positions is a woman directly vying with a man in the professional work:

Administrative Analyst	1 female	1 male	} 1 to 4
Administrative Analyst II*	0 female	3 male	
Buyer	1 female	2 male	} 3 to 4
Chemist and Water Bac.	1 female	2 male	
City Planner I	0 female	1 male	} 21 to 22
City Planner II*	2 female	9 male	
City Planner III*	0 female	9 male	
City Planner IV*	0 female	5 male	

* promotional position influenced by veteran's preference.

Breakdown of other women professionals include:

Public Health Nurse	36 female	0 male
Recreation Leader	14 "	4 "
Registered Nurse I	13 "	0 "
Social Worker I	31 "	2 "
Public Health Nurse II	7 "	0 "
Recreation Supervisor	6 "	5 "

Veteran's Preference Makes Affirmative Action Plans Inoperative!

The many pieces of federal, state and local legislation concerned with affirmative action are rendered useless because of the veteran's preference law. in its current application, particularly in municipal and county governments. It is virtually impossible for cities and counties to implement an affirmative action program and these political divisions are under statutory and court order to do so. (See next page for Chicago decision to withhold Revenue Sharing Funds)

Federal laws concerned with discrimination include The Constitution, Civil Rights Acts of 1866, 1870 and 1964 as amended, Equal Pay Act of 1963, Executive Orders 11141, 11428, 11246, and 11375, Revised Order Number 1, Age Discrimination in Employment Act, the Revenue Sharing Act of 1972 and the Comprehensive Employment and Training Act of 1973. There are others. The State Human Rights Act and local acts such as the Minneapolis Civil Rights Ordinance also speak to Affirmative Action. There is a clear and compelling reason for affirmative action in hiring and employment.

Recently, William Brown III, Chairperson of the U.S. Equal Employment Opportunity Commission referred to Griggs v. Duke Power Company for its discriminatory practices: "...the Supreme Court has made it perfectly clear that employment practices, even those which are neutral on their face and equally applied to people of all races, might still be illegal if their impact is to exclude people of one group more than those of another."

The cost of a human rights case, on the average, is \$55,000 to the defending agency.

---Advisory Committee on Affirmative Action, Minneapolis.

---League of Women Voters of Minnesota

Revenue Sharing
Funds Withheld
From Chicago
For Discrimination

Nearly \$20-million in general revenue sharing funds are being withheld from Chicago because the city's police department discriminates against minorities and women.

In a precedent-setting Wash-

ington, D.C. District Court decision, Federal Judge John Lewis Smith ordered the Treasury Department to hold up the city's quarterly payment of \$19,195,633 (scheduled for January 6) until Chicago complies with the anti-discrimination provision of the Revenue Sharing Act. Judge Smith's order was the first instance of a city losing its share of funds under the \$30.2-billion revenue sharing program because of discrimination since the program began in 1972. About 75% of the city's revenue sharing funds are allocated to the Chicago Police Department.

The Washington decision was the result of a lawsuit filed by the Lawyers Committee for Civil Rights Under Law — which successfully argued that a recent court finding that the Chicago Police Department practiced discrimination compelled the Treasury Department to suspend revenue sharing funds immediately. The basis of the Lawyers Committee suit was a November 7 District Court ruling in Chicago which found that the city's police department had violated the Civil Rights Act of 1964 by maintaining hiring and promotion practices which discriminate against blacks, Spanish-speaking Americans and women. The decision invalidated the city's patrolman examination, physical and medical requirements and background investigations as discriminatory.

The Chicago ruling grew out of private class actions initiated in 1970 and 1973 by the Afro-American Patrolmen's League and individual complainants charging the Police Department with discrimination in hiring, assignment and discipline, and a 1973 lawsuit initiated by the U.S. Department of Justice charging the Police Department with discrimination on the basis of race, national origin and sex. The three suits were consolidated early in 1974 and resulted in the November 7 decision enjoining the city from further acts of discrimination and leading to the success of the Lawyers Committee suit.

Issues remaining in the Chicago case are due to be decided at further hearings in June, but in the meantime Chicago Judge Preston Marshall is keeping a tight rein on the Police Department. The city recently requested permission to add 600 new members to the force; in response, Marshall issued a mandatory quota including 300 blacks and other minorities, 99 women and 201 whites. The city claims that the withholding of revenue sharing funds will doom this court-approved plan for new recruits, but the plaintiffs disagree, saying that the city could switch funds from another part of its budget to implement the new hiring plan

and reimburse these funds with revenue sharing money once the city is in compliance with anti-bias laws and the revenue sharing freeze is lifted. As *The Spokeswoman* went to press the city filed a petition with Chicago Judge Marshall asking him to overrule the Washington decision. Marshall refused to do so, saying that the city should rather have intervened in the Washington suit, and calling its failure to do so "most serious."

LINDA L. BERGLIN
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State of Minnesota

HOUSE OF REPRESENTATIVES

MARTIN OLAV SABO, Speaker

MAR 17 1975

March 10, 1975

Helen Borg
555 Wabasha
St. Paul, Minnesota 55101

Dear Helen:

Now that the Veteran's Preference Bill has reached its final stage, I want to take this opportunity to thank you for your support.

It has been a long road but well worth the effort. Although the bill did not pass in its original form, at least the veterans did not get their regressive measures.

I appreciate all your time and effort, and hope that you will extend my sincere thanks to the members of your group.

Sincerely,

A handwritten signature in cursive script that reads "Linda Berglin".

Linda Berglin
State Representative

LB:pe

