

Sixty-first  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO.**

Introduced by

Representative Dosch

1 A BILL for an Act to amend and reenact subsection 1 of section 37-19.1-04 of the North Dakota  
2 Century Code, relating to veterans' preference.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 37-19.1-04 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 1. If a veteran, or a qualified veteran's spouse, hereafter known as the applicant, is  
7 not given the preference provided in section 37-19.1-02 or 37-19.1-03, the  
8 applicant, within fifteen business days after notification by certified mail that  
9 employment has been refused, may request a hearing as provided in subsection 3.  
10 The notification from the employer must include the justification cause for the  
11 refusal, inform the applicant of the right to appeal, inform the applicant of the  
12 requirement that the request for a hearing be filed within fifteen business days after  
13 the notification, inform the applicant an appeal to the commissioner of veterans  
14 affairs at the commissioner's mailing address by certified mail, and inform the  
15 applicant that if the applicant requests an appeal, the applicant must mail a copy of  
16 the request for a hearing to the employer or employing agency. The applicant's  
17 request for a hearing must be in writing, must include a copy of the employer's  
18 notification that employment has been refused, and must be delivered to the  
19 commissioner of veterans' affairs by certified mail. A copy of the written request  
20 must be mailed to the employer or employing agency. The applicant is entitled to  
21 immediate employment in the position for which application was originally made, or  
22 an equivalent position, together with backpay and benefits from the date the  
23 appointment should have been made less amounts otherwise earnable through  
24 due diligence, if the hearing officer finds in favor of the applicant.