

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1510

Introduced by

Representatives Dosch, L. Meier

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 justifiable cause for the refusal,
11 inform the applicant of the right to an appeal hearing, inform the applicant of the
12 requirement that the request for a hearing must be filed by certified mail within
13 fifteen business days after the notification, inform the applicant that a request for
14 an appeal hearing must be made to the commissioner of veterans' affairs at the
15 included commissioner's mailing address, and inform the applicant that if the
16 applicant requests an appeal, the applicant must mail a copy of the request for an
17 appeal hearing to the employer or employing agency. The applicant's request for a
18 hearing must be in writing, must include a copy of the employer's notification that
19 employment has been refused, and must be delivered to the commissioner of
20 veterans' affairs by certified mail. A copy of the written request must be mailed to
21 the employer or employing agency. The applicant is entitled to immediate
22 employment in the position for which application was originally made, or an
23 equivalent position, together with backpay and benefits from the date the

- 1 appointment should have been made less amounts otherwise earnable through
- 2 due diligence, if the hearing officer finds in favor of the applicant.