40.345   Private employer may have voluntary veterans' preference employment policy -- Registry of employers -- Administrative regulations.

(1)   The following definitions apply in this section unless context otherwise requires:

   (a)   "Private employer" means a sole proprietor, corporation, partnership, limited liability company, or other entity with one (1) or more employees and excludes the state, a municipality, county, school district, or public institution of higher education; and

   (b)   "Veterans' preference employment policy" means a private employer's voluntary preference for hiring, promoting, or retaining a veteran over another qualified applicant or employee.

(2)   A private employer may have a voluntary veterans' preference employment policy. The veterans' preference employment policy shall be in writing and applied uniformly to employment decisions regarding hiring, promotion, or retention during a reduction in workforce. The private employer may require the veteran to submit a Department of Defense form DD 214 as proof of eligibility for the veterans' preference employment policy. Granting preference under this section does not violate any local or state equal employment opportunity law, including but not limited to KRS Chapter 344.

(3)   The Department of Veterans' Affairs and the Education and Workforce Development Cabinet may assist a private employer in determining the veteran's status as an applicant. The Education and Workforce Development Cabinet may maintain an online registry of employers that have a voluntary veterans' preference employment policy as described in this section and may promulgate administrative regulations to assist in the creation of this policy.

> **Effective:** June 24, 2015
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> **History:**   Created 2015 Ky. Acts ch. 104, sec. 1, effective June 24, 2015.
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> **Legislative Research Commission Note** (6/24/2015). 2015 Ky. Acts ch. 104, sec. 2 provides that this statute created in 2015 Ky. Acts ch. 104, sec. 1 may be cited as the "Voluntary Veterans' Preference Employment Policy Act."