



**CITY OF BAINBRIDGE ISLAND**  
**Executive Department**

July 2, 2008

Heidi Audette  
Legislative Liason  
Washington Department of Veteran's Affairs Central Office  
P. O. Box 41150  
Olympia, WA 98504

Dear Ms. Audette,

As you know, our City Attorney, Senior Human Resources Analyst, and myself have been in communication with the Department of Veteran's Affairs throughout the past few months to confirm that the City's hiring practices meet legal standards and requirements in relation to job applicants with Veteran status.

These conversations have enabled us to confirm that the City's current policies and practices do meet the requirements of RCW 73.16.010 as well as other state and federal laws in regards to hiring Veterans, their spouses, and widows or widowers.

In response to community interest, the City has made some changes to more clearly articulate our practices and to better enhance our ability to recruit and hire veterans and their widows or spouses as allowed under the law. We discussed these briefly on the phone, but I would like to take this opportunity to summarize these actions in detail.

- 1) One concern that was raised by some members of our community surrounded preference given to Veterans applying for Civil Service positions. As you know, under RCW 41.04.010, Veteran applicants for positions which require a Civil Service Examination are eligible to receive additional points on the exam based on a percentage of the applicants' score. For example, if a candidate receives 80 points on the test, they might receive an additional 5% of that score, or an additional 4 points.

The City's Civil Service Commission has been IMPLEMENTING this practice CORRECTLY. However, it was brought to our attention that on the City's application for employment, applicants were asked to indicate the number of "Veteran's Points Claimed, Circle one: 5 10." We have modified this form so that it more clearly asks for the "Veteran's Scoring Criteria Percentage Claimed, Circle one: 5% 10%."

- 2) Another concern that was brought to us was that the City was not being as proactive as it could be in exercising preference in hiring veterans, widows or widowers of such veterans, or the spouse of a veteran with a service-connected, permanent and total disability. As we have discussed, it is an elective choice for a candidate to request such a preference; as I am sure you are aware, it would not be appropriate for the City to ask, in an interview, about a candidate's veteran or marital status, as such a question could be considered grounds for discrimination.

To better educate and encourage applicants to request such preference, should it be appropriate, the City has modified its application form.

Previously, our job application noted:

IF YOU ARE CLAIMING PREFERENCE AS A VETERAN OR DISABLED VETERAN, YOU MUST ATTACH A COPY OF YOUR DD-214 FORM AND/OR YOUR V.A. DISABILITY LETTER AND CLAIM NUMBER

That language has been modified to more completely invite all eligible applicants to claim such preference by saying:

PURSUANT TO RCW 73.16.010 YOU MAY BE ENTITLED TO A HIRING PREFERENCE IF YOU ARE (1) AN HONORABLY DISCHARGED VETERAN OF ANY WAR OR MILITARY CAMPAIGN OF THE U.S. (2) THE WIDOW OR WIDOWER OF SUCH VETERAN: OR (3) THE SPOUSE OF AN HONORABLY DISCHARGED VETERAN WITH A SERVICE-CONNECTED PERMANENT AND TOTAL DISABILITY. IF YOU CLAIM SUCH A PREFERENCE, YOU MUST ATTACH, AS APPLICABLE, A COPY OF YOUR OR YOUR DECEASED SPOUSE'S DD-214 FORM. VERIFICATION THAT YOUR SPOUSE IS DECEASED AND/OR YOUR SPOUSE'S V.A. DISABILITY LETTER AND CLAIM NUMBER

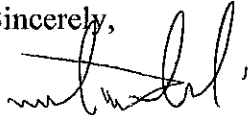
- 3) The City is also planning revisions to the next edition of its Employee Manual, which covers personnel related issues, to further educate employees about the opportunity to pursue a veteran-related preference if applying for a transfer or promotion, and to address recent legislative changes. These include an amendment to RCW 49.60 which adds "honorably discharged veteran and military status" as a protected class under state discrimination laws; an amendment to the Family and Medical Leave Act (FMLA) to add new leave entitlements relating to military service by an employee's family member; and a new state law relating to military leave and family medical leave.

- 4) The City has also posted updated employment posters to educate all employees on the above mentioned legislative changes. These include a U.S. Department of Labor poster explaining new military-related leave rights under the FMLA, and a Washington State Department of Labor and Industries poster which covers the new state law regarding family military leave.

I appreciate the considerable time you have spent advising me as we have developed these improvements. The City is committed to inviting and maintaining diversity in its workforce, and these changes will support that commitment.

Thank you for your assistance.

Sincerely,



Mark Dombroski  
City Administrator

MD: cec

cc: Mr. Frederick Scheffler, Adjutant, American Legion of Bainbridge Island  
State Rep. Christine Rolfes  
Mayor Darlene Kordonowy  
City Council, City of Bainbridge Island  
Mr. George Beavis