



**House  
Legislative  
Analysis  
Section**

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**EMPLOYMENT SERVICES FOR VETS**

**House Bill 4551 (Substitute H-1)  
First Analysis (5-25-93)**

**Sponsor: Rep. David Anthony  
Committee: Military & Veterans' Affairs**

***THE APPARENT PROBLEM:***

Since the Persian Gulf War ended, legislation has been proposed to offer active duty military personnel various types of financial benefits and special tax considerations. Some people are concerned about job prospects awaiting not only those who have returned from the Mideast, but also of other veterans and their families whose employment opportunities may be stymied by the economic recession now gripping Michigan. The problem of a high unemployment rate in the state combined with on-going cutbacks in federal defense spending, evidenced in part by the planned closure in June, 1993, of Wurtsmith Air Force Base in Oscoda, suggest that an unusually high number of veterans may be looking for work now or in the near future. A number of states have attempted to address the problem by adopting legislation requiring state agencies that administer job placement programs and services to give special preference to veterans and their spouses in helping to prepare them for and find employment. Some people believe Michigan should adopt a similar program to help eligible resident veterans and their spouses find work in the current economic downturn.

***THE CONTENT OF THE BILL:***

The bill would create the Veteran Right to Employment Services Act to require state agencies and departments that administer state or federally funded employment services or job-training programs to give first priority to certain military personnel based on specific qualifying factors and, in some cases, to the spouse of a qualifying veteran.

Under the bill and to the extent permitted by federal law, special attention and priority for helping to find or prepare for a job would have to be given, in the following order, to:

\* a "special disabled veteran," which would mean either 1) a veteran who was entitled to, or who but for the receipt of military pay would be entitled to,

compensation under any law administered by the U.S. Department of Veteran Affairs for a disability that it rated at 30 percent or more, or 2) a veteran determined under a section of Title 38 of the U.S. Code to have a serious employment handicap and who was entitled to, or who but for the receipt of military pay would be entitled to, compensation under any law administered by the U.S. Department of Military Affairs for a disability rated by it at 10 to 20 percent;

\* a Vietnam era veteran;

\* a disabled veteran who was not a special disabled veteran;

\* a "recently separated veteran," which would mean someone who had served in the armed forces for more than 180 days and separated from it without a dishonorable discharge;

\* any other veteran; and

\* any "other eligible person," which would mean the spouse of someone in the armed forces if that person was 1) a veteran who had a permanent and total service-connected disability or died of one, or who died "while [it] was in existence" or 2) described in a section of Title 37 of the U.S. Code as being missing, missing in action, captured, beleaguered, or besieged by a hostile force, interned in a foreign country, and/or detained in a foreign country against his or her will.

State or federally funded state agencies or departments that provided these services would have to give priority to eligible persons in providing available employment and job-training services over other candidates for those services, and would have to give eligible persons a pamphlet prepared by the Department of Military Affairs that identified employment and job-training services and benefits that they could receive through other agencies or departments. In addition, each agency or department would have to prepare and submit to the Speaker of the House of Representatives and the Senate Majority Leader, and to the House and Senate Military Affairs Committees, an annual written report that separately identified each

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employment service or job training service or program provided by that agency or department to eligible persons "in each separate category" described in the bill, and the procedures each used to ensure compliance with the bill.

### ***FISCAL IMPLICATIONS:***

The Department of Military Affairs says the bill would have as yet uncalculated fiscal implications for the state, since the department would have to provide additional staff for the duties proposed in the bill. Also, there would be minimal printing and paper costs associated with fulfilling its duties under the bill. (5-24-93)

### ***ARGUMENTS:***

#### ***For:***

Difficult economic times in Michigan combined with a surge in the number of veterans who may now be looking for work, due to the end of the Persian Gulf War and federal cutbacks in military spending, indicate that a need exists to ensure that veterans and their spouses get first priority for employment services provided by state agencies and departments. While the state is obligated to help increase job opportunities for all of its citizens, it has a special duty to ensure that residents who have sacrificed time and energy, and in some cases career opportunities or financial standing, to serve in the U.S. armed forces are given first priority when looking for work. The bill would create a program similar to those adopted in at least eight other states to require those state agencies and departments that administer state- or federally-funded employment services or job-training programs to give first priority to veterans, where special attention would have to be given to disabled veterans and other veterans, and their spouses, whose lives have been disrupted due to U.S. military service. Job-placement and employment service programs would have to provide special literature prepared by the Department of Military Affairs that would guide veterans toward those services that could help them find work. Further, these agencies and departments would be required to prepare and submit to the Speaker of the House of Representatives and the Senate Majority Leader a written report annually detailing how they complied with these provisions.

#### ***Against:***

As written, the bill would require that the Department of Military Affairs prepare and issue an informational pamphlet that identified employment and job-training services and benefits that eligible persons could receive through other agencies or departments. The bill should be amended to require, instead, that the Department of Labor prepare and issue this pamphlet. These responsibilities lie within the Department of Labor's jurisdiction, and it has the staff and research capabilities necessary to prepare such a pamphlet. The Department of Military Affairs, however, has no such resources.

#### ***Against:***

The bill is not necessary, as the Michigan Employment Security Commission already is required, by federal law, to give preference to veterans trying to find work via programs where federal money is used. Due to recent state budget cuts, most of the employment service and job-placement programs currently operated by the MESC are funded by federal dollars.

#### ***Response:***

Though many job-placement and employment service programs currently give preference to veterans, apparently not all state- and federally-funded ones do. For instance, not all programs operated and funded under the federal Job Training Partnership Act are required to give first priority to veterans. The bill would ensure that all state- and federally- funded programs work to ensure that veterans are given first priority for job-placement and training services.

### ***POSITIONS:***

The American Veterans of World War II, Korea and Vietnam (AMVETS) supports the bill. (5-24-93)

The Commanders Group, a congressionally chartered group, consisting of the leadership of 12 veterans' organizations, including the Veterans of Foreign Wars (VFW), Jewish War Veterans, Catholic War Veterans, Michigan Paralyzed Veterans, Marine Corps League, and the Military Order of the Purple Heart, supports the bill. (5-24-93)

The Mid Michigan Veterans Association supports the bill. (5-24-93)

The American Legion supports the bill. (5-24-93)

The Department of Military Affairs supports the concept of the bill, but has concerns over the adequacy of its resources to provide informational pamphlets, as required under the bill. (8-17-92)

The Michigan Jobs Commission does not support programs that favor one group over others. The commission receives 70 percent of its funding from federal sources, and so must, under federal law, target its resources to programs based on financial need. (5-24-93)

The Michigan Employment Security Commission has no position on the bill, but notes that the provision of the bill are consistent with its current practices, as required under federal law, to give preference to veterans. (5-24-93)