THE COMPLETE "I-1000 KILLS VETERANS PREFERENCES!" ARGUMENT

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The passage of Initiative 1000 is a slap in the face to veterans!

By Atty. Thomas G. Jarrad, Past Chair, Washington State Veterans Bar Association (WSVBA)

The passage of Initiative 1000 is a slap in the face to Veterans, their survivors and partners because it eliminates veterans preference in public employment that has been provided in Washington State since 1895. *See* RCW 41.04.010 and 73.16.010. Before the passage of this initiative by the legislature, honorably discharged veterans, their survivors, and partners of 100% disabled veterans were entitled to veterans preference in public employment in the following ways.

- 1. In competitive exams, veterans are entitled to a 10% bonus added to their passing score on employment examination;
- 2.Current public employees, who deployed to war and returned to public service, are entitled to 5% bonus on promotional examination;
- 3. Veterans, their widow/er/s and the partners of 100% disabled veterans, are entitled to a general preference in employment or appointment that does not involve a competitive examination.

That's all ELIMINATED by I – 1000, and those statutes will be stricken from state law once the initiative takes effect. The proponents of I – 1000, will argue that is not how the law will work. That is not true.

The new law is clear, it REMOVES veteran preference from existing state law.

Here is how the Initiative will work.
First, the I – 1000 specifically adds "honorably discharged veteran or military status" to RCW 49.60.400 (Discrimination, preferential treatment prohibited) where it never existed before. Why add veteran or military status to the affirmative action prohibitions in RCW 49.60.400 (*i.e.* Initiative No. 200), that the proponents want to reverses? Because veterans preference was already part of state law at the time, yet it was excluded from the I – 200 prohibitions on affirmative action. The new law purports to help veterans because it includes veteran or military status part of affirmative action. But, the trade off is not worth it for veterans.

Second, Section 3(1) of I – 1000 plainly states, "(1) The state shall not […] grant preferential treatment to, any individual or group on the basis of […] honorably discharged veteran or military status in the operation of public employment, public education, or public contracting." If that becomes the new state law, the existing veterans preference statutes will go away, *i.e.* RCW 41.04.010 (Veterans' scoring criteria in examinations) and RCW 73.16.010 (Preference in public employment). Under the law, a conflict exists if one statute allows what another prohibits or prohibits what another allows. Here this means that where I – 1000 conflicts with existing laws that provide preferential treatment for veterans in employment, one of those laws has to give way to the other. How to fix that? Don't worry, they thought of that too, see the next insidious step.

Step Three, Section 6 of I – 1000, directs that within 3 months, "the office of program research and senate committee services shall prepare a joint memorandum and draft legislation to present to the appropriate committees of the legislature regarding any necessary changes to the Revised Code of Washington to bring nomenclature and processes in line with this act so as to fully effectuate and not interfere in any way with its intent." What does all that mean? Simple, it means to rewrite the existing RCWs (veterans preference statutes) to eliminate veterans preference so there is no conflict with I – 1000.

Don't be fooled by people with good intentions.

Proponents of I – 1000 argue that it simply supplies a new definition for "preferential treatment" and the existing veterans preference statutes do not constitute a preferential treatment under that new definition. First, try to wrap you head around the notion that "veterans preference" is not "preferential treatment." That makes no sense; of course, a preference in employment is preferential treatment. What else can it be?

Further, the new definition does nothing *but* eliminate veterans preference. The sole qualifying factor to award veterans preference points at entry and promotional testing is that person's veteran status, a consideration which I – 1000 prohibits. Veterans preference works by adding points to a veteran's passing score. In public employment the higher scoring candidates are hired (or promoted) before lower scoring candidates. That means the act of awarding a veteran 10 percent or 5 percent to on top of their passing score is a preference, which I – 1000 prohibits.

In sum, if I -1000 becomes effective, there is no more veterans preference in Washington. Veterans preference has been part of public employment in WA law since 1895. It was implemented to make up for the loss of experience, opportunity and the time the veteran was away while they were serving, or for those disabled and their spouses to assist in overcoming those disadvantages. While the proponents of I – 1000 desire to reverse the I – 200 prohibitions on affirmative actions, they can accomplish that without eliminating veterans preference. If you'd like to help veterans get involved with Referendum Measure 88 and help us bring this issue before a vote of the people of the State of Washington, visit:

Please sign R-88 petition and send I-1000 to the November ballot to be decided by the people.