

115TH CONGRESS
1ST SESSION

S. 438

To encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17 (legislative day, FEBRUARY 16), 2017

Mr. BLUNT (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Honoring Investments
5 in Recruiting and Employing American Military Veterans
6 Act of 2017” or the “HIRE Vets Act”.

1 **SEC. 2. HIRE VETS MEDALLION AWARD PROGRAM.**

2 (a) PROGRAM ESTABLISHED.—Not later than 2 years
3 after the date of enactment of this Act, the Secretary of
4 Labor shall establish, by rule, a HIRE Vets Medallion
5 Program to solicit voluntary information from employers
6 for purposes of recognizing, by means of an award to be
7 designated a “HIRE Vets Medallion Award”, verified ef-
8 forts by such employers—

9 (1) to recruit, employ, and retain veterans; and

10 (2) to provide community and charitable serv-
11 ices supporting the veteran community.

12 (b) APPLICATION PROCESS.—Beginning in the cal-
13 endar year following the calendar year in which the Sec-
14 retary establishes the program, the Secretary shall annu-
15 ally—

16 (1) solicit and accept voluntary applications
17 from employers in order to consider whether those
18 employers should receive a HIRE Vets Medallion
19 Award;

20 (2) review applications received in each calendar
21 year;

22 (3) notify such recipients of their awards; and

23 (4) at a time to coincide with the annual com-
24 memoration of Veterans Day—

25 (A) announce the names of such recipients;

1 (B) recognize such recipients through pub-
2 lication in the Federal Register; and

3 (C) issue to each such recipient—

4 (i) a HIRE Vets Medallion Award of
5 the level determined under section 3; and

6 (ii) a certificate stating that such em-
7 ployer is entitled to display such HIRE
8 Vets Medallion Award.

9 (c) TIMING.—

10 (1) SOLICITATION PERIOD.—The Secretary
11 shall solicit applications not later than January 31st
12 of each calendar year for the Awards to be awarded
13 in November of that calendar year.

14 (2) END OF ACCEPTANCE PERIOD.—The Sec-
15 retary shall stop accepting applications not earlier
16 than April 30th of each calendar year for the
17 Awards to be awarded in November of that calendar
18 year.

19 (3) REVIEW PERIOD.—The Secretary shall fin-
20 ish reviewing applications not later than August 31st
21 of each calendar year for the Awards to be awarded
22 in November of that calendar year.

23 (4) SELECTION OF RECIPIENTS.—The Sec-
24 retary shall select the employers to receive HIRE
25 Vets Medallion Awards not later than September

1 30th of each calendar year for the Awards to be
2 awarded in November of that calendar year.

3 (5) NOTICE TO RECIPIENTS.—The Secretary
4 shall notify employers who will receive HIRE Vets
5 Medallion Awards not later than October 11th of
6 each calendar year for the Awards to be awarded in
7 November of that calendar year.

8 (d) LIMITATION.—An employer who receives a HIRE
9 Vets Medallion Award for one calendar year is not eligible
10 to receive a HIRE Vets Medallion Award for the subse-
11 quent calendar year.

12 **SEC. 3. SELECTION OF RECIPIENTS.**

13 (a) APPLICATION REVIEW PROCESS.—

14 (1) IN GENERAL.—The Secretary shall review
15 all applications received in a calendar year to deter-
16 mine whether an employer should receive a HIRE
17 Vets Medallion Award, and, if so, of what level.

18 (2) APPLICATION CONTENTS.—The Secretary
19 shall require that all applications provide informa-
20 tion on the programs and other efforts of applicant
21 employers during the calendar year prior to that in
22 which the medallion is to be awarded, including the
23 categories and activities governing the level of award
24 for which the applicant is eligible under subsection
25 (b).

1 (3) VERIFICATION.—The Secretary shall verify
2 all information provided in the applications, to the
3 extent that such information is relevant in deter-
4 mining whether or not an employer should receive a
5 HIRE Vets Medallion Award or in determining the
6 appropriate level of HIRE Vets Medallion Award for
7 that employer to receive, including by requiring the
8 chief executive officer or the chief human relations
9 officer of the employer to attest under penalty of
10 perjury that the employer has met the criteria de-
11 scribed in subsection (b) for a particular level of
12 Award.

13 (b) AWARDS.—

14 (1) LARGE EMPLOYERS.—

15 (A) IN GENERAL.—The Secretary shall es-
16 tablish 2 levels of HIRE Vets Medallion Awards
17 to be awarded to employers employing 500 or
18 more employees, to be designated the “Gold
19 HIRE Vets Medallion Award” and the “Plat-
20 inum HIRE Vets Medallion Award”.

21 (B) GOLD HIRE VETS MEDALLION
22 AWARD.—No employer shall be eligible to re-
23 ceive a Gold HIRE Vets Medallion Award in a
24 given calendar year unless—

1 (i) veterans constitute not less than 7
2 percent of all employees hired by such em-
3 ployer during the prior calendar year;

4 (ii) such employer has retained not
5 less than 75 percent of the veteran employ-
6 ees hired during the calendar year pre-
7 ceding the preceding calendar year for a
8 period of at least 12 months from the date
9 on which the employees were hired;

10 (iii) such employer has established an
11 employee veteran organization or resource
12 group to assist new veteran employees with
13 integration, including coaching and men-
14 toring; and

15 (iv) such employer has established
16 programs to enhance the leadership skills
17 of veteran employees during their employ-
18 ment.

19 (C) PLATINUM HIRE VETS MEDALLION
20 AWARD.—No employer shall be eligible to re-
21 ceive a Platinum HIRE Vets Medallion Award
22 in a given calendar year unless—

23 (i) the employer meets all the require-
24 ments for eligibility for a Gold HIRE Vets
25 Medallion Award under subparagraph (B);

1 (ii) veterans constitute not less than
2 10 percent of all employees hired by such
3 employer during the prior calendar year;

4 (iii) such employer has retained not
5 less than 85 percent of the veteran employ-
6 ees hired during the calendar year pre-
7 ceding the preceding calendar year for a
8 period of at least 12 months from the date
9 on which the employees were hired;

10 (iv) such employer employs dedicated
11 human resources professionals to support
12 hiring and retention of veteran employees,
13 including efforts focused on veteran hiring
14 and training;

15 (v) such employer provides each of its
16 employees serving on active duty in the
17 United States National Guard or Reserve
18 with compensation sufficient, in combina-
19 tion with the employee's active duty pay, to
20 achieve a combined level of income com-
21 mensurate with the employee's salary prior
22 to undertaking active duty; and

23 (vi) such employer has a tuition as-
24 sistance program to support veteran em-
25 ployees' attendance in postsecondary edu-

1 cation during the term of their employ-
2 ment.

3 (D) EXEMPTION FOR SMALLER EMPLOY-
4 ERS.—An employer shall be deemed to meet the
5 requirements of subparagraph (C)(iv) if such
6 employer—

7 (i) employs 5,000 or fewer employees;

8 and

9 (ii) employs at least one human re-
10 sources professional whose regular work
11 duties include those described under sub-
12 paragraph (C)(iv).

13 (E) ADDITIONAL CRITERIA.—The Sec-
14 retary may provide, by rule, additional criteria
15 with which to determine qualifications for re-
16 ceipt of each level of HIRE Vets Medallion
17 Award.

18 (2) SMALL- AND MEDIUM-SIZED EMPLOYERS.—
19 The Secretary shall establish similar awards in order
20 to recognize achievements in supporting veterans
21 by—

22 (A) employers with 50 or fewer employees;

23 and

24 (B) employers with more than 50 but
25 fewer than 500 employees.

1 (c) DESIGN BY SECRETARY.—The Secretary shall es-
2 tablish the shape, form, and design of each HIRE Vets
3 Medallion Award, except that the Award shall be in the
4 form of a certificate and shall state the year for which
5 it was awarded.

6 **SEC. 4. DISPLAY OF AWARD.**

7 (a) IN GENERAL.—The recipient of a HIRE Vets Me-
8 dallion Award may—

9 (1) publicly display such Award through the
10 end of the calendar year following receipt of such
11 Award; and

12 (2) publicly display the HIRE Vets Medallion
13 Award Certificate issued in conjunction with such
14 Award.

15 (b) UNLAWFUL DISPLAY PROHIBITED.—It is unlaw-
16 ful for any employer to publicly display a HIRE Vets Me-
17 dallion Award, in connection with, or as a part of, any
18 advertisement, solicitation, business activity, or product—

19 (1) for the purpose of conveying, or in a man-
20 ner reasonably calculated to convey, a false impres-
21 sion that the employer received the Award through
22 the HIRE Vets Medallion Award Program, if such
23 employer did not receive such Award through the
24 HIRE Vets Medallion Award Program; or

1 (2) for the purpose of conveying, or in a man-
2 ner reasonably calculated to convey, a false impres-
3 sion that the employer received the Award through
4 the HIRE Vets Medallion Award Program for a year
5 for which such employer did not receive such Award.

6 **SEC. 5. APPLICATION FEE AND FUNDING.**

7 (a) **FUND ESTABLISHED.**—There is established in
8 the Treasury of the United States a fund to be designated
9 the “HIRE Vets Medallion Award Fund”. Amounts ap-
10 propriated to the fund pursuant to subsection (c) shall re-
11 main available until expended.

12 (b) **FEE AUTHORIZED.**—The Secretary may assess a
13 reasonable fee on employers that apply for receipt of a
14 HIRE Vets Medallion Award and the Secretary shall de-
15 posit such fees into the HIRE Vets Medallion Award
16 Fund. The Secretary shall establish the amount of the fee
17 such that the amounts collected as fees and deposited into
18 the Fund are sufficient to cover the costs associated with
19 carrying out this Act.

20 (c) **USE OF FUNDS.**—Amounts in the HIRE Vets
21 Medallion Award Fund shall be available, subject to ap-
22 propriation, to the Secretary to carry out the HIRE Vets
23 Medallion Award Program.

1 **SEC. 6. INITIAL IMPLEMENTATION.**

2 The HIRE Vets Medallion Program shall begin to so-
3 licit applications on January 31 of the year that is 2 fiscal
4 years after the fiscal year during which funds are first
5 appropriated to carry out this Act.

6 **SEC. 7. REPORT TO CONGRESS.**

7 (a) **REPORTS.**—Beginning not later than 2 years
8 after the date of enactment of this Act, the Secretary shall
9 submit to Congress annual reports on—

10 (1) the fees collected from applicants for HIRE
11 Vets Medallion Awards in the prior year and any
12 changes in fees to be proposed in the present year;

13 (2) the cost of administering the HIRE Vets
14 Medallion Award Program in the prior year;

15 (3) the number of applications for HIRE Vets
16 Medallion Awards received in the prior year; and

17 (4) the HIRE Vets Medallion Awards awarded
18 in the prior year, including the name of each em-
19 ployer to whom a HIRE Vets Medallion Award was
20 awarded and the level of medallion awarded to each
21 such employer.

22 (b) **COMMITTEES.**—The Secretary shall provide the
23 reports required under subsection (a) to the Chairman and
24 Ranking Member of—

1 (1) the Committees on Education and the
2 Workforce and Veterans' Affairs of the House of
3 Representatives; and

4 (2) the Committees on Health, Education,
5 Labor, and Pensions and Veterans' Affairs of the
6 Senate.

7 **SEC. 8. DEFINITIONS.**

8 In this Act:

9 (a) The term "employer" means any person, institu-
10 tion, organization, or other entity that pays salary or
11 wages for work performed or that has control over em-
12 ployee opportunities, except that such term does not in-
13 clude—

14 (1) the Federal Government; or

15 (2) any State government, as defined in such
16 section.

17 (b) The term "Secretary" means the Secretary of
18 Labor.

19 (c) The term "veteran" has the meaning given such
20 term under section 101 of title 38, United States Code.

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