

Hernando County School District

VETERANS' PREFERENCE PROCEDURES

Preference in employment, reemployment, promotion, and retention shall be given to an eligible veteran, pursuant to the provisions below, as long as the veteran meets the minimum eligibility requirements and has the knowledge, skills, and abilities required for the particular position.

If there is more than one VP applicant in the EQUALLY qualified group, the selection will be based upon how the applicants qualified for VP and their eligibility category. **Hiring authorities should contact the Director of Human Resources for assistance in making these determinations!** A qualifying disabled VP applicant will always be selected over any other category of applicants when EQUALLY qualified.

APPOINTMENT OR RETENTION IN POSITIONS OF EMPLOYMENT

Preference shall be given pursuant to the following categories:

A. Those disabled veterans:

1. who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.

B. The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

C. A wartime veteran as defined in F.S. 1.01(14) who has served at least one (1) day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.

D. The unremarried widow or widower of a veteran who died of a service-connected disability.

E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

- F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
- G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

Preference in employment and retention may be given only to eligible persons who are described above.

In all positions in which the appointment or employment of persons is not subject to a written examination, first preference in appointment, employment, and retention processes shall be given to persons included under A and B above, and second preference shall be given to persons included under C and D above, who possess the minimum qualifications necessary to discharge the duties of the position involved.

A disabled veteran employed as the result of being placed at the top of the appropriate employment list shall be appointed for a probationary period of one (1) year. At the end of such period, if the work of the veteran has been satisfactorily performed, the veteran will be subject to the employment policies of the District.

Applicants must submit required documentation to prove they fall into one of the categories listed above and evidencing discharge under honorable conditions. (See FAQ's for a list of acceptable documentation for each category.) Any supporting documentation must be received by the Human Resources Department on or before the closing date of the job posting.

APPLYING PROPER SCREENING PROCEDURES:

Hiring managers utilize various methods of applicant screening. These guidelines are not intended to specify or to recommend a particular method of screening. However, to ensure that VP is properly considered, hiring managers must incorporate the following screening protocols, depending upon whether a numerically scored test or rating is used as part of the screening or final selection process:

- a. If numeric scoring is used, apply extra points as follows (based upon a 100 point scale):
 - Category A or B: 15 points
 - Categories C and D: 10 points
 - Category E, F or G: 5 points

A Minimum Passing Score is required. A VP candidate must first satisfy the established minimum passing score before extra points are added. If a VP candidate does not reach the minimum passing score, the candidate is not entitled to progress. Keep in mind that a qualified VP candidate must be given preference at every stage of the selection process.

b. If numeric scoring is not used, you must utilize another objective method of screening that clearly demonstrates how VP was considered and applied in your selection process. For example, if two applicants (one of whom is a qualified VP candidate) are considered equal in terms of job related qualifications or experience, the qualified VP candidate must be offered the position. However, there may be instances where a qualified VP candidate does not advance to the next step in the selection process. For example, another candidate's qualifications or experience may far outweigh those of the qualified VP candidate. If two VP candidates are considered equal in terms of job related qualifications or experience, a VP candidate in category A or B must be given preference over the VP candidate in categories C through G. Likewise, candidates in categories C and D must be given preference over candidates in category E, F and G. Always keep in mind that a qualified VP candidate must be provided preference at every stage of the selection process.

FREQUENTLY ASKED QUESTIONS

Q: What is the definition of a “Veteran” for Veterans’ Preference eligibility? The term Veteran means a person who served in the active military, naval, or air service and who was discharged under honorable conditions.

Q: What are the Wartime periods?

- World War II: December 7, 1941 - December 31, 1946.
- Korean Conflict: June 27, 1950 - January 31, 1955.
- Vietnam Era: February 28, 1961 - May 7, 1975.
- Persian Gulf War: August 2, 1990 - January 2, 1992.
- Operation Enduring Freedom: October 7, 2001 – ongoing.
- Operation Iraqi Freedom: March 19, 2003 - August 31, 2010.
- Operation New Dawn: September 1, 2010 – ongoing.
- Service during a campaign or expedition for which a campaign badge has been authorized.

Q: What Character of Discharge must be on the DD Form 214 in order to qualify for Veterans’ Preference? A Veteran MUST have been discharged with nothing less than an “HONORABLE” discharge.

Q: What if the applicant has multiple DD Form 214’s and one of them is less than Honorable? To be eligible for VP an applicant must have one eligible period of active duty in which they received an Honorable discharge. Therefore, the applicant will be entitled to VP and the other DD Form 214 will be irrelevant.

Q: What is a DD Form 215 and why is it important? A DD Form 215 is a document attached to a Veteran’s DD Form 214 which declares that some information contained on the DD Form 214 has been corrected, changed or added. This can include corrections to service dates and

additions of medals. More importantly for our purposes, this can include upgrades to character of service. The change will supersede the previous one on the DD Form 214.

Q: Do you have to be a Florida resident to qualify for Veterans' Preference? You do not have to be a Florida resident to qualify for VP.

Q: Do you have to be a U.S. citizen to use Veterans' Preference? No, any VP qualifying U.S. citizen or lawfully authorized alien worker in the United States can apply with a political entity in the State of Florida and request VP on their job application.

Q: How often can an applicant use Veterans' Preference? Eligible applicants can use VP as many times as they want when applying for positions. There is no expiration of VP for promotions as long as there is a qualifying event (active duty deployment) while in current position. An eligible employee for VP will always be able to utilize this benefit in the event of a Reduction in Force.

Q: What Veterans are guaranteed an interview? When the decision to interview applicants is based on a non-numerical scoring system, all VP eligible applicants **MUST** be granted an interview if they meet the minimum requirements of the posted position.

Q: What points/percentages are applied for Veterans' Preference? Employers who use a numerically based system for hiring must augment a VP eligible applicant's score. The amount that is awarded the applicant is based upon their eligibility category. The points/percentages are five (5), ten (10) or fifteen (15) and are allotted as follows:

- Disabled Veterans: 15 points/percent (Category A)
- The spouse of a Veteran with a total and permanent service-connected disability, missing in action, captured in line of duty by a hostile force, or Detained or Interned in line of duty by a foreign government or power: 15 points/percent (Category B)
- A Veteran of any war who has served at least one day during that wartime period or who has been awarded a campaign or expeditionary medal: 10 points/percent (Category C)
- The un-remarried widow or widower of a Veteran who died of a service-connected disability: 10 points/percent (Category D)
- The mother, father, legal guardian, or un-remarried widow or widower of a service member who died as a result of military service under combat-related conditions: 10 points/percent (Category E)
- A Veteran as defined in section 1.01(14), F.S.:" The term 'Veteran' means a person who served in the active military, naval, or air service and who was discharged under honorable conditions: 5 points/percent (Category F)
- A current member of any reserve component of the United States Armed Forces or The Florida National Guard: 5 points/percent (Category G)

Q: When are Veterans' Preference points/percentages applied?

1. After the applicant meets the required minimum qualifications for the position.
2. After applicant achieves a passing score on any required exams.

Q: When there is multiple testing during an application process, when is Veterans' Preference applied? VP is applied at every stage of the process. There are two ways of augmenting scores when there are multiple tests (as long as the minimum passing score is achieved at each stage):

1. If the VP applicant earns a minimum passing score on an exam, their score is augmented with their eligible VP points and they are able to move forward to the next test where, if a minimum passing score is achieved, that score will also be augmented with their eligible VP points. This pattern continues through all tests toward a total score.
2. An applicant takes a series of tests and all of their scores are added together to reach a single cumulative score. That score is then augmented with their VP eligible points (as long as the minimum passing score is achieved at each stage).

Q: How to determine whether to augment a score by points or by percentages? If the total possible score during testing is 100 points, an applicant's score should be augmented with 5, 10 or 15 points. If the total possible score is less than or more than 100 points, an applicant's score should be augmented by 5%, 10% or 15% of the total possible score. For example, if the total possible score during testing is 50, an applicant who is a 10 point/percent Veteran, should have their score augmented by 10% of the 50 (total possible score) - in this particular example 5 points.

Q: What happens when the selection is reduced to a group of top scoring applicants and the top scoring applicants are considered equal? If there is a VP eligible applicant in the group, and all applicants are EQUAL, the decision maker MUST select the VP eligible applicant. The decision maker is not able to skip over a VP applicant and select an equally qualified non-VP applicant. If there is more than one VP applicant in the EQUALLY qualified group, the selection will be based upon how the applicants qualified for VP and their eligibility category. A qualifying disabled VP applicant will always be selected over any other category of applicants when EQUALLY qualified.

Q: What if a non-numeric system is used? When an examination is not given, VP MUST be given at every step. At the very first step the VP eligible applicant, who meets the required minimum qualifications, is guaranteed an interview. However, the final selection of an applicant is based upon whom the decision maker believes is the most qualified applicant for a position. If there are two VP candidates, who EQUALLY qualify, the selection shall be based upon how each candidate qualified for VP and their eligibility category. A qualifying disabled Veteran will always be selected over any other category of applicants when EQUALLY qualified. However, when a VP eligible applicant is NOT selected, an upper management individual, who has the authority to reverse the decision, MUST review the selected applicant and the VP eligible applicant(s) and determine if the most qualified person was chosen. Employers should document this review process.

Q: What documents must be shown in order to claim Veterans' Preference?

1. (Category A, C and F) DD Form 214

a) Disabled Veterans shall also furnish a document from the DoD or the DVA establishing that the Veteran has a service-connected disability.

2. (Category B) Spouses of disabled Veterans shall furnish an Award Letter stating that they are entitled to benefits under Chapter 35 from the VA or the DoD. This confirms that the Veteran is totally and permanently disabled. The spouse should also have an identification card issued by the DoD; spouses shall also furnish a marriage certificate or other official evidence of marriage to the Veteran and a statement that the spouse is still married to the Veteran at the time of the application for employment. – or-

(Category B) Spouses of active duty member shall furnish the following documents:

- a) DoD or DVA documentation certifying that the Veteran is listed as missing in action, captured in line of duty, or forcibly detained or interned in line of duty by a foreign government or power.
- b) Evidence of marriage.
- c) Statement that the spouse is married to the Veteran on active duty at the time of application for employment.

3. (Category D) An un-remarried widow or widower of a Veteran who died of a service-connected disability shall supply documentation from the VA indicating the cause of death.

4. (Category E) The mother, father, legal guardian, or un-remarried widow or widower of a deceased Veteran shall furnish official documentation from the U.S. Department of Veteran Affairs reflecting that the service member was released or discharged from active duty due to his or her death while on active duty; and documentation verifying relationship to the member of the armed forces (marriage license, birth certificate, or other legal document verifying relationship) and (If widow/widower) a notarized statement certifying that he or she is the un-remarried widow or widower of the service member

5. (Category G) Current Reserve members and National Guard members should provide a signed memorandum from their military supervisor confirming their Active status in the Reserves or Guard.

Q: Who is eligible for Veterans' Preference in promotion? In order to qualify for VP for promotion the eligible applicant must have a break in employment and be deployed/activated. After being discharged the applicant must return to the same public entity and be reemployed. The applicant must provide the employer a DD Form 214 or comparable documents, which show their discharge from Active Duty and their Character of Service. Active Duty for training does not qualify.

Q: What about Character of Discharge for Promotion? A Veteran MUST have been discharged with nothing less than an “HONORABLE” discharge. If a DD 214 was not provided, the applicant should provide a copy of their orders, and a signed memorandum from their military supervisor confirming their Honorable service.

Q: When must Veterans’ Preference for a promotional opportunity be used and can it be used multiple times? The eligible applicant must request VP the first time a promotional opportunity becomes available, and it is only good for a single promotion. A single deployment cannot be used multiple times. One deployment entitles the applicant to one promotion only.

Q: If a VP eligible applicant has multiple deployments, will they be entitled to multiple promotions? It depends. VP for promotions cannot be stacked. A VP eligible employee would have to be employed, then deployed/activated while in their current position, and then return to their position. The employee can then use VP for the next available promotion. In order to use VP for promotion again, the employee must have been deployed/activated while in their current (promoted) position. Example: Joe is deployed/activated in his current position three (3) times. Joe applies his VP for promotional opportunity and is promoted. Even though Joe had three (3) deployments/activations BEFORE he was promoted, he cannot again claim VP for the next available promotional opportunity UNLESS Joe is deployed/activated again while in his promoted position. An employee MUST be deployed/activated while in their current position and return to that position to be eligible for VP for a promotion.

Q: Is a Veterans’ Preference eligible employee automatically guaranteed a promotion due to their deployment/activation? No. At the time a promotional opportunity is available the employee must meet the required minimum qualifications and be considered the best-qualified candidate. If the employee is unsuccessful and fails to receive the promotion, the employee can apply for a promotion as many times as necessary, and apply their VP, until they succeed in receiving the promotion.

Q: How many days does an applicant have to file a complaint regarding the application of Veterans’ Preference, and what requirements must be first met?

1. The complainant must file a complaint within 60 calendar days from the date they received notice of non-select from the hiring agency.
2. Prior to filing a complaint, it is the responsibility of the complainant to contact the designated Human Resources contact person at least one time after 45 days have passed from the final date for submitting an application or the interview date, whichever is later in time, if the applicant has not received notice of a hiring decision. It is the complainant’s responsibility to maintain contact with the employer to stay informed as to the status of the position.

Q: Where does an applicant file their complaint? Email: VeteransPreference@fdva.state.fl.us, or Mail to:

Florida Department of Veterans’ Affairs
Attn: Veterans’ Preference Coordinator

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Largo, Florida 33778-1630