

# Draft Revision of Civil Service Rule 3-8 Veterans' Preference

Revision A — April 19, 2005

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## 3-8 Veterans' Preference

### 3-8.1 Veterans' Preference Authorized

A qualified applicant for initial appointment to a position in the classified service is entitled to a preference in consideration, as provided in this rule and the regulations. An eligible applicant who is granted a preference in consideration is not guaranteed appointment in the classified service.

### 3-8.2 Qualifications

(a) **Veteran.** A veteran is a person who (1) has 90 or more calendar days of active duty service in the armed forces of the United States, (2) was honorably discharged from active duty in the armed forces of the United States, and (3) has not retired from any branch of the armed forces of the United States or other uniformed service.

(b) **Eligible veteran.** An eligible veteran is a veteran who is qualified for the position in the classified service and has been released from active military within 5 years before the date of application.

(c) **Eligible disabled veteran.** An eligible disabled veteran is an eligible veteran who is qualified for the position in the classified service and has been determined to be eligible for disability compensation by the U.S. Veterans Administration or a branch of the armed forces of the United States.

1 (d) Eligible spouse. An eligible spouse is a spouse of an eligible veteran and is qualified for  
2 the position in the classified service.

3 (d) Eligible surviving spouse. An eligible surviving spouse is a surviving spouse of a  
4 deceased eligible veteran and is qualified for the position in the classified service.

### 5 3-8.3 Types and Order of Veterans' Preference

6 During a selection process, an eligible applicant who requested preference in consideration at  
7 the time of application is given one of the following preferences in consideration, in the  
8 following order:

9 (a) Preference points by department of civil service. If the selection process is based in  
10 whole or in part on a numerical score on a written examination conducted by the  
11 department of civil service, the department shall add the following additional preference  
12 points to an applicant's final qualifying score:

13 (1) 5 points. The department of civil service shall add 5 points to the final score of the  
14 following applicants:

15 (A) An eligible veteran.

16 (B) An eligible surviving spouse.

17 (2) 10 points. The department of civil service shall add 10 points to the final score of  
18 the following applicants:

19 (A) An eligible disabled veteran.

20 (B) An eligible spouse of an eligible disabled veteran with greater than 50 percent  
21 disability.

22 (C) An eligible surviving spouse who has a child under 18 years of age.

23 (D) An eligible surviving spouse with continuing parental care of a disabled child.

24 (b) Preference points by appointing authority. If an eligible applicant is not given  
25 numerical preference points under subsection (a) and the appointing authority uses a  
26 selection method that is based in whole or in part on a numerical scale for ranking  
27 candidates, the appointing authority shall add additional preference points to the  
28 following additional preference points to an applicant's final qualifying score:

29 (1) 5 percent. The appointing authority shall add preference points equal to 5 percent  
30 of the highest attained final numerical score to the final score of the following  
31 applicants:

32 (A) An eligible veteran.

1 (B) An eligible surviving spouse.

2 (2) 10 percent. The appointing authority shall add preference points equal to  
3 10 percent of the highest attained final numerical score to the final score of the  
4 following applicants:

5 (A) An eligible disabled veteran.

6 (B) An eligible spouse of an eligible disabled veteran with greater than 50 percent  
7 disability.

8 (C) An eligible surviving spouse who has a child under 18 years of age.

9 (D) An eligible surviving spouse with continuing parental care of a disabled child.

10 (c) Preferential consideration by appointing authority. If an eligible applicant is not  
11 given numerical preference points under subsection (a) or (b), the appointing authority  
12 shall give preferential consideration to any qualified applicant in the following manner:

13 (1) If an applicant pool is mechanically or randomly reduced by preliminary screening,  
14 all applicants eligible for a preference under this rule must be retained and placed in  
15 the candidate pool.

16 (2) The appointing authority shall evaluate all candidates eligible for a preference under  
17 this rule under the appointing authority's screening or selection criteria before  
18 making an appointment.

### 19 3-8.4 Technical Complaint

20 An eligible applicant who timely requested and was not granted preferential consideration as  
21 required by this rule and the regulations may file a technical complaint, as authorized in Rule  
22 3-7.2(b) [Technical Appointment Complaint by Applicant].

## 23 ~~2-14 Veterans' Preference and Military Leave~~

### 24 ~~2-14.1 Definition: Veterans; Disabled Veterans~~

25 ~~A veteran is a person with 90 or more calendar days of active service in the armed forces of~~  
26 ~~the United States during any period covered by a selective service law and who has received~~  
27 ~~an honorable discharge or other suitable evidence of honorable active service. A person,~~  
28 ~~other than a disabled veteran, who has retired from any branch of the armed forces is ineligi-~~  
29 ~~ble for veterans' preference. A disabled veteran is one who the Veterans Administration or a~~  
30 ~~branch of the military service has determined to be eligible for disability compensation.~~

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1 ~~2-14.2—Preference Credit Points~~

2 ~~Preference credit will be applied as follows:~~

3 ~~(a) Within 5 years after a veteran's release from active duty, 5 preference credit points are~~  
4 ~~added, upon request, to the final passing score in any eligible examination taken by the~~  
5 ~~veteran.~~

6 ~~(b) Without regard to time limitations, 5 preference credit points are added, upon request, to~~  
7 ~~the final passing score in any eligible examination taken by surviving spouses of~~  
8 ~~veterans.~~

9 ~~(c) Without regard to time limitations, 10 preference credit points are added, upon request, to~~  
10 ~~the final passing score in any eligible examination taken by disabled veterans, spouses of~~  
11 ~~disabled veterans having greater than 50 percent disability, surviving spouses of veterans~~  
12 ~~having children under 18 years of age, or surviving spouses of veterans with continued~~  
13 ~~parental care of a disabled child.~~

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