



## Department of Shared Administrative Services Office of Personnel Management

**Policy Title:** Veterans Preference and Reemployment

**Policy Number:** 13

**Authority:** Ark. Code Ann. § 21-3-301 *et seq.*

**Effective Date:** May 19, 2021

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State agencies are required to give preference to qualified veterans and disabled veterans, spouses of disabled veterans, and the surviving spouse of a deceased qualified veteran for the following employment actions:

- 1) Hiring – State agencies must consider veteran's preference when developing the list of qualified candidates to be interviewed **AND** when ranking the interviewed candidates for final selection.
- 2) Promotion – A qualified veteran's status must be considered on questions of promotion.
- 3) Retention – A qualified veteran's status must be considered as service with the agency and counted as part of the employee's seniority when the agency is determining the positions that will be subject to a reduction in force.

### **Veteran**

1. A person honorably discharged from a tour of active duty, other than active duty for training only, with the United States Armed Forces; or
2. Any person who has served honorably in the National Guard or reserve forces of the United States for a period of at least 6 years, whether the person has retired or been discharged or not.

Veteran's preference shall be applied if the applicant:

1. Indicates that he or she is a veteran, disabled veteran, or surviving spouse of a deceased veteran and the spouse is unmarried at the time of application and remains unmarried until hired;
2. Is a citizen and resident of this state; and
3. Has substantially equal qualifications of the other applicants.

**An applicant must voluntarily submit official proof of his or her status as a veteran, disabled veteran, spouse or a surviving spouse of a deceased veteran to receive veteran's preference.** Veteran's preference does not apply to elected officials or political appointees or to any person holding a strictly confidential administrative or secretarial position in relation to the appointing officer.

An applicant entitled to preference shall not be disqualified from holding any position on account of age or by reason of any physical disability, provided that the age or disability does not hinder the applicant's ability to properly perform the duties of the position for which he or she applied.

### When an agency uses numerical scoring

The total number of points assigned to an examination, evaluation or similar instrument is determined by each agency; however, the number should not be so great that it renders the veterans preference points as meaningless.

### **5 points**

If an agency uses an examination, evaluation, or similar instrument subject to numerical scoring to establish a list of qualified candidates to be interviewed for a position and an applicant entitled to a veterans preference receives a passing grade, the applicant shall have 5 points added to his or her final earned rating.



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### **10 points**

Disabled veterans, veterans over the age of 55 who are disabled and entitled to a pension or compensation under law, or the spouse of a disabled veteran whose disability disqualifies him or her for selection shall have 10 points added to his/her final rating score on the examination, evaluation or similar instrument. The disability must be established by the United State Department of Veterans Affairs records.

#### When an agency does not use numerical scoring

If an agency uses an examination, evaluation, or similar instrument that is not subject to numerical scoring, then the selection authority must demonstrate how veteran's preference was applied in developing the list of qualified candidates to be interviewed and in determining the candidate selected for the position.

#### Interview list

Applicants who qualified in an examination, evaluation, or similar instrument given for the purpose of establishing an interview list will be placed on the list in the following order:

1. Names of 10-point preference eligible candidates will be placed at the top of the list of persons certified as having equal eligibility points;
2. Names of 5-point preference eligible candidates shall be placed at the top of the list of persons certified as having equal eligibility points; and
3. Names of all other eligible candidates who do not have preference as provided in this section shall be placed on the list according to their ranking of eligibility points.

#### Failure to interview and/or hire a veteran

If a veteran is not selected for a position and numerical scoring was used, at the veteran's request the selection authority shall provide the veteran with his or her base score, adjusted score, and the successful candidate's score.

If a scoring method other than numerical was used, at the veteran's request the selection authority must provide all documentation to the veteran to demonstrate how the veteran's preference was applied to develop the interview list and select the successful candidate.

The selection authority or hiring official must submit the reason(s) to the veteran in writing. The written reason will become a part of the employment application records of the agency and be retained for the same period of time as all other employment applications as established by law or agency policy.

The selection authority is not required to provide the veteran with testing materials or any other information concerning the successful candidate or other applicants that is not authorized for release under the Veterans Preference Law or the Freedom of Information Act.



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### Reemployment of Veterans Preference Eligible Employees

An employee is eligible for reemployment if the following conditions are met:

1. The employee has established veterans preference eligibility;
2. The employee either resigned while in good standing or was separated without prejudice; and
3. The employee is certified by the department, agency or institution of higher education as meeting the current minimum qualifications of training and experience that is required for the position he or she is being reemployed.

The department, agency or institution of higher education may require the employee to pass a qualifying examination.

The employee is only eligible for reemployment for a period of time no less than the continuous period of service in a department, agency or institution of higher education.

For purposes of determining reemployment eligibility under this policy, time spent in the United States Armed Forces does not count.