

## VETERAN EMPLOYMENT PREFERENCE

References: Texas Government Code, Sections 657.001, 657.002, 657.003, 657.0047

System Regulation 33.99.01 Employment Practices

### VETERAN EMPLOYMENT PREFERENCE - WHAT IS IT?

An eligible *Veteran* is entitled to a preference in employment with a state agency over other applicants for the same position **who do not have a greater qualification**. For example, if 2 applicants are finalists for a position and are equal in all respects, the applicant with the Veteran Employment Preference must be offered the job.

### DEFINITION OF "VETERAN"

A "Veteran" is an individual who has:

- o served in the army, navy, air force, coast guard, or marine corps of the United States or the United States Public Health Service under 42 U.S.C. Section 201 et seq., as amended;
- o served in the Texas military forces, as defined by Section 437.001; or
- o served in an auxiliary service of one of those branches of the armed forces; **and**
- o been honorably discharged from the branch of the service in which the person served.

### ELIGIBILITY

Veteran Employment Preference is provided to the following eligible individuals and in the following order of priority:

1. a veteran with a disability that is service-connected
2. a veteran
3. a veteran's surviving spouse who has not remarried
4. an orphan of a veteran, if the veteran was killed while on active duty

### HOW VETERAN EMPLOYMENT PREFERENCE AFFECTS THE INTERVIEW PROCESS

If the pool of **qualified applicants**\* has applicants with Veteran Employment Preference designation, interviews must be conducted in accordance with the the following bullets. The chart below provides further clarification.

- o If six or fewer applicants are to be interviewed, then at least one applicant with Veteran Employment Preference designation must be interviewed.
- o If more than six applicants are to be interviewed, then 20% of the applicants with Veteran Employment Preference designation must be interviewed (if there are multiple applicants with Veteran Preference designation).

<i>Number of Individuals Selected for Interview</i>	<i>Minimum Number of Individuals with Veteran Employment Preference Required to be Interviewed</i>
1 – 6	1
7	1 (20% of 7 = 1.4, round down to 1)
8	2 (20% of 8 = 1.6, round up to 2)
9	2
10	2

\*A **qualified applicant** is one who: (1) meets all "Minimum Requirements" as advertised, (2) has an employment application that is fully filled out, and (3) attached all the documents requested on the posting.

### PROOF OF ELIGIBILITY

If this preference is used in the hiring decision, the applicant must produce a government document certifying their right to this preference.