

## Office of Personnel Management

### Policy

<b>Policy Title:</b> Veteran's Preference	<b>Policy Number:</b> 30.20
<b>Citation:</b> Arkansas Code Annotated §§ 21-3-302 and 303	<b>Forms:</b> None

#### Purpose

State agencies and institutions of higher education are required to give preference to certain qualified veterans, their spouses, or the surviving spouse of a deceased qualified veteran in hiring and employment.

#### Specific Provisions

Veteran: (1) A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; 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 six (6) years, whether the person has retired or been discharged or not.

The veteran's status shall be considered on questions of hiring, promotion and retention of employees.

A veteran who voluntarily submits official proof of his or her status as a veteran, disabled veteran, or a surviving spouse of a deceased veteran who remains unmarried at the time when the preference is being sought shall be entitled to employment preference in a position over other applicants after meeting substantially equal qualifications. The person requesting the preference must be a citizen and resident of this state.

If an examination, evaluation, or similar instrument is given to establish a list of qualified candidates to be interviewed for a position at a state agency or institution of higher education subject to the Uniform Classification and Compensation Act, and an applicant entitled to a veterans preference attains a passing grade, the applicant shall have five (5) points added to his or her final earned rating if the examination, evaluation, or similar instrument is subject to numerical scoring.

If the examination, evaluation, or similar instrument is not subject to numerical scoring, the selection authority shall demonstrate how veterans preference was applied in developing a list of qualified candidates to be interviewed and selecting the successful candidate.

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Disabled veterans, veterans over the age of fifty-five (55) and who are disabled, and entitled to a pension or compensation, or the spouse of a disabled veteran shall have ten (10) points added to his/her final rating score.

If a veteran is not selected for a position and a numerical score 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 shall provide all documentation to the veteran to demonstrate how the veterans preference was used to develop the interview list and how the successful candidate was selected.

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 Freedom of Information Act.

#### Procedure

The names of candidates who have qualified in an examination, evaluation, or similar instrument given for the purpose of establishing an interview or employment list shall be entered on an appropriate register or list of eligible candidates in the following order:

- Names of ten-point preference eligible candidates shall be placed at the head of the register or applicant list of persons certified as having equal eligibility points;
- Names of five-point-preference eligible candidates shall be placed at the head of the register or applicant list of persons certified as having equal eligibility points; and
- Names of all other eligible candidates who do not have preference as provided in this section shall be placed on the register or applicant list in accordance with their ranking of eligibility points.

The persons 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 render the person incapable to properly perform the duties of the position for which he or she applied.

Nothing in this policy shall be construed to apply to the position of elective or political appointees in any department, agency, or institution of higher education or to any person holding a strictly confidential administrative or secretarial position in relation to the appointing officer.

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Failure to Hire A Veteran

If requested by the veteran applicant, a hiring official or selection authority for a state agency or institution of higher education shall submit in writing to the veteran the reason the veteran was not (1) included on a list of qualified candidates to be interviewed; and (2) selected for the position.

The written reason shall become a part of the employment application records of the state agency or institution of higher education and be retained for the same period of time as all other employment applications as established by law or agency policy.

Revised August 16, 2013