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MEMORANDUM HR#52-19

October 4, 2019

TO: Agency Personnel Liaisons

FROM: Peter Long, Administrator *Peter Long* Division of Human Resource Management

SUBJECT: UPDATED VETERAN HIRING PREFERENCES

AB89, effective October 1, 2019, modifies Veteran hiring preferences for the State of Nevada by removing the previous requirement that veterans must be Nevada residents to qualify for additional preferences. Qualifying non-resident veterans and veterans with service-connected disabilities who are placed on lists on or after October 1st shall receive the same hiring preferences as qualified veterans who are residents.

Attached is a guide developed by DHRM detailing appropriate documents that applicants may provide for verification of their status as a "Veteran" or as a "Veteran with a service-connected disability." However, the list of documents outlined is not all-inclusive and agencies must determine if the documentation provided clearly establishes that the applicant meets the necessary criteria per the definition. Ultimately, it is incumbent upon the applicant to provide appropriate documentation.

Additionally, it is critical for agencies to verify documents and annotate the correct status of the applicant in the exam tab of the application so preferences are properly applied and lists remain accurate. If applicants select two or more preferences, the lower preference must be unchecked in the exam tab, or only the preference that appropriate documentation has been provided for should be checked, as applicants cannot combine veteran preferences.

The same criteria and documentation are used for current employees who wish to self-identify as a veteran, but employees should first verify their veteran status listed under their personnel tab

within NEATS as they do not need to resubmit documentation if their status already shows them as a veteran.

The attached guide is also available online at this link: <u>http://hr.nv.gov/uploadedFiles/hrnvgov/Content/Resources/Publications/Veteran_Definition_Doc</u> <u>umentation_Guide.pdf</u> If you have questions please contact Doug Williams, Veterans Coordinator, at <u>dougwilliams@admin.nv.gov</u>.

Attachment

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BATTLE

BOR



State of Nevada

Veteran Definition & Documentation Guide

Presented by the Division of Human Resource Management



Outline

- "Veteran" definition
 - Definition of "Veteran with a service-connected disability" per NRS 338.13843
- Documentation for Veterans who have served on active duty
 - Form DD214 explained
 - ✤ Differences in DD214 Member-1 copies and DD214 worksheets vs. all other copies
- Documentation for Veterans with a service-connected disability
 - VA Rating Notification Letter and other documents
- Documentation for Guard and Reserve Members
 - ✤ NGB Form 22 explained, statement of service letters
- Documentation for Widows and Widowers of Veterans
- Other types of documentation
- ✤ FAQs



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Veteran definition for State of Nevada veteran hiring preferences

State of Nevada Veteran hiring preferences are outlined in AB89 which took effect on 10/1/2019:

"Veteran" means a person who:

1) Was regularly enlisted, drafted, inducted, or commissioned in the:

(a) Armed Forces of the United States and was accepted for and assigned to active duty in the Armed Forces of the United States;

(b) National Guard or a reserve component of the Armed Forces of the United States and was accepted for and assigned to duty for a minimum of 6 continuous years; or

(c) Commissioned Corps of the United States Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States and served in the capacity of a commissioned officer while on active duty in defense of the United States; and

2) Was separated from such service under conditions other than dishonorable.

AB 89 utilizes the definition for "Veteran with a service-connected disability" as prescribed in NRS 338.13843 which states:

"Veteran with a service-connected disability" means a veteran of the Armed Forces of the United States who has a serviceconnected disability of at least zero percent as determined by the United States Department of Veterans Affairs.

• US Code and other Nevada Revised Statute's "Veteran" definitions vary based on eligibility for various services, but are not applicable when determining hiring preference eligibility for the State of Nevada.



Documentation for Veterans who have previously served on active duty

- Active duty is considered full time service in any branch of the United States Armed Forces. Individuals who have been accepted for and assigned to active duty receive a DD214 upon completion of their active duty service. The form DD214 is the most commonly used document that provides proof that an individual served on active duty, and this document also states their service characterization.
- Provided DD214s must be finalized and signed by an authorized authority and the service characterization must be anything other than dishonorable to be eligible for veteran hiring preference with the State of Nevada.



Assigned occupational code(s) *Military members often perform duties and have experience outside of their primary occupation

The format and look of the DD214 has changed over the multiple decades it has been in use, however it should always state the form number at the bottom and the service characterization.

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Individual's name and personal information.

Type of Discharge: Anything other than dishonorable meets the definition for veteran hiring preference for the State of Nevada.

Member-4 is the most common DD214 copy provided.



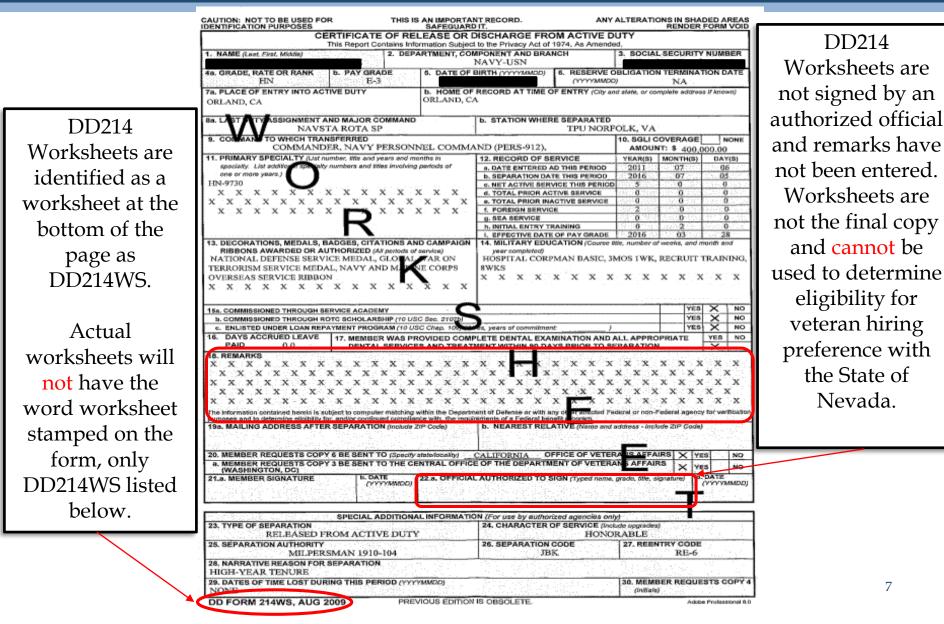
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An example of a form DD214 Member - 1 copy. This copy is called he short form and does not list the service characterization nd cannot be used to determine ligibly for veteran niring preferences with the State of Nevada.

6

MEMBER-1



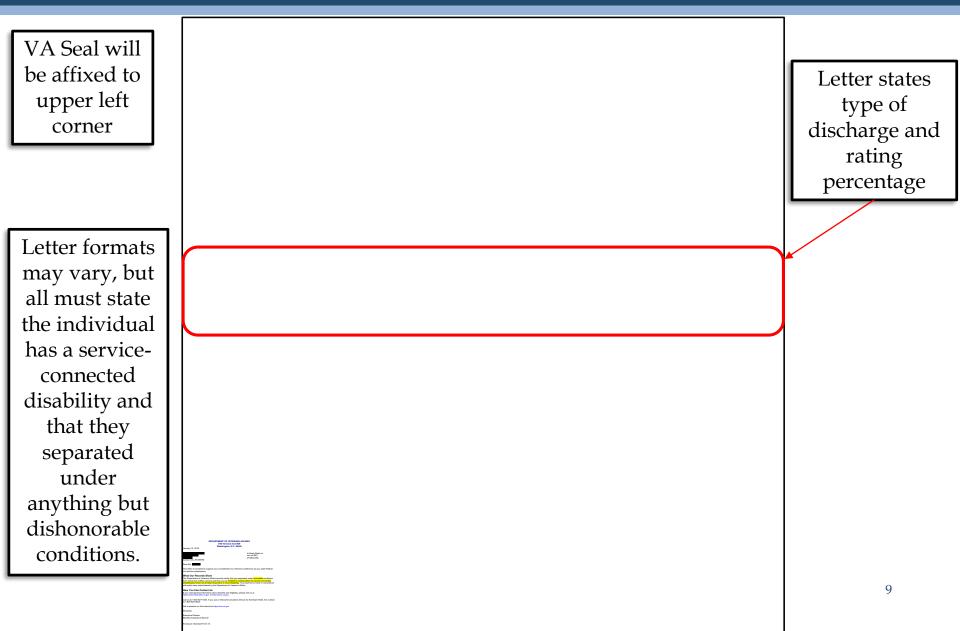




Documentation for Veterans with a service-connected disability

- "Veteran with a service-connected disability" is a veteran of the Armed Forces of the United States who has a service-connected disability of at least zero percent as determined by the United States Department of Veterans Affairs.
- To meet the criteria of a "veteran with a service-connected disability", individuals need to provide documentation from the Veterans Affairs stating they have been awarded a rating of at least zero percent.
- The most common documents are in a memo format often titled as a VA Rating Notification Letter or VA Benefits Summary Letter. These letters provide the rating percentage as well as the service characterization and it is dual purpose as it also verifies the individual's status as a "Veteran".
- Similar letters may also be provided and can be used to determine eligibility and in some cases a signed Standard Form (SF) 15 may be provided. As with the DD214, reviewers must ensure it is an approved and final document and contains the necessary information to make an eligibility determination.



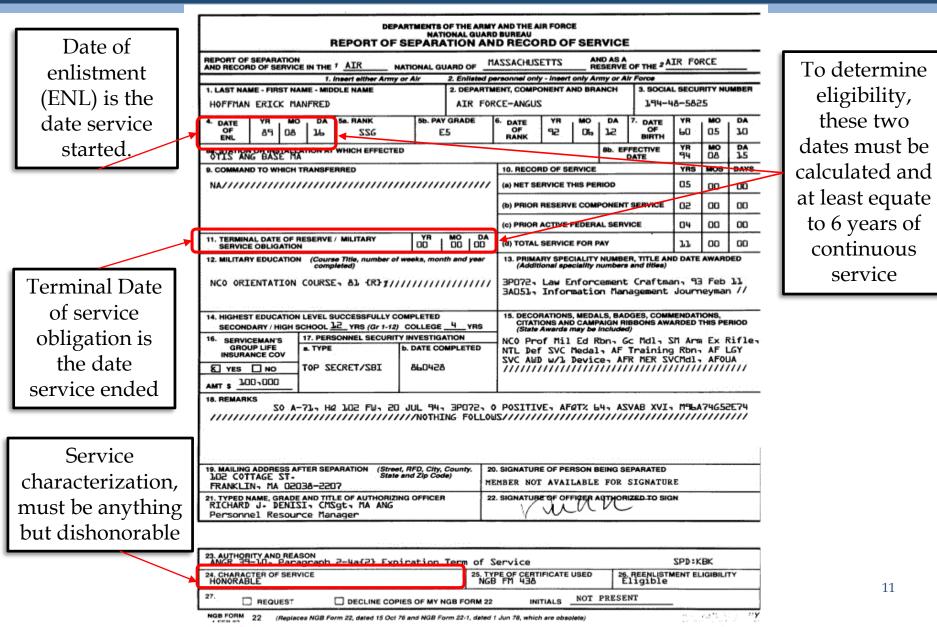




Documentation for Guard and Reserve Members

- National Guard members and Reserve members are regularly enlisted, inducted, or commissioned in the Armed Forces of the United States. However, National Guard members and Reserve members are not always assigned to active duty and they will not have a DD214 if they have not completed active duty service.
- To meet the definition of a "Veteran" without proof of active duty service, National Guard members and Reserve members must provide documentation demonstrating they have had 6 continuous years of service in the National Guard or Reserve.
- A common form is the National Guard Bureau (NGB) Form 22 which serves as the DD214 equivalent for the National Guard.
- National Guard and Reserve members may also provide "statement of service" letters from their Guard or Reserve units. Such letters can be used to make an eligibility determination if the letter is on an official letterhead, provides the dates of service, the service characterization, and is signed by an authorized official.



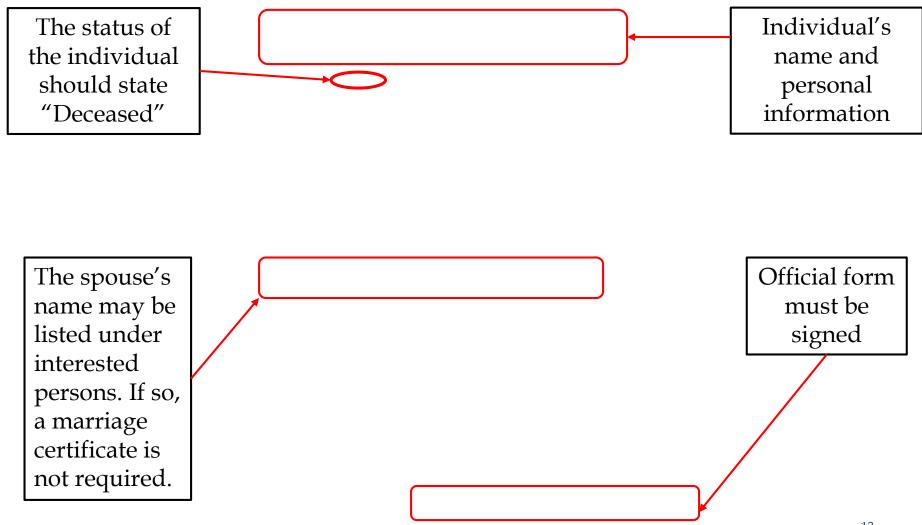




Documentation for Widows and Widowers of Veterans

- In accordance with AB89, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States and widows and widowers of Veterans are eligible for additional preference when applying for State of Nevada positions.
- To verify if an applicant is a widow or widower of a person killed in the line of duty, a DD Form 1300 "Report of Casualty" must be submitted with the application. Additionally, the applicant may need to provide a copy of their marriage certificate indicating they were married to the person who is deceased.
 - DD1300s are essentially a military death certificate and provide an official record of the death or missing status of a military member and this form is also utilized by various federal agencies to determine eligibility for services and benefits. A certified DD1300 will always be provided to the spouse or the Next of Kin after the death of an active duty military member.
- Widows and widowers of Veterans are authorized to obtain copies of their spouse's DD214 and must provide a completed DD214 or a "statement of service" letter and a copy of their marriage certificate to be eligible for additional preference.







Other types of documentation

- The Veterans Identification Card Act was signed into law in 2015 and authorized the VA to begin issuing a national Veterans Identification Card (VIC). Cards began to be initially issued in November 2017 and are only provided to veterans with an honorable discharge so these cards can be used to verify eligibility for State of Nevada veteran hiring preferences.
- The Veterans Identification Card will provide information such as a member number, if the individual has a service-connected disability, and what branch of the service they served in.
- Veterans Identification Cards should not be confused with VA Employee I.D.s or Volunteer I.D.s that provide little to no information about the individual and cannot be used to verify a person's status as a veteran.



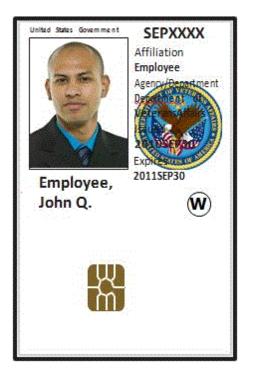
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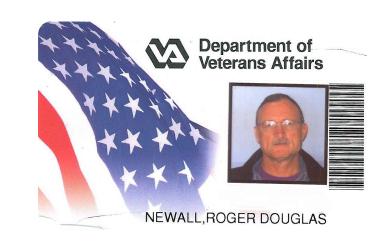
Veterans Identification Card sample





Examples of I.D.s that cannot be used to determine veteran status or eligibility for additional preferences.







FAQs

I have an applicant who provided a DD214 and it shows the service characterization as honorable, but they only spent a month in the military. Do they qualify as Veteran for hiring preference purposes?

Yes. The definition as prescribed in NRS 417.005 does not establish any minimum periods of time served for Veterans who have been placed on active duty.

I have an applicant that is a current employee who has applied for multiple promotion opportunities. Is there a limit on the number of times their Veteran preference can be applied?

No. AB89 lifts previous restrictions and qualified veteran applicants are eligible for additional preference without limitation.

I have an applicant that is still serving on active duty in Nevada; what documentation do they need to provide?

Active Duty applicants can have up to 4 months of accrued leave prior to the end of their contract so oftentimes they apply and are available for work before their contract has ended. DD214s are not provided until after the contract period is concluded so active duty applicants need to provide a "statement of service letter" on an official letterhead stating the dates of service, service characterization, and signature by an authorized official.

I have an applicant that provided a DD214 that states "medical discharge". Are they considered a disabled veteran?

No. To meet the definition of a veteran with a service-connected disability, the Department of Veteran Affairs (VA) has to make that determination and the applicant must provide documentation from the VA as DD214s are issued by the Department of Defense.

I have an applicant that provided a NGB Form 22 and under "net service this period" it states 2 years. Is that the total time they have served in the National Guard?

No. Net service is calculated differently and is akin to stating you have been employed by the State for 40 hours instead of 1 week. The only way to calculated time served in the Guard using this form is by comparing the date of enlistment to the terminal date of service obligation as outlined previously.