



NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Veterans Hiring Preference Overview

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Veterans offer a unique set of skills and experiences developed and honed during their years of military service, yet many veterans are still struggling to find work. The jobless rate for veterans of the wars in Iraq and Afghanistan (5.8% in 2015), though lower than previous years, is still higher than the national average. The unemployment rate also varies across the country, ranging from 1.9 percent in Iowa to 7.7 percent in the District of Columbia.

With more and more veterans returning home, states are focused on policies that help ensure a smooth transition to civilian life. One policy option that many states have embraced provides a uniform method by which special consideration is given to qualified veterans seeking employment. Veterans preference laws recognize the sacrifice made by those serving in the military by restoring veterans to a more favorable competitive position in the hiring process.

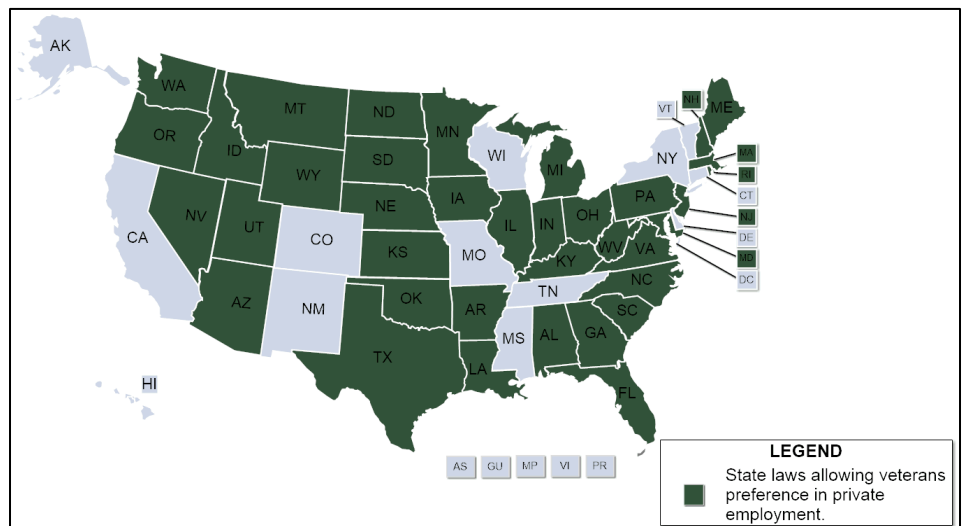
Veterans Preference in Public Employment

All 50 states, the District of Columbia, Guam and Puerto Rico award preference to veterans in initial hiring for public positions, usually by adding points to examination scores that determine the relative ranking of candidates. Some states require veterans claiming preference to have served for a specified period of time and others require state residency. In roughly half of states, the spouse or surviving spouse of an eligible veteran may be entitled to preference points.

Voluntary Veterans Preference in Private Employment

A total of **37** states have enacted legislation allowing private employers to give preference in hiring to honorably discharged veterans. Many of the laws also apply to spouses of disabled veterans and surviving spouses. The state of Washington was the first to pass a permissive veterans preference law in 2011.

Title VII of the Civil Rights Act of 1964 prohibits veterans' preference in employment as unlawfully discriminatory due to the potential disparate impact on women. However, Section 11 of the act allows special rights or preferences to be granted to veterans as long as they are authorized under federal, state or local law.



Federal Employment

The federal government has given veterans some degree of preference in employment since the end of the Civil War. The policy in its present form stems from the Veterans' Preference Act of 1944, which is now codified in Title 5 of the United States Code. Under the law, veterans who are disabled or who served on active duty in the Armed Forces during specified periods or in military campaigns are entitled to preference over non-veterans both in hiring and retention. Preference points (either five or 10) are added to passing grades earned in entrance examinations.