

## **Veterans Preference Under Nebraska State Law**

Nebraska State Law has revised veterans' preference for employment effective January 1, 2015. The purpose of this information is to describe eligibility requirements provided for in the law, and instructions for the Metropolitan Utilities District to use in verifying preference. The Human Resources Department is responsible to verify preference eligibility.

### **Consideration of Veterans for Vacancies**

Nebraska Law requires consideration of veterans' preference for all posted vacancies, including temporary and on-call positions.

- All postings for available positions shall state that the position is subject to veterans' preference. The Metropolitan Utilities District Career's Home Page states all positions opened at the Metropolitan Utilities District are subject to veterans' preference.
- Specifically when two or more equally qualified candidates are being considered and one or more of these qualified candidates is a veteran under Nebraska Law, preference for hiring will be given to the qualifying veteran.
- Veterans, disabled veterans and spouses of veterans with a 100% permanent disability must be notified that they have not been hired.

### **Veteran Applicants**

Veteran applicants will request preference through their online application on the Career's Page. Their response will be found in the Screening Details Section under the question – For employment opportunities, do you wish to use the State of Nebraska Veteran's Preference Law?

### **Affirmative Veteran Responses**

Affirmative responses will indicate the applicant is claiming preference as a veteran, a disabled veteran or a spouse of a veteran with a 100% permanent disability rating. This preference may be verified at any time during the application process. Verification of preference is needed when two or more equally qualified candidates are being considered and one or more of these candidates has claimed veteran's preference under Nebraska law.

## **Employment Preference**

Preference shall be given to the qualifying veteran if two or more equally qualified candidates are being considered for the position.

It is the Human Resources Department's responsibility to verify preference. Information provided by the veteran or spouse of the veteran should be kept confidential. Copies of documents veterans provide and Human Resources notes regarding determination of veteran's preference should be filed separately in Veteran's records. As a reminder, you may not rely on portions of the veteran's military record which are not relevant to the qualification requirements of this position.

## **Verification of Preference**

Use the information in this section when verifying veteran preference.

### **VETERANS:**

- **Definition of Veteran:** Veteran is an individual who has served full-time duty with military pay and allowances in the armed forces of the United States, except for training or for determining physical fitness, and was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions).
- **Required Documentation:** Request copy of DD Form 214. You will be verifying character of service, purpose of service, and dates of service.
- **Character of Military Service:** Look at the DD Form 214 to determine if discharge or release from military service is qualifying. "Character of Service" should indicate either "honorable conditions" or under a "general discharge under honorable conditions".
- **Purpose of Military Service:** Veterans who have served in the military only for training or for determining physical fitness are not considered veterans for veterans' preference purposes. Look at "Reason for Separation" and "Type of Separation" to determine if military service is only for training
- **Definition of Full-time Duty:** Full-time duty generally means duty during time of war or during a period recognized by the U.S. Department of Veterans Affairs as qualifying for veteran's benefits administered by the department. Duty between Jan 31, 1955 to Feb 28, 1961 must exceed 180 days unless that service resulted in service-connected or service-aggravated disability.
- **Dates of Service:** Eligible dates of service for veterans' preference under Nebraska state law.

World War I	April 6, 1917 – November 11, 1918
World War II	September 16, 1940 – July 25, 1947
Post – World War II	July 26, 1947 – June 26, 1950
Korean Conflict	June 27, 1950 – January 31, 1955
Post – Korean War	February 1, 1955 – August 4, 1964* *Duty between Jan 31, 1955 to February 28, 1961 must exceed 180 days unless that service resulted in service-connected or service-aggravated disability.
Vietnam Era	February 28, 1961 – May 7, 1975* *For veterans who served in the Republic of Vietnam during that period. August 5, 1964 – May 7, 1975 for veterans that did not serve in the Republic of Vietnam.
Post-Vietnam War	May 8, 1975 – September 7, 1980 * *Ending date for officers is October 16, 1981
24-month Rule	September 8, 1980 – August 1, 1990 * *Beginning date for officers is October 17, 1981
Gulf War	August 2, 1990 – through a future date to be set by law or Presidential Proclamation

#### DISABLED VETERANS:

- Definition of Disabled Veteran: Disabled veteran is an individual who has served on active duty in the armed forces of the United States, has been discharged or otherwise separated with a characterization of honorable or general (under honorable conditions)

therefrom, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the U.S. Department of Veterans Affairs or a military department.

- Required Documentation: Request copy of DD Form 214. You will be verifying character of service and present existence of a service-connected disability.
- Character of Military Service: Look at the DD Form 214 to determine if discharge or release from military service is qualifying. "Character of Service" should indicate either "honorable conditions" or under a "general discharge under honorable conditions".
- Verification of Disability: Disabled veterans do not require specific dates of service. Instead, you are looking for verification of existence of a service-connected disability or receipt of compensation, disability retirement benefits, or pension because of a public statute administered by the U.S. Department of Veterans Affairs or a military department.

#### **SPOUSE:**

- Definition of Spouse: Spouse of a veteran who has a 100% permanent disability as determined by the US Department of Affairs is eligible for veteran's preference.
- Required Documentation: Request the spouse provide the following documents for verification of eligibility.
  - DD Form 214 of the veteran (Verifying only the receipt of form, not the information included on the form.)
  - Veteran's disability verification form from the US Department of Veterans Affairs demonstrating a 100% permanent disability rating
  - Proof of marriage to the veteran, i.e. a valid marriage license recognized by the State of Nebraska.

#### **Veteran Not Hired Notification Required by Nebraska Law**

After filling a position, veterans, disabled veterans, and spouses of veterans with a 100% permanent disability who applied for a position and were not hired are to be notified by electronic mail, regular mail, telephone call, or personal service that they have not been hired.

#### **Questions**

Nebraska Veterans Preference Law is available in Sections 48-225 thru Section 48-231 of Nebraska Revised Statutes Chapter 48.

If you have any questions, please contact the Metropolitan Utilities District at 402-504-7735 or email: [Human\\_Resources@mudnebr.com](mailto:Human_Resources@mudnebr.com).