

## Move Quickly to Ensure Vetsâ€™™ Preference Honored for Fed Jobs

Q:

I'm interested in entering federal civil service after I leave the military. I know veterans get federal hiring preference, but I know many veterans get passed over for jobs. How do I know when a federal agency has violated my rights?

A:

The transition from the military to the civilian workforce is never easy.

Fortunately, the government helps veterans by giving them preferences in federal hiring. Unfortunately, agencies do not always abide by the rules.

One of the most important benefits afforded to eligible veterans is their preference in competitive examinations, in which the Office of Personnel Management tests the fitness of applicants for advertised federal civil service positions. For these exams, applicants are graded and ranked on a 100-point scale.

Veterans who have been honorably separated from the military and who actively served during certain campaigns or at certain times can have five points added to their competitive service exam score.

Vets with service-connected disabilities are eligible for up to a 10-point preference, as are spouses and mothers of veterans, depending on such factors as dependency, disability and death.

These extra points can push up veterans' ratings on exam lists. This is important because often, agencies consider only the top three applicants for each position.

Agencies commonly run afoul of veterans' preference rules when they move to hire a nonpreference-eligible candidate over a higher-ranking candidate who has preference, and when they fail to notify the vet of this decision to pass him or her over.

If an agency wants to hire a nonpreference-eligible candidate over a higher-ranked preference-eligible veteran, it must record its reasoning for not selecting the veteran and ask permission from OPM to pass him or her over.

The agency must provide the veteran with a copy of this pass-over explanation upon request. In cases where the agency wants to pass over a service-disabled veteran or disqualify him or her because of a position's physical requirement, it must notify the veteran at the same time it makes the OPM request. The veteran has 15 days to respond.

Veterans who believe their preference rights were violated must first file a complaint with the Labor Department. If Labor fails to resolve the complaint within

60 days, the veteran can appeal to the U.S. Merit Systems Protection Board

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In such cases, the window to appeal is 15 days.

These are very tight deadlines, so it is important for veterans to quickly assert all their preference rights and show where an agency failed to follow these hiring and notification procedures.

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The information in this column is not intended as legal advice.