

## Chapter 3.14 HIRING PREFERENCE FOR VETERANS

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### 3.14.010 Purpose.

The purpose of this Chapter is to reward veterans and spouses of deceased veterans who served full time in the United States Armed Forces in time of national military emergency, or in time of State military emergency, or who have served in any military expedition of the Armed Forces, to ease the transition from military to civilian life, to encourage patriotic service, and to attract loyal and well-disciplined persons to County service occupations.

(Ord. 3565, 1991; Ord. 3495, 1991)

### 3.14.020 Definitions.

A. For purposes of this Chapter, the term "veteran" means any person below the rank of Major (or its service equivalent) at the time of discharge from the military service, who has served on active duty (other than active duty for training) for thirty (30) days or more in the United States Air Force, Army, Marine Corps, Navy, Coast Guard, or Army and Navy Nurse Corps in time of national military emergency or State military emergency, or who has served in the Armed Forces in any military operation for which a Service Medal and/or an Armed Forces Expeditionary Medal has been authorized by the government of the United States, and who has been discharged or released therefrom under conditions other than dishonorable.

B. For purposes of this Chapter, the un-remarried, surviving spouse of a veteran who died while in such military service as would have qualified the decedent as a "veteran", as that term is defined hereinabove, or who died as the direct result of wounds or injuries suffered in such qualifying service, shall be entitled to submit the documentation of the deceased veteran which is required hereinbelow in order to claim a veteran's preference in accordance with the provisions of this Chapter.

C. For purposes of this Chapter, the term "disabled" shall be defined as the service-connected disability of a "veteran", as that term is defined hereinabove, rated as having a twenty (20) percent or greater disability by the U.S. Department of Veterans Affairs. The term "disabled" shall also include a "veteran" as defined above, who has a medical retirement from the military service. Such person shall be required to submit discharge documents as required herein-below, together with proof of the required service-connected disability status and rating.

(Ord. 3565, 1991; Ord. 3495, 1991)

### 3.14.030 Eligibility for veteran's preference points.

- A. In order to be eligible for the granting of veteran's preference credit, application by a qualified veteran for Monterey County employment must be made within a period of five years following the date of separation or release of the applicant veteran from active military duty.
- B. Veterans who have retired from the military service and are eligible for service retirement compensation, are not eligible for veteran's preference points, except for those veterans who are "disabled", as that term is defined hereinabove.
- C. Veteran's preference points shall only be applicable to recruitment or hiring at open entry level classifications. The County's Personnel Division shall identify such classifications.
- D. Prior to commencing a recruitment for any position to which veteran's preference points apply, as set forth herein-below in Section 3.14.040C, a determination shall be made as to whether the job class to which that position belongs has achieved County-wide parity within the relevant EEO job category. If parity has not been achieved, the selective certification provisions of the Garza Consent Decree or an approved Monterey County Affirmative Action Plan shall be applied to the Eligibility List which results from the recruitment conducted. The ranking of the Eligibility List shall include any applicable veteran's preference points, as provided hereinbelow in Section 3.14.060(A).  
(Ord. 3565, 1991; Ord. 3495, 1991)

#### 3.14.040 Application of veteran's preference credit.

- A. An applicant who has received a passing grade in an open entry level examination for Monterey County employment and who is a veteran shall receive credit for an additional five grade points to be added to the final examination grade; except that a "deceased veteran's spouse" or "disabled veteran", as those terms are defined hereinabove, shall be entitled to ten (10) grade points to be added to the final examination grade. The surviving spouse of a veteran, who is likewise a veteran, shall not be entitled to more than ten (10) grade points to be added to the final examination grade.
- B. The provisions of this ordinance shall not apply to those Monterey County employment positions covered by State Merit Systems, which come under the provisions of Local Agency Personnel Standards (LAPS) as set forth in Title 2, California Code of Regulations, Sections 17010, et seq.
- C. Veteran's preference shall apply only to open entry level employment lists and shall not affect the order of eligibility of reemployment lists, or intra-departmental promotional lists or inter-departmental transfers.  
(Ord. 3565, 1991; Ord. 3495, 1991)

#### 3.14.050 Proof of entitlement to veteran's preference credit required.

- A. In order to claim veteran's preference (or deceased veteran's spousal preference) in hiring, either an original or photostatic copy of a discharge (Form DD-214) shall be submitted with the veteran's application on or before the final filing date for the examination; or, in the alternative, written verification that a copy of Form DD-214 has been requested by the applicant must be provided by the County Veterans Services Officer on or before the final filing date for the examination.
- B. Any person claiming veteran disability preference shall submit either: (1) proof of the service-connected disability or medical retirement provided by the U.S. Department of Veterans' Affairs; or (2) other proof of the required service-connected disability status or

medical retirement, to be verified by the County Veterans Services Officer. Such proof shall be submitted with the veteran's application on or before the final filing date for the examination.

C. Failure to apply for the veteran's preference credit or to submit the required qualifying credentials at the above-stated time, including documents to be verified by the County's Veterans Services Officer, establishing the veteran's disability status or medical retirement will be finally and conclusively deemed a waiver of applicable credit.

(Ord. 3565, 1991; Ord. 3495, 1991)

#### 3.14.060 Implementation.

A. Eligibility lists will be compiled and completed, based upon final examination scores which have included all applicable veteran's preference credits. Thereafter, normal certification procedures shall be followed by the Personnel Division of the County Administrative Office.

B. Referrals shall be made to appointing authorities within the County in compliance with the Garza and Roberts Consent Decrees, or an approved Monterey County Affirmative Action Plan, based upon the completed Eligibility List for each examination, and without disclosure of veteran's status, for the filling of vacant positions within each County department.

C. The County's Personnel Division shall be responsible for developing the necessary procedures to implement this Chapter.

(Ord. 3565, 1991; Ord. 3495, 1991)

#### 3.14.070 Effective date.

This amended Chapter shall become effective on June 1, 1991, and shall be applied to recruitments (or to examinations, in the case of continuous recruitments) commenced on or after April 15, 1991.

(Ord. 3565, 1991; Ord. 3495, 1991)