

## **Veterans' Preference Frequently Asked Questions**

The State of South Dakota recognizes the enormous contributions of men and women who have served their country in uniform. As a veteran of the Armed Services, you may be entitled to preference when seeking employment with state government.

### **Why is Preference Given?**

In recognition of the sacrifices made by those serving in the Armed Forces, the State of South Dakota enacted laws to prevent veterans seeking employment with a state or local government employer from being penalized because of time spent in military service. Veterans' preference recognizes the economic loss suffered by citizens who have served their country in uniform, restores veterans to a favorable competitive position for government employment and acknowledges the obligation owed to disabled veterans. Veterans' preference is not so much as a reward for being in uniform as it is a way to help make up for the economic loss suffered by those who answered the nation's call to arms.

Eligible veterans, or the spouses of veterans, who meet requirements receive preference for employment. Qualified veterans or spouses who qualify for veterans' preference are provided preference when applying for vacant positions. The veterans' preference laws do not guarantee the veteran a job. Preference does not have as its goal the placement of a veteran in every vacancy; this would be incompatible with the merit principles that are the foundation of the state's civil service system.

### **Do Public Employers Other Than the State Give Preference?**

Yes. State law requires all public departments and subdivisions of the state, including counties, municipalities, and school districts, to give preference for appointment, employment, and promotion.

### **When is Veterans' Preference Given?**

To receive veterans' preference the following conditions must be met:

1. The applicant is a citizen and resident of South Dakota, and
2. The applicant has served on continuous federalized active military duty for a period of at least ninety days for reasons other than training; and
3. Has been separated or discharged from such service honorably or under honorable conditions.

When the above conditions are met the qualified veteran or spouse shall receive preference for employment.

Veterans' preference in the executive branch guarantees the applicant an interview or initial qualification screening. Other branches of state government may apply veterans' preference differently. For example, the judicial branch guarantees a veteran who is equally qualified as a non-veteran appointment to the position.

### **Am I Guaranteed the Job?**

No. The veteran does NOT have preference over a more qualified applicant. Qualified veterans have preference for a job when they are equally or more qualified than a non-veteran. The veteran does NOT have preference over a more qualified applicant.

### **Does a Qualified Veteran Get Preference for All Public Jobs?**

No. State law provides that Veterans' Preference does not apply to job openings for department heads, policy-forming officials, private secretaries of any official or department, or to any person holding a strictly confidential relationship to the appointing officer.

### **What Preference is Available to a Disabled Veteran?**

Age, loss of limb, or other physical impairment which does not in fact incapacitate does not disqualify the veteran if the veteran possesses the qualifications and business capacity necessary to discharge the duties of the position involved. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran. To qualify, the disabled veteran must submit a DD214 showing type of discharge and certificate of service-connected disability of at least 10% from the VA.

### **Are Spouses of Veterans Entitled to Preference?**

In some cases, yes. The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the same preferences given to a veteran. In addition, if a veteran disabled due to a service connected cause is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preference.

To qualify, the unmarried spouse of a deceased veteran must submit a DD214, marriage certificate, and the veteran's death certificate of casualty report. The spouse of a disabled veteran who is considered unemployable and unable to exercise the right must submit a DD214, marriage certificate, and the disabled veteran's DD214 and certificate of service-connected disability.

### **How to Identify Veterans' Preference Eligible Job Vacancies**

Veterans Preference eligible job vacancies will state in the job announcement that the vacancy is a "Veterans Preference Eligible" opening. In this event, the hiring agency will provide

preference to qualified veterans in the selection process; in addition, the posted opening provides you with the qualifications and any preferred qualifications so that you may make an informed assessment if you qualify for the job and will be competitive in the selection process.

### **How to Apply for Veterans' Preference**

Applicants claiming Veterans' Preference for the first time must submit a copy of their discharge papers (DD214), showing enlisted and discharge dates, type of discharge, medals received, etc. The copy should be submitted with your application.

### **How to be Successful in your Job Search**

Completing an application and submitting it is not a guarantee for success in being hired. The application and/or resume play an important role in the job search process. The purpose of an application or resume is to communicate your qualifications to hiring managers who, in turn, invite you to job interviews. It is very important in the job interview that you are able to communicate what skills you acquired in the military that are transferable to the job for which you are interviewing.

### **Where Can I Get Further Assistance?**

If you need assistance, we recommend taking advantage of the many high quality services that the State of South Dakota Departments of Veterans Affairs and Labor and Regulation offices provide to veterans. These offices have specially trained staff to ensure veterans of the U.S. Armed Forces receive maximum employment and training opportunities. Services can include counseling, interview and resume writing workshops and job development with potential employers.