

Veterans Preference

As a public employer, Monroe County is committed to providing preference to all veterans during hiring, retention, and promotion.

1. If you wish to claim Veterans' Preference, you must meet the following criteria at the time of application:

- a) Must submit a copy of your DD-214, Certificate of Discharge or Separation from Active Duty, or other official documents (to include military discharge papers, or equivalent certification from the DVA listing military status, dates of service, and discharge type) issued by the branch of service.
- b) Must have an "**HONORABLE**" discharge.
- c) Must possess the minimum qualifications necessary to the discharge of the duties involved. The rule defines "minimum qualifications" to mean a "specification" of the kinds of experience, training, education and/or licensure or certification that provides "appropriate job-related evidence that an applicant possesses the minimum required knowledge, skills, and abilities necessary to the discharge of the duties involved."

2. Effective July 1, 2014, Section 295.07 of the Florida Statutes extends Veterans' Preference to:

- a) A veteran with a service-connected disability who is eligible for or receiving compensation, disability retirement, or pension under public laws administered by the U.S. Department of Veterans Affairs and the Department of Defense.
- b) The spouse of a Veteran:
 - (i) Who has a total and permanent service-connected disability and who, because of this disability, cannot qualify for employment: or
 - (ii) Who is missing in action, captured in line of duty by a hostile force, or detained or interned in line of duty by a foreign government or power.
- c) A veteran of any war who has served on active duty for one day or more during a wartime period.

Wartime periods are defined as follows:

- a) World War II: December 7, 1941 to December 31, 1946.
- b) Korean Conflict: June 27, 1950 to January 31, 1955.
- c) Vietnam Era: February 28, 1961 to May 7, 1975.
- d) Persian Gulf War: August 2, 1990 to January 2, 1992.
- e) Operation Enduring Freedom – October 7, 2001 to date to be determined.

f) Operation Iraqi Freedom – March 19, 2003 to date to be determined.

- d) The un-remarried widow or widower of a veteran who died of a service-connected disability.
- e) The mother, father, legal guardian, or un-remarried widow or widower of a service member who died as a result of military service under combat-related conditions as verified by the U.S. Department of Defense.
- f) A Veteran as defined in section 1.01(14), Florida Statutes. “Active Duty for Training” may not be allowed under this paragraph. The term “veteran” is defined as a person who served in the active military, naval, or air service and who was discharged or released therefrom under honorable conditions only or who later received an upgraded discharge under honorable conditions.
- g) A current member of any reserve component of the U.S. Armed Forces or the Florida National Guard.
- h) A veteran who has received any Armed Forces Expeditionary Medal or the Global War on Terrorism Expeditionary Medal provided the individual is otherwise eligible.

3. Required documents:

- a) Veterans, disabled Veterans, spouses of disabled Veterans and family members shall furnish a Department of Defense document, commonly known as form DD-214 or military discharge papers, or equivalent certification from the DVA, listing military status, dates of service and Character of Discharge.
- b) Disabled Veterans shall also furnish a document from the Department of Defense, the DVA, or the Department certifying that the Veteran has a service-connected disability.
- c) Spouses of disabled Veterans shall also furnish either a certification from the Department of Defense or the DVA that the Veteran is totally and permanently disabled or an identification card issued by the Department; spouses shall also furnish evidence of marriage to the Veteran and a statement that the spouse is still married to the Veteran at the time of the application for employment; the spouse shall also submit proof that the disabled Veteran cannot qualify for employment because of the service-connected disability.
- d) Spouses of persons on active duty shall furnish a document from the Department of Defense or the DVA certifying that the person on active duty is listed as missing in action, captured in line of duty, or forcibly detained or interned in line of duty by a foreign government or power; such spouses shall also furnish

evidence of marriage and a statement that the spouse is married to the person on active duty at the time of that application for employment.

- e) The mother, father, legal guardian, or un-remarried widow or widower of a deceased Veteran shall furnish a document from the Department of Defense showing the death of service member while on duty status under combat-related conditions or the DVA certifying the service-connected death of the Veteran, and shall further furnish evidence of marriage. The legal guardian shall show the proper court documents establishing the legal authority for the Guardian.
- f) DMS is requiring that current reserve members and National Guard members provide a letter from their Commanding Officer stating the dates of their military service to establish that they are currently active.

*** Documentation must be provided in order to establish eligibility for Veterans' Preference.**

3. Other provisions regarding Veterans' Preference:

- Veterans' preference in perpetuity: A person eligible for veterans' preference in appointment (defined by s. 295.07, FS) does not forfeit employment preference eligibility once that veteran or eligible spouse of the veteran has been employed by a state agency or any political subdivision of this state. Effective July 1, 2007, Florida law restores Veterans' Preference in employment for all categories of protected individuals previously employed by a state agency or any political subdivision of this state.
- Preference in layoffs: Where a layoff is necessitated in a covered position, similar preferences must be given to the covered employee in the retention process.
- Preference in reinstatement or reemployment: When an employee in a covered position leaves employment for the purpose of serving in the armed forces, he or she is entitled to reinstatement or reemployment upon release or discharge from active military service.
- Promotion preference: Promotion preference applies only to a veteran's first promotion after reinstatement or reemployment, without exception.

4. If an applicant claiming veterans' preference for a vacant position is not selected, he/she has the right to file a complaint with the:

Florida Department of Veterans' Affairs (FDVA)
9500 Bay Pines Blvd.
Room 214
St. Petersburg, FL 33708

The complaint must be filed within twenty-one (21) days of the applicant receiving notice of the hiring decision made by the employing agency or within three (3) months of the date the application was filed with the employer if no notice of the hiring decision was given. The enforcement mechanism established by the regulations provide for an initial investigation by the Florida Department of Veterans' Affairs, followed by an evidentiary proceeding before the Public Employees Relations Commission if the matter cannot be earlier resolved.