

VETERANS PREFERENCE / REEMPLOYMENT RIGHTS

VETERANS PREFERENCE

- Preference must be given to eligible veterans and eligible spouses seeking employment with the State of Nebraska or its governmental subdivisions. Such preference includes initial employment, reassignment, a transfer to a new position, and a return to employment with the State of Nebraska or its governmental subdivisions if termination of previous employment was for other than disciplinary reasons.
- *Preference Eligibles* who obtain passing scores on all parts or phases of an examination or numerical scoring must have 5 percent added to their passing score if a claim for veterans preference is made on the application.
 - An additional 5 percent must be added to the passing score or numerical scoring of any disabled veteran who provides documentation to establish the present existence of a service-connected disability.
- *Preference Eligibles* desiring to use a veterans preference must provide the hiring authority with a copy of the veteran's Department of Defense Form 214 (DD Form 214).
 - A spouse of a veteran desiring to use a veterans preference must provide the hiring authority with a copy of the veteran's DD Form 214, a copy of the veteran's disability verification from the United States Department of Veterans Affairs demonstrating a 100 percent permanent disability rating or DD Form 1300 for those killed in the line of duty, and proof of marriage to the veteran.

Private Employer—Voluntary Veterans Preference

- A private employer may adopt a voluntary veterans preference employment policy. Such policy shall be in writing, meet the requirements above, and applied uniformly to decisions regarding hiring and promotion.
- A registry of the private employers that have a voluntary veterans preference employment policy in Nebraska shall be maintained. Private employers may submit their policy to the State of Nebraska to be added to the registry. The registry is available online at dol.nebraska.gov/LaborStandards/WorkerRights/Overview
- A voluntary veterans preference employment policy shall not be considered a violation of any state or local equal employment opportunity law including the Nebraska Fair Employment Practice Act.

VIOLATION OF VETERANS PREFERENCE

- Those found in violation of Nebraska's Veterans Preference Law shall be guilty of a Class IV misdemeanor and will be prohibited from receiving any compensation from public funds until he or she complies with sections 48-225 to 48-231.
- Report violations to the Department of Labor.

VETERANS REEMPLOYMENT RIGHTS

Military Leave of Absence

- All employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve are entitled to a military leave of absence from their respective duties, without loss of pay, when under the orders of the active service of the state or of the United States.
 - Military members who normally work or are normally scheduled to work 120 hours or more in three consecutive weeks shall receive a military leave of absence each calendar year of 120 hours.
 - Military members who normally work or are normally scheduled to work less than 120 hours in three consecutive weeks must receive a military leave of absence each calendar year equal to the number of hours they normally work or would normally be scheduled to work.
 - Military leave of absence may be taken in hourly increments.
- A military leave of absence must not be used during a state of emergency declared by the Governor.

VIOLATION OF VETERANS REEMPLOYMENT RIGHTS

- Any person, firm, or organization found in violation is guilty of a Class IV misdemeanor and, in addition thereto, shall restore the employee all rights of which he or she has been illegally deprived.

For more information about Veterans Preference or Veterans Reemployment Rights in Nebraska please contact 402-471-2239 or visit our website at dol.nebraska.gov/LaborStandards/WorkerRights/Overview

For questions regarding the federal Uniformed Services Employment and Reemployment Rights Act, contact the United States Department of Labor at 1-866-487-2365 or visit dol.gov