



Angelo State University
Operating Policy and Procedure

OP 52.63: Veteran's Employment Preference

DATE: December 14, 2015

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish policy and procedures regarding the state law to provide employment preference to individuals who qualify for a veteran's employment preference.

REVIEW: This OP will be reviewed in September of every three years, or as needed, by the director of human resources with recommended revisions forwarded through the vice president for finance and administration to the president by October 15th of the same year.

POLICY/PROCEDURE

1. Purpose

Per Texas Government Code 657 an individual who qualifies for a veteran's employment preference is entitled to a preference in employment with or appointment to a state agency or institution of higher education over other applicants for the same position who do not have a greater qualification.

As such, Angelo State University must provide employment preference to individuals who qualify for a veteran's employment preference when hiring for all regular benefits-eligible positions, including faculty positions.

The veteran's employment preference must be given in the following order of priority:

- a. A veteran with a disability;
- b. A veteran;
- c. A veteran's surviving spouse who has not remarried; and
- d. An orphan of a veteran if the veteran was killed while on active duty.

2. Definitions

- a. A *veteran* is defined as an individual who has served in, and has been honorably discharged from, the following branches of service:

- (1) The U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard or the U.S. Public Health Service under Title 42, United States Code, Section 201;

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- (2) The Texas Military Forces as defined by Texas Government Code, Section 437.001;
or
 - (3) An auxiliary service of one of the branches of the U.S. Armed Forces.
- b. A *veteran with a disability* is defined as a veteran who is classified as disabled by the U.S. Department of Veterans Affairs or the branch of the service in which the veteran served and whose disability is service connected.

3. Job Posting Requirements

- a. State agencies and institutions of higher education must provide the Texas Workforce Commission with information regarding an open position that is subject to the hiring or appointment preference required by Texas Government Code, Chapter 657.
- b. The university may designate an open position as a veteran's position and only accept applications for that positions from individuals who are entitled to a veteran's employment preference.
- c. The university may hire or appoint for an open position an individual entitled to a veteran's employment preference without announcing or advertising the position if it:
 - (1) Uses the Texas Workforce Commission's Web site, <https://wit.twc.state.tx.us>, to identify an individual who qualifies for a veteran's employment preference; and
 - (2) Determines the individual meets the qualifications required for the position.

4. Interview Requirements for all Regular Benefits-Eligible Positions

- a. If the total number of individuals interviewed for a position is 6 or fewer, the hiring manager or search committee must interview at least 1 individual qualified for a veteran's employment preference.
- b. If the total number of individuals interviewed for a position is more than 6, at least 20 percent of the total number of individuals that the hiring manager or search committee interviews must be individuals qualified for a veteran's employment preference.
- c. If no applications are received from individuals who qualify for a veteran's employment preference, the hiring manager or search committee is not required to comply with the interviewing requirements of Texas Government Code, Section 657.0047.

5. General Provisions

- a. Individuals entitled to a veteran's employment preference are not disqualified from holding a position with a state agency or institution of higher education because of age or an established service connected disability if the age or disability does not make the individual incompetent to perform the duties of the position.
- b. The university must establish a goal of hiring, in full-time positions, a number of veterans equal to at least 20 percent of the total number of employees.

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- c. Prior to hiring an individual who qualifies for a veteran's employment preference, the university must investigate the qualifications of the application for the position. An applicant who is a veteran with a disability must furnish the official records to the Office of Human Resources.
- d. An individual who is entitled to a veteran's employment preference is also entitled to a preference in retaining employment if the university engages in a formal reduction in force. This applies only to a reduction in force of employees of a similar type or classification as the individual who qualifies for the veteran's preference and does not apply to veterans less qualified than employees who are not veterans.

6. Appealing Employment Decisions Under Veteran's Preference

An individual entitled to a veteran's employment preference that is aggrieved by a decision relating to the hiring of or the retaining of an individual in a formal reduction in force, may appeal the decision by filing a written complaint with the Office of the President or the president's designee.

The president or the president's designee is required to respond to a written complaint no later than the 15th business day after the date that the complaint is received. The president or president's designee may render a different hiring decision than the decision that is the subject of the complaint if it is determined that the veteran's preference was not applied.

7. Reporting Requirements

The university is required to file quarterly reports with the Office of the Comptroller of Public Accounts that states:

- a. The percentage of the total number of employees hired or appointed by the university during the reporting period that are entitled to a veteran's preference.
- b. The percentage of the total number of employees who are entitled to a veteran's preference.
- c. The number of complaints filed with the president or the president's designee during the quarter and the number of complaints resolved.