



# VETERANS PREFERENCE INFORMATION

It is the policy of Orange County to give veterans' preference to eligible individuals in accordance with state law requirements. On July 1, 2014, Florida Statute 295 was changed and several new groups of individuals were added to those who would be eligible for veterans' preference.

## Who is eligible?

- A Veteran with an existing compensable service connected disability who is eligible for or receiving compensation, disability retirement or pension under public laws administered by the DVA and the Department of Defense./ Disabled Veterans.
- The spouse of a Veteran who cannot qualify for employment because of a total and permanent service-connected disability, or the spouse of a Veteran 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.
- A Veteran of any war who has served at least one day on active duty during a wartime period as defined in FS 295.07, Section 1.01 (14), excluding active duty for training, and who was discharged under honorable conditions from the Armed Forces of the United States

of America or who has been awarded a campaign or expeditionary medal.

- The un-remarried widow or widower of a Veteran who died of a service-connected disability.
- 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 United States Department of Defense.
- A Veteran as defined in Section FS 1.01 m (14), excluding active duty for training. A person who has served in any branch of the Armed Forces and has been honorably discharged.
- A current member of any reserve component of the United States Armed Forces or The Florida National Guard.

## Wartime periods as defined by law include:

- World War II: December 7, 1941 to December 31, 1946
- Korean Conflict: June 27, 1950 to January 31, 1955
- Vietnam Era: February 28, 1961 to May 7, 1975
- Persian Gulf War: August 2, 1990 to January 2, 1992
- Operation Enduring Freedom: October 7, 2001 to TBD
- Operation Iraqi Freedom: March 19, 2003 to TBD
- Operation New Dawn: September 1, 2010 to TBD

## When claiming veterans' preference you must:

- Complete the Veterans' Preference section of the job application and submit Veterans' Preference Documentation within three calendar days of the position's closing date
- Please submit a cover letter and copies of documents, not originals, to Orange County Human Resources Division, PO Box 1393, Orlando, FL 32801-1393 or fax to 407.836.0098 (only Veterans' Preference documentation will be accepted by fax). Your cover letter should include the position posting number you are applying for, the title of the position and your social security number.

## Required Documentation:

- **Veteran** - Form DD-214 (member 4) or Military discharge papers or equivalent certification from the VA listing: military status, dates of service, discharge type and campaign and expeditionary medals awarded.

- **Disabled Veterans** - Form DD-214 (member 4) or Military discharge papers or equivalent certification from the DVA listing: military status, dates of service, discharge type and campaign and expeditionary medals awarded, documents from the Department of Defense, Department of Veterans' Affairs or the Division of Veterans' Affairs certifying to the existence of a compensable service disability dated within the year.

- **Spouse of Disabled Veteran, Missing in Action, Captured or Forcibly Detained** - Form DD-214 (member 4) or military discharge papers or equivalent certification from the VA listing: military status, dates of service and discharge type.

Or certification from the DVA that the veteran is totally and permanently disabled, Or evidence of marriage to the veteran and a statement that he/she is still married to him her when applying for employment. Or proof that the disabled veteran cannot qualify for employment because of the service connected disability.



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Or a document from the DVA certifying that the person on active duty is listed as: missing in action, captured in the line of duty, or forcibly detained/interned in the line of duty by a foreign government or power.

- **Un-remarried Widow or Widower of Veteran who died of service connected disability** - Document from the DOD or DVA certifying the service-connected death of the veteran. Evidence of marriage and a statement that the widow or widower has not remarried.
- **Mother, father, legal guardian or un-remarried spouse of veteran who died as a result of military service under combat related conditions** - Document from the DOD or DVA certifying the service-connected death of

the veteran while on duty. Evidence of marriage and a statement that the widow or widower has not remarried. Veteran's birth certificate, adoption papers or other proper court document as evidence of parentage. The legal guardian shall show the proper court documents establishing the legal authority for the Guardian.

- **Current member of any reserve component of the US Armed Forces or The Florida National Guard** - Document from their Commanding Officer or military human resources department stating the dates of their military service to establish that they are currently active.

## Provisions Regarding 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.

## Right to an Investigation

- If you believe that you were not afforded employment preference in accordance with Section 295.07, Florida Statutes, you may file a complaint with the Division of Veterans Affairs requesting an investigation.
- Complaints must be filed within 21 calendar days from the date of notification by the employer or the selection of a non-preference eligible applicant. Complaints should be filed with:

### Florida Department of Veterans' Affairs

Division of Benefits and Assistance  
PO Box 31003 St., Petersburg, FL 33731  
Phone: 727-319-7462  
Fax: 727-319-7780

