



# State Personnel Board Rules

Georgia Department of Administrative Services

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## 478-1-.18 Veterans' Preference.

(1) **Introduction.** The State affords some degree of preference to veterans in certain employment decisions. Recognizing their sacrifice, the State seeks to prevent veterans seeking State employment from being penalized for their time 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 State employment, and acknowledges the larger obligation owed to disabled veterans.

(a) Preference does not have as its goal the placement of a veteran in every vacant job; this would be incompatible with the merit principle of public employment. However, preference does provide a uniform method by which special consideration is given to qualified veterans seeking employment.

(b) For purposes of this Rule , veterans' preferences are given to veterans as defined under the Veterans Preference Act of 1944, as amended. Generally, any individual is included who:

1. Served on active duty as a member of the Armed Forces of the United States for a period of more than 180 days (not counting service under an initial period of active duty for training under the six-months' Reserve or National Guard programs);
2. Served for any time during a period of armed conflict and was honorably discharged;
3. An individual who served as a member of the National Guard or armed forces reserve;
4. Served on active duty for any length of time during any portion of the time the armed forces of the United States were engaged in Operation Desert Shield or Operation Desert Storm; and
5. Whose service occurred in an area of imminent danger as defined by the United States Department of Defense.
6. Any member of the National Guard or Armed Forces Reserve who served on active duty for any length of time during any portion of the time the Armed Forces of the United States were engaged in Operation Iraqi Freedom and Operation Enduring Freedom are also considered veterans for purposes of this Rule.



## State Personnel Board Rules

### Georgia Department of Administrative Services

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- (2) **Veterans' Preference in Entrance Exams.** Veterans, as defined above, will be given points equivalent to 5% of the maximum possible score in addition to their earned passing ratings on any numerically scored written entrance examination.
- (a) The following individuals will be given points equivalent to 10% of the maximum possible score in addition to their earned passing ratings:
1. Veterans who establish by official records the present existence of a service-connected disability of at least 10%, as rated and certified by the U.S. Department of Veterans Affairs;
  2. Veterans over 55 years of age who because of disability, whether service-connected or not, are entitled to pension or compensation under existing laws;
  3. Spouses of disabled veterans (as described in the two preceding bullets) if the spouses are qualified, and the disabled veterans themselves are disqualified for appointment because of the disability; or
  4. Unmarried widow or widowers of deceased veterans of any period of armed conflict.
- (b) The point preference is in lieu of and not in addition to any other similar preference accorded under federal or state law.
- (c) In examinations where experience is an element of qualifications, time spent in the Armed Forces of the United States during a period of armed conflict will be credited in an applicant's ratings, where the applicant's actual employment in a similar vocation to that for which the applicant applies was temporarily interrupted by such service but was resumed after discharge.
- (d) The selection of a preference eligible veteran is not mandatory.
- (3) **Veterans' Preference in Hiring.** If the hiring agency does not use numerically scored written examination to fill positions, the hiring agency must give appropriate consideration to persons eligible for veterans' preferences as defined in this Rule.
- (a) Preference will be given to eligible veterans, as defined above, whose qualifications for a job they have applied for are equivalent to the most suitable non-veteran applicant for that job.



## State Personnel Board Rules

Georgia Department of Administrative Services

---

(4) **Exceptions to Veterans' Preference in Exams and Hiring.** Preference does not apply in cases of promotion, demotion or transfer to a different job.

(a) Persons who served in a civilian capacity do not receive preference, even if they accompanied military forces.

(b) Persons who were dishonorably discharged or discharged under conditions other than honorable are not eligible for veterans' preferences. NOTE: A general discharge does not disqualify a person for veterans' preferences.

(5) **Veterans' Preference in Reduction of Personnel.** When reductions are being made in personnel, a veteran of any period of armed conflict entitled to military preference in appointment with an average summary performance evaluation rating of met expectations or higher will not be discharged, or dropped or reduced in rank or salary before a nonveteran in competition with the veteran.

Authority O.C.G.A. Secs. 45-20-3, 45-20-3.1, 45-20-4, 45-20-16.

**History.** Original Rule entitled "Leave and Holidays" adopted. F. July 31, 1985; eff. July 1, 1985, as specified by the Board.

**Amended:** F. Jan. 9, 1986; eff. Dec. 31, 1985, as specified by the Board.

**Amended:** F. Jan. 15, 1987; eff. Dec. 19, 1986, as specified by the Board.

**Amended:** F. Jan. 22, 1988; eff. Nov. 12, 1987, as specified by the Board.

**Amended:** F. June 9, 1989; eff. Nov. 11, 1988, as specified by the Board.

**Amended:** F. Nov. 8, 1989; eff. Sept. 14, 1989, as specified by the Board.

**Amended:** F. Nov. 8, 1989; eff. June 28, 1989, as specified by the Board.

**Amended:** F. June 20, 1990; eff. May 30, 1990, as specified by the Board.

**Amended:** F. Aug. 27, 1991; eff. July 31, 1991, as specified by the Board.

**Amended:** F. Mar. 10, 1992; eff. Feb. 12, 1992, as specified by the Board.

**Amended:** F. Aug. 11, 1992; eff. July 2, 1992, as specified by the Board.

**Amended:** F. Sept. 3, 1992; eff. Aug. 6, 1992, as specified by the Board.

**Amended:** R. 478-1-.0B repealed and renumbered R. 478-1-.18 of same title adopted. F. Nov. 16, 1992; eff. Sept. 21, 1992, as specified by the Board.

**Amended:** F. Jan. 28, 1993; eff. Jan. 6, 1993, as specified by the Board.

**Amended:** F. Apr. 9, 1993; eff. Mar. 8, 1993, as specified by the Board.

**Amended:** F. June 28, 1993; eff. June 9, 1993, as specified by the Board.

**Amended:** F. Aug. 10, 1993; eff. July 30, 1993, as specified by the Board.



## State Personnel Board Rules

Georgia Department of Administrative Services

---

**Amended:** F. June 30, 1994; eff. July 1, 1994, as specified by the Board.

**Amended:** F. July 20, 1994; eff. July 7, 1994, as specified by the Board.

**Amended:** F. Oct. 17, 1994; eff. Oct. 6, 1994, as specified by the Board.

**Amended:** F. Nov. 15, 1994; eff. Nov. 3, 1994, as specified by Board.

**Amended:** F. July 11, 1995; eff. June 30, 1995, as specified by the Board.

**Amended:** F. Dec. 31, 1996; eff. Sept. 20, 1996, as specified by the Board.

**Amended:** F. Dec. 31, 1996; eff. Nov. 18, 1996, as specified by the Board.

**Amended:** F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

**Amended:** F. Aug. 18, 1997; eff. June 30, 1997, as specified by the Board.

**Amended:** F. Oct. 8, 1997; eff. Sept. 25, 1997, as specified by the Board.

**Amended:** F. May 18, 1998; eff. Apr. 2, 1998, as specified by the Board.

**Amended:** F. July 22, 1998; eff. July 7, 1998, as specified by the Board.

**Repealed:** New Rule of same title adopted. F. July 15, 1999; eff. Oct. 1, 1999, as specified by the Board.

**Amended:** F. Dec. 9, 1999; eff. Nov. 15, 1999, as specified by the Board.

**Amended:** F. July 31, 2000; eff. July 14, 2000, as specified by the Board.

**Amended:** F. Nov. 14, 2002; eff. Aug. 30, 2002, as specified by the Board.

**Amended:** F. Dec. 8, 2003; eff. Oct. 24, 2003, as specified by the Board.

**Amended:** F. Apr. 27, 2004; eff. Apr. 13, 2004, as specified by the Board.

**Amended:** F. Oct. 17, 2005; eff. Oct. 4, 2005, as specified by the Board.

**Amended:** F. Mar. 25, 2008; eff. Mar. 17, 2008, as specified by the Board.

**Repealed:** New Rule entitled "Veterans' Preference" adopted. F. Dec. 23, 2008; eff. Dec. 17, 2008, as specified by the Board