

Human Resources Policy

Veterans' Preference in Non-Civil Service Hiring

HRP Number HR-TM002	Date June 21, 2018
Category Talent Management	Supersedes None
Contact 717.787.5703	Scheduled Review May 2019

1. Purpose

This Human Resources Policy ("HRP") establishes a centralized hiring policy for the appointment of veterans to non-civil service ("NCS") positions in accordance with the Veterans' Preference Act ("Act"), 51 Pa.C.S. §§ 7101-7109.

2. Scope

This HRP applies to all departments, offices, boards, commissions, and councils under the Governor's jurisdiction for human resources management (collectively "agencies"). Agencies not under the Governor's jurisdiction are strongly encouraged to follow this HRP.

3. Background

Pursuant to the Act, "soldiers" maintaining the requisite qualifications of a position are entitled to a hiring preference. This hiring preference applies to all NCS appointments, except promotions. In a continuing effort to enhance employment opportunities for veterans seeking appointments to NCS positions, the commonwealth, through the integration of NEOGOV, developed a streamlined process for identifying whether an applicant meets the definition of "soldier," and for providing hiring agencies with information on eligible veterans.

4. Policy

The Secretary of Administration hereby establishes, and commonwealth agencies shall implement, a hiring policy that provides preferential treatment for qualified veteran-candidates in NCS appointments for new hires, voluntary demotions and laterals.

Veteran-candidates who apply for a vacant NCS position **shall** receive an interview if:

- a. The veteran-candidate meets the definition of a "soldier," as defined under the Act; and
- b. The veteran-candidate meets the "threshold requirements" for the vacant position.

Note: "Threshold requirements" are the minimum experience and training requirements and the desired skills and experience identified for a candidate to receive an interview.

After the interview, if the hiring manager determines that a veteran-candidate possesses the "requisite qualifications" for the vacant position, the veteran-candidate **must** be given a conditional offer of employment, pursuant to *Management Directive 515.15, Employment-Related Verification and Background Checks*.

Note: "Requisite qualifications" are the experience, training, education, skills, certifications, and other attributes required for a candidate to perform successfully in the position.

Although the law prohibits veteran-candidates from receiving preferential hiring treatment with respect to promotions, veteran-candidates **may** be interviewed for, and receive, a promotional opportunity if they are qualified for the position. However, the decision to interview and/or hire a veteran-candidate cannot be based on the hiring preference set forth in the Act or this HRP.

5. Procedure

To ensure consistent application of this HRP, the following procedures shall be implemented:

- a. Hiring managers, with the assistance of Human Resource ("HR") staff serving the appointing authority, shall identify the threshold requirements and requisite qualifications for the vacant NCS position.
- b. The Office of Administration ("OA"), Bureau of Talent Acquisition and Planning, Staffing Services ("Staffing Services") shall, upon receipt of a veteran-candidate's documentation of military service, determine whether the candidate is a "soldier," as defined under the Act. If an applicant meets the definition of a "soldier," Staffing Services shall assign a veteran indicator to the candidate in NEOGOV.
- c. Staffing Services and HR staff serving the appointing authority shall determine which candidates meet the threshold requirements for the NCS vacancy and place them on a referred candidates list in NEOGOV. The referred candidates list must include a veteran indicator for all veteran-candidates meeting the definition of "soldier" under the Act.
- d. Hiring managers shall review the referred candidates list to confirm the candidates meet the threshold requirements. A referred veteran-candidate **must** be interviewed if he or she meets the threshold requirements for the vacant position (new hires, voluntary demotions and laterals), unless the vacancy represents a promotional opportunity. Where a vacancy represents a promotional opportunity, a referred veteran-candidate shall receive equal consideration as non-veteran-candidates, in accordance with applicable law.
- e. After interviewing a veteran-candidate, hiring managers shall determine whether the candidate possesses the requisite qualifications for the vacant position. If it is determined that a veteran-candidate possesses the requisite qualifications for the vacant position, the veteran-candidate **must** be recommended for appointment to the position. If it is determined that a veteran candidate does not possess the requisite qualifications for the vacant position, the hiring manager must document the lack of qualifications.
- f. HR staff serving the appointing authority, with the assistance of Staffing Services, shall review each hiring recommendation to ensure proper adherence to this HRP.

- g.** At any point in time, HR staff have the authority to audit the processes for compliance with law and policy.

6. Effective Date

The Effective Date of this HR Policy is May 24, 2018.

7. Related References

Commonwealth policies, including Executive Orders, Management Directives, IT Policies, and HR Policies are published on the Office of Administration's public portal:

<http://www.oa.pa.gov/Policies/Pages/default.aspx>

8. Publication Version Control

It is the user's responsibility to utilize the latest version of this publication, which appears on <http://hrm.oa.pa.gov> for Commonwealth personnel and on the Office of Administration public portal:

<http://www.oa.pa.gov/Policies/Pages/default.aspx>. Questions regarding this publication are to be directed to 717.787.8001.

This chart contains a history of this publication's revisions:

Version	Date	Purpose of Revision
Original	05/24/2018	Base Document
Revision	06/21/2018	Corrected spelling of "soldier" in section 5c