

MEMORANDUM

TO: UAMS Hiring managers/supervisors/persons designated to review applications for employment

FROM: Odette Woods, JD, M.Div., SPHR
Senior Human Resources Director
Immigration, Title IX and Affirmative Action Compliance

RE: Arkansas Veterans Preference Law and Compliance Procedures

DATE: September 11, 2014

Arkansas Veterans Preference Law

As a federal contractor, UAMS is required to practice good faith efforts to employ and advance in employment qualified protected veterans. As an Arkansas institution of higher education, we are also required to give preference to certain qualified veterans, their spouses, or the unmarried surviving spouse of a deceased qualified veteran. These laws are codified as Section 402, Vietnam Era Veterans' Readjustment Act of 1974, as amended; Jobs for Veterans Act of 2002, as amended; and Arkansas Code Annotated sections 21-3-302 and 303, as amended. Policies mandating our compliance with the Arkansas Veterans Preference Law are OPM Policy No. 30.20 and UAMS Affirmative Action Policy No. 4.5.01.

Veterans are identified as follows:

- Vietnam-era veterans;
- Disabled veterans;
- Special disabled veterans;
- Recently separated veterans;
- Armed Forces Service Medal veterans;
- Any active duty wartime or campaign badge veteran;
- Any person honorably discharged for a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
- Any person who has honorably served in the National Guard or reserve forces of the United States for a period of at least six (6) years, whether the person has retired or not.

To qualify for the Arkansas Veterans Preference, a person must be a citizen of the United States and a resident of the State of Arkansas.

This law mandates that a person who voluntarily submits official proof of his or her status as a veteran, a disabled veteran, a spouse of a veteran, or an unmarried surviving spouse of a deceased veteran at the time the preference is sought **shall be entitled to employment preference in a position over other applicants after meeting substantially equal qualifications.**

The veteran's status must be considered on questions of hiring, promotion, and retention of employees.

UAMS Compliance Procedures regarding Arkansas Veterans Preference Law

1. Applicants will be given the opportunity during the application process to voluntarily self-identify their status as a veteran, the spouse of a veteran, or the unmarried surviving spouse of a deceased veteran. Employees may also voluntarily self-identify their status as a veteran, the spouse of a veteran, or the unmarried surviving spouse of a deceased veteran at any time during their employment.
2. Applicants who voluntarily self-identify their status as a veteran, the spouse of a veteran or the unmarried surviving spouse of a deceased veteran and who fall within the qualified applicant pool are designated in the "Vet Status" column on the list of qualified applicants.
3. Hiring supervisors and/or persons designated to review applications are required to review ALL applications of qualified veterans, qualified spouses of a veteran, and qualified unmarried surviving spouses of a deceased veteran.
4. Hiring supervisors are NOT required to review the application of an unqualified candidate or to interview an unqualified candidate, regardless of whether the unqualified candidate is a veteran, the spouse of a veteran, or the unmarried surviving spouse of a deceased veteran.
5. Should the hiring supervisor or the person designated to review applications elect NOT to interview or to hire an interviewed veteran, spouse of a veteran, or the unmarried surviving spouse of a deceased veteran whose name appears on the qualified applicant list, the hiring supervisor must note the proper reason and provide additional comments, if needed, as to why the qualified veteran, spouse, or unmarried surviving spouse of a deceased veteran was not interviewed or hired on the ZHRAPPUPDATE in SAP. A detailed written explanation must be provided to the veteran, the spouse of a veteran, or to the unmarried spouse of a deceased veteran upon request and must be included in the hiring record that the hiring supervisor or designee maintains for three years.
6. For Faculty and executive management positions that are not processed using the online application system, the hiring supervisor must include a detailed written explanation as to why the veteran, spouse of a veteran, or the unmarried spouse of a deceased veteran was not interviewed or hired in the hiring record

that the hiring supervisor or designee maintains for three years. A copy of the written explanation must be provided to the qualified veteran, qualified spouse, or qualified unmarried surviving spouse of a deceased veteran upon request.

7. Written explanations must be retained for three years, unless the written explanation is a part of an audit, an EEOC request, or litigation. Should the explanation be a part of an audit, an EEOC request, or litigation, the explanation shall be retained as directed by UAMS general counsel.

Should you have any questions regarding the Arkansas Veterans Preference Law, please contact me at obwoods@uams.edu.