



## Veterans' Employment Opportunities Act of 1998, as amended

When an agency accepts applications from outside its own workforce, the **Veterans' Employment Opportunities Act of 1998 (VEOA)** allows preference eligibles or veterans to compete for these vacancies under merit promotion procedures. Veterans who are selected are given career or career conditional appointments. Veterans are those who have been separated under honorable conditions from the armed forces with 3 or more years of continuous active service.

### Purpose of the Law

- ! **Improved Access:** The intent of the law is to open up opportunities to veterans that might otherwise be closed to them because agencies were increasingly limiting announcements just to "status" candidates - i.e., those who were already civil service employees. This law requires an agency to allow eligible veterans to apply when the agency will accept applications from individuals outside its own workforce. ("Agency," in this context, means the parent agency - i.e., Department of Defense, not Department of the Army.) Veterans' preference, however, does not apply to selections made under merit promotion procedures.
  
- ! **Improved Redress:** The VEOA also allows a preference eligible who believes an agency has violated any of his or her rights under the veterans' preference laws or regulations, to file a formal complaint with the Department of Labor's Veterans Employment and Training Service (VETS). If VETS is unable to resolve the complaint within 60 days, the veteran may appeal to the Merit Systems Protection Board (MSPB). The law also makes a *willful* violation of veterans' preference a prohibited personnel practice under law.

### Who is Eligible

To be eligible for a VEOA appointment, a veteran must be honorably separated and either a preference eligible or have substantially completed 3 or more years of active service. ("Active Service" under this law means active duty in a uniformed service and includes full-time training duty, annual training duty, full-time National Guard duty, and attendance, while in the active service, at a school designated as a service school by law or by the Secretary concerned.) A veteran who is released under honorable conditions shortly before completing a 3-year tour is also eligible.

### How to Apply

Agency announcements will say when veterans eligible under this law may apply. The veterans will be rated and ranked with other merit promotion eligibles. Those who are among the best qualified *may* be selected by the appointing official, but veterans' preference is not a factor. If selected, the veteran will be given a career or career conditional appointment, as appropriate.

