

Chapter 7. Documenting Veterans' Preference

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Chapter 7. Documenting Veterans' Preference

Subchapter 1. General Instructions

1-1. Coverage.

a. This chapter covers:

(1) Documentation requirements of veterans' preference and veterans' preference for reduction-in-force purposes on the Standard Form 50, Notification of Personnel Actions.

(2) Changes to veterans' preference for reduction-in-force.

b. This chapter does not cover:

(1) Adjudication of veterans' preference for competitive examination. (See the Office of Personnel Management's **VetGuide** available for download from the website <http://www.opm.gov>.)

(2) Determination of veterans' preference for reduction-in-force purposes. (See the Office of Personnel Management's **Restructuring Information Handbook**, Module 3, Reduction-In-Force, available for download from the website <http://www.opm.gov>.)

1-2. Legal Basis for Preference.

The legal basis for veterans' preference is the Veterans' Preference Act of 1944, as amended. The Act is now codified in 5

U.S.C. 2108 and other sections of title 5, United States Code. Preference applies to positions in the competitive service and in the excepted service. It does not apply in the Senior Executive Service, or to positions in the legislative and judicial branches of the Government. It also does not apply to positions in the Executive Branch which are required to be confirmed by the Senate. Preference is given in competitive examinations, in appointments to positions, and in retention during reduction-in-force. Other benefits to which preference eligibles are entitled include reinstatement in the competitive service and reemployment/restoration.

1-3. Recording Veterans' Preference on the Standard Form 50.

a. >An employee may have preference for appointment, adverse action, performance-based action or reduction-in-force purposes.

Use Block 23 of the Standard Form 50, Notification of Personnel Action, to document the preference.<

b. ***

c. Information is recorded in block 26 of the Standard Form 50 to indicate whether or not the employee is eligible for veterans' preference during reduction-in-force procedures. When the employee is eligible, "Yes" is recorded. "No" is recorded on the Standard Form 50 when the employee is not eligible for preference >for reduction-in-force, even if the employee has such preference for other purposes, such as

adverse actions<.

d. >Veterans' preference is adjudicated on appointment.< Use the Job Aid, **Instructions for Documenting Veterans' Preference on the >Appointment< Standard Form 52/50**, to help document the correct information at the time of appointment/conversion.

Job Aid**Instructions for Documenting Veterans' Preference on the Standard Form 52/50**

Step	Action
1	Review the application, certificate of eligibles, or other examination documents to determine entitlement to preference for appointment, adverse action, performance-based action, or reduction-in-force purposes.
2	<p>Document the correct code.</p> <p>Enter the appropriate code in Block 23 of the Standard Form 52 and the Standard Form 50.</p> <p style="text-align: center;"> 1 = None 2 = 5-point (TP) 3 = 10-point/disability (XP) 4 = 10-point/compensable (CP) 5 = 10-point/other (XP), or 6 = 10-point compensable/30% (CPS) >7 No points/Sole Survivorship Preference (SSP) [When code 7 is cited in Block 23 remark E59 is required.]< </p>
3	Determine whether employee is eligible for veterans' preference during reduction-in-force procedures. Enter an "X" in the appropriate section of block 26.
4	Use Chapters 9-13 to select the correct nature of action, legal authority, and remarks for the action to be processed. Follow instructions in Chapter 4 to complete the Standard Form 52/50. Follow your agency's instructions to have it signed or authenticated.
5	Record determination on any other agency records that use veterans' preference.
6	File evidence used to determine preference eligibility on the right side of the employee's Official Personnel Folder. Follow agency instructions for disposition of any documents not filed.
7	Distribute the Standard Form 50 copies as appropriate.

Subchapter 2. Change in Veterans' Preference for Reduction in Force

2-1. Coverage.

This subchapter covers documentation of *changes* in veterans' preference that occur after the employee has entered on duty. These changes usually affect eligibility for veterans' preference for reduction-in-force. If the veterans' preference on the appointment was incorrect, process a correction to the appointment/conversion. (See Chapter 32 for instructions on how to process corrections.)

2-2. Use of SF 52.

Although a Standard Form 52, Request for Personnel Action, is needed to process many actions, its use for Change in Veterans' Preference for Reduction-in-Force actions is optional. The Standard Form 50, Notification of Personnel Action, for these actions can be prepared directly from the information in the employee's Official Personnel Folder (or in your agency's automated system) and the documents submitted by the employee in support of the change. When a Standard Form 52 is used, it is prepared in the personnel office and is used only as a working document to prepare the Standard Form 50. No requesting official signatures are needed.

2-3. Instructions.

a. Use the **Restructuring Information Handbook**, Module 3, Reduction-in-Force, to see if a change is warranted based on the evidence furnished by the employee.

b. Enter the following in blocks 5A-D of the Standard Form 52/50:

<i>Nature of Action</i>	<i>Authority</i>
883 Chg in Vet Pref for RIF	CCM 5 U.S.C. 2108

c. Enter the appropriate values in blocks 23 and 26. >If code 7 is cited in Block 23 remark E59 is required.<

d. Enter in Part F of the Standard Form 52 or block 45 of the Standard Form 50 any additional remarks/remark codes required by your agency or that are necessary to explain the action(s).

e. When a Standard Form 52 is used, follow the instructions in Chapter 4 to complete the form; follow your agency's instructions to obtain the approval signature in Part C, block 2, of the Standard Form 52.

f. Follow instructions in Chapter 4 to complete the Standard Form 50. Follow your agency's instructions to have it signed or authenticated.

g. Record change in any other agency records that use veterans' preference.

h. Check **The Guide to Personnel Recordkeeping** to decide if any of the documents submitted with or created in connection with the change should be filed on the right side of the employee's Official Personnel Folder. Return all unused documents to the employee.