

CITY ATTORNEY'S IMPARTIAL ANALYSIS

Background. Under certain circumstances, the City Charter permits the Civil Service Commission to award extra credits (preference points) on employment examinations to veterans of the United States Armed Forces and their spouses when they first apply for employment in the classified service of the City. The veterans' credits are limited to an additional five percent of the total credits earned in a Civil Service examination. They apply only to the original examination for employment with the City after honorable discharge from the service, and are not granted to veterans retired from the service on full pensions. The spousal credit is also set at five percent. It applies only to an original application for employment with the City. It applies only to spouses of those veterans who were so physically or mentally incapacitated while in the service as to preclude any remunerative occupation, and to surviving spouses of those veterans killed or who died in service.

Under the current Charter only veterans or the spouses of veterans, who served in the armed forces during the period of time when the Federal Conscription Act (the draft) was in effect are eligible for such credits. This means that most veterans, their surviving spouses or spouses of completely disabled veterans from recent wars, military actions, or peacekeeping missions undertaken by the service in the United States Armed Forces are ineligible to receive such credits, because service in the military is now voluntary. In addition, the Charter provides no credits for veterans, or the spouses of veterans who are partially disabled.

Proposal. Voter approval of this measure will extend the same five percent credit on original examinations for classified City employment to honorably discharged veterans who have served in any branch of the United States Armed Forces during any war, major military action or peacekeeping mission, whether or not the draft was in effect. The credits will also apply to the surviving spouses of such veterans, or spouses of those same veterans who are unable to work at all.

The measure will provide an additional five percent credit (for a total of ten percent) to any veteran, or the spouse of any veteran, who has a service-related disability of at least fifteen percent, which has been established under federal law.

The measure also clarifies that the credits will apply only to the first examination for classified employment with the City (not for promotional examinations) and for applicants who have otherwise attained a passing grade in the examination.