

Veteran Information

On November 7, 2002, Congress passed the Jobs for Veterans Act (Public Law 107-288). The act makes significant changes to the Veterans Readjustment Act, to include changing the title of the Act to “Veterans’ Recruitment Appointment” (VRA). Some websites and reference guides may not be updated to reflect this change, but all new appointments and conversions will be made using the new provisions.

Under the new law, the following veterans are eligible for a non-competitive VRA appointment:

- Disabled veterans;
- Veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge has been authorized;
- Veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal (AFSM) was awarded; and
- Recently separated veterans. Recently separated veterans are defined as those who have separated from active service within the last three years.

These provisions are a substantial change from the previous language. Veterans that fall within the first three categories are not affected by any time limits on eligibility. But, veterans that only fall within the fourth category may only be appointed on a VRA appointment within the three years following their last release date from active duty.

Other aspects of the VRA remain unchanged. As in the past, the following provisions apply.

- The maximum grade level at which appointments may be made is GS-11;
- Veterans must be “qualified,” i.e., able to perform the essential functions of the position with or without reasonable accommodation for a disability;
- Veterans with less than 15 years of education must still receive training or education; and
- After two years of successful employment, appointments must be converted to career conditional.

PLEASE NOTE: The public law changes the VRA provisions found in 38 USC 4214. Although there has not yet been any change to 5 CFR Part 307, Veterans’ Readjustment Appointments, the CFR language stems directly from 38 USC 4214. Therefore, any change to title 38 immediately affects the CFR provisions. Until 5 CFR is updated, you should use 38 USC 4214 as the governing reference for VRA.

30 Percent or More Disabled Veterans

An agency may give a noncompetitive temporary appointment of more than 60 days or a term appointment to any veteran:

- retired from active military service with a disability rating of 30 percent or more; **or**

- rated by the Department of Veterans Affairs (VA) within the preceding year as having a compensable service-connected disability of 30 percent or more.

There is no grade level limitation for this authority, but the appointee must meet all qualification requirements, including any written test requirement. The agency may convert the employee, without a break in service, to a career or career-conditional appointment at any time during the employee's temporary or term appointment.

The **Veterans Employment Opportunities Act of 1998 (VEOA)** allows eligible veterans to apply for positions announced under merit promotion procedures when the agency is recruiting from outside its own workforce. A VEOA eligible who competes under merit promotion procedures and is selected will be given a career or career conditional appointment. Veterans' preference is not a factor in these appointments.

To be eligible for a VEOA appointment, a veteran must be a preference eligible **OR** separated after 3 or more years of continuous active service performed under honorable conditions. Veterans who were released shortly before completing a 3-year tour are considered to be eligible. ("Active service" defined in title 37, United States Code, means active duty in the uniformed services 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.) All employees appointed under the VEOA are subject to a probationary period and to the requirements of their agency's merit promotion plan.