

2010 MN state legislation re-affirmed Veterans Preference (V.P.) employment rights (5 and 10 point veterans' preference) to qualified "veterans" who applying for local public employment positions; such as, county and city jobs (MN Stat. 197.455). Certain spouses of veterans, (veteran was injured or died while on active) may also qualify for V.P. points when applying for local government positions. Veterans, employed in local government positions, retained their V.P. job protection hearing rights from unfair job dismissal, demotion and/or layoff. These veteran rights are also granted to probationary employees in local government positions. Veterans in local government positions are entitled to MS 197.46 VPA hearing rights IN ADDITION TO their collective bargaining rights. NOTE: MN Stat. 197.447 defines "Veteran" eligibility. "Disabled Veteran" (injury on active duty) status may be verified by a USDVA Disability Rating Board decision.

2010 MN state legislation clarified V.P. employment rights for veterans that apply for Minnesota public school teacher positions. Districts must EITHER: (1) use a mandatory 100 point application evaluation process AND grant 5 or 10 V.P. points to qualified veterans, OR (2) grant all qualified veteran applicants an interview for the teaching position. 2010 Legislation established that Veterans, who are employed public school teachers, and are terminated and/or laid off after July 1, 2010, are NOT entitled to a V.P. termination hearing, (MS 197.46). V.P. is NOT granted to principals or counselors.

However, MN public school districts must continue to apply the MN Supreme Court Case (Hall vs City of Champlin) mandated 100 point application evaluation process AND grant 5 & 10 V.P. points to qualified veterans that apply for most non-teaching positions; such as, school employed custodians and school bus drivers. Also, MN public school districts are still required, to provide a V.P. termination notice and hearing rights, as granted under MS 197.46, to veterans in most non-teaching positions; such as, school district employed custodians and school bus drivers. In addition, these employees are entitled to their VPA hearing rights AND collective bargaining benefits.

2010 MN state legislation re-affirmed V.P. employment rights for qualified veterans that apply for MN classified state civil service positions. As granted by MN Stat. 43A.11, the names of qualified disabled and non-disabled veteran applicants must be placed at the top of the eligibility/hiring list (regardless of when the veteran applicant served on active duty). In addition, each state agency must interview the top 5 qualified "recent active duty service" veterans (DD 214 is used by employer to determine "veteran" eligibility status and verify that "the recent active duty service" occurred on or after 9/11/2001).

Also, 2010 MN state legislation clarified V.P. employment termination rights (granted by MN Stats. 197.46 and 197.481) for veterans employed in MN classified state civil service positions, regardless of when veterans were initially hired. Veterans, terminated from MN classified state civil service positions, (who have completed probation), must be informed by employer and provided the right to choose EITHER: (1) a V.P. hearing (rights granted by MN Stats. 197.46), OR (2) a collective bargaining agreement procedure. These rights may apply to MN public college CLASSIFIED positions, but not to University of Minnesota positions, as the University of Minnesota was found, "NOT to be a political subdivision of the state."