Reserve Organization of America

Law Review 26113

MINNESOTA: VETERANS' PREFERENCE

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RESERVE SERVICE LAW CENTER

EXECUTIVE SUMMARY

Minnesota's Veterans Preference Act adds 10 points to passing public exam scores for veterans and 15 points for veterans rated 50% or more disabled, with certain spouses also eligible. Private employers may voluntarily grant preference as well.

Veterans' Preference:
Minnesota

The Federal Veterans' Preference Act (VPA)

The Federal Veterans' Preference Act (VPA), as explained in Law Review 0721 (May 2007), gives certain veterans an advantage in securing federal civil service jobs. The VPA does not apply to state and local government employment, but most states have their own veterans' preference laws that apply to the state and its political subdivisions (counties, cities, school districts, and other units of local government).

Minnesota State Employee Veterans Hiring Preference[1]:

The Minnesota Veterans Preference Act (VPA)
https://mn.gov/mdva/resources/employment/statelaws.jsp

The Minnesota Veterans Preference Act grants most Veterans a limited preference over non-Veterans in hiring and promotion for most Minnesota public employment positions.

[1] The Minnesota Veterans Preference Act (VPA), on the Minnesota Department of Veterans Affairs website.

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- 10 Point Veteran's credit will be added to the competitive open examination rating of a non-disabled Veteran.
- 15 points Veteran's credit will be added to scores of Veterans with a 50% or more permanent service-connected disability rating.

Veterans must obtain a passing score on the examination without the additional credit points to qualify. This preference is also available to the surviving spouse of a deceased Veteran or the spouse of a disabled Veteran who, due to their disability, is unable to meet the qualification requirements for the position.

Permissive Veterans Preference for Minnesota Veterans in Private Employment: Private, non-public employers may grant preference in hiring and promotion to Veterans or the spouses of disabled Veterans with a service-connected total and permanent disability. This preference may also be extended to the surviving spouse of a deceased Veteran.

The Minnesota Department of Veteran Affairs Website highlights some of the most important information regarding Veterans' Preference laws in the state of Minnesota. Why preference is given, the history of Veterans preference, and how to enforce Veterans' Preference are just some of the questions addressed on the Minnesota Department of Veteran Affairs Website. The link is included below:

https://mn.gov/mdva/resources/employment/statelaws.jsp

Q: The great majority of veterans are men. Does a veterans' preference law discriminate against women and violate the Equal Protection Clause of the Constitution's Fourteenth Amendment?

A: In 1979, the Supreme Court considered and rejected that argument, by a 7-2 vote. Even if the effect of a veterans' preference law is to benefit many more men than women, the purpose of the law is to benefit veterans, not to discriminate against women.[2]

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[2] *See Personnel Administrator of Massachusetts v. Feeney*, 442 U.S. 256, 276 (1979). *See generally* Law Review 24055 (December 2024).
[3] *See* https://crsreports.congress.gov/product/pdf/IF/IF10540/. These are the authorized figures as of 9/30/2022.

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About the Author

Deng received his Juris Doctor from Baylor University School of Law and received his Bachelor of Science in Sociology, his Bachelor of Science in Criminal Justice, and his minor in Political Science, from Abilene Christian University. As a division-1 student-athlete, Deng played cornerback for the Abilene Christian University Football Team from 2015-19, and Pole Vaulted with the Abilene Christian University Track and Field Team in 2015.

[4] Congress recently established the United States Space Force as the eighth uniformed service.
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