Reserve Organization of America

Law Review 26118

NEVADA: VETERANS' PREFERENCE

By Deng Majok

RESERVE SERVICE LAW CENTER

EXECUTIVE SUMMARY

Nevada adds 10 points to passing state exam scores for honorably discharged veterans and for surviving spouses of members killed in the line of duty. Surviving spouses of deceased veterans and Nevada Guard members, with a commander's letter, receive 5 points.

Veterans' Preference:
Nevada

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).

Nevada State Employment Veterans Hiring Preference[1]:

284.260. Preferences in pools of eligible persons for veterans, certain surviving spouses and members of Nevada National Guard
In establishing the pools of eligible persons, an appointing authority must give a preference to:

[1] 2024 Nevada Revised Statutes Chapter 284 NRS §284.260, Preferences in pools of eligible persons for veterans, certain surviving spouses and members of Nevada National Guard. 2024 Nevada Revised Statutes Chapter 613 NRS §613.385, Preferential treatment in hiring veteran or spouse of veteran permitted.

1. Veterans.
2. Widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States.
3. Widows and widowers of veterans.
4. A member of the Nevada National Guard who submits a letter of recommendation from the commanding officer of the member's unit.

§613.385. Preferential treatment in hiring veteran or spouse of veteran permitted

1. A private employer may adopt an employment policy that gives preference in hiring to a veteran or the spouse of a veteran. Such a policy must be applied uniformly to employment decisions regarding the hiring or promotion of a veteran or the spouse of a veteran or the retention of a veteran or the spouse of a veteran during a reduction in the workforce.

2. A private employer who gives preference in hiring to a veteran or the spouse of a veteran pursuant to subsection 1 does not violate any local or state equal employment law.

3. The Nevada Equal Rights Commission may, upon receipt of a written complaint from a prospective employee of a private employer who has adopted an employment policy giving preference in hiring to a veteran or the spouse of a veteran pursuant to subsection 1, review the employment policy to determine whether the policy is being applied uniformly in accordance with subsection 1. If the Commission determines that an employment policy is not being applied uniformly, the Commission shall cause written notice of its findings, including the recommendations of the Commission, to be provided to the employer and prospective employee. Upon receipt of a notice from the Commission that an employment policy is not being applied uniformly, the employer shall revise his or her employment policy consistent with the recommendations of the Commission.

4. As used in this section:

(a) "Private employer" has the meaning ascribed to it in NRS 616A.295.
(b) "Veteran" has the meaning ascribed to it in NRS 417.005.

Nevada offers a hiring preference for state jobs to honorably discharged Veterans, National Guard service members, and surviving spouses. This preference is achieved by adding points to passing scores on any open competitive or promotional examinations.

- Veterans receive 10 points.
- Surviving spouses of active-duty service members who have been killed in the line of duty receive 10 points.
- Surviving spouses of deceased Veterans receive 5 points.
- Nevada National Guard Service members receive 5 points (requires a letter of recommendation from their commanding officer).

The State of Nevada Career Opportunities website provides a PDF sheet that highlights some of the most important information regarding Veterans' Preference laws in the state of Nevada. Documentation, the interview process, and the application review process are just some of the topics covered on the Nevada Career Opportunities PDF Sheet. The link is included below:

https://nvjobs.nv.gov/uploadedFiles/nvjobsnvgov/content/Veterans/Veteran_Hiring_Preferences.pdf

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]

Please join or support ROA

This article is one of 2,200-plus "Law Review" articles available at Law Center | ROA. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. We add new articles each month.

ROA is the nation's only national military organization that exclusively and solely supports the nation's reserve components, including the Coast Guard Reserve (6,179 members), the Marine Corps Reserve 32,599 members), the Navy Reserve (55,224 members), the Air Force Reserve (68,048 members), the Air National Guard (104,984 members), the Army Reserve (176,171 members), and the Army National Guard (329,705 members).[3]

ROA is more than a century old—on 10/2/1922 a group of veterans of "The Great War," as World War I was then known, founded our organization at a meeting in Washington's historic Willard Hotel. The meeting was called by General of the Armies John J. Pershing, who had commanded American troops in the recently concluded "Great War." One of those veterans was Captain Harry S. Truman. As President, in 1950, he signed our congressional charter. Under that charter, our mission is to advocate for the implementation of policies that provide for adequate national security. For more than a century, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation's defense needs.

Through these articles, and by other means, including amicus curiae ("friend of the court") briefs that we file in the Supreme Court and other courts, we advocate for the rights and interests of service members and educate service members, military spouses, attorneys, judges, employers, Department of Labor (DOL) investigators, Employer Support of the Guard and Reserve (ESGR) volunteers, federal and state legislators and staffers, and others about the legal rights of service members and about how to exercise and enforce those rights. We provide information to service members, without regard to whether they are members of ROA, but please understand that ROA members, through their dues and contributions, pay the costs of providing this service and all the other great services that ROA provides.

[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.

If you are now serving or have ever served in any one of our nation's eight[4] uniformed services, you are eligible for membership in ROA,[5] and a one-year membership only costs $20 or $450 for a life membership. Enlisted personnel as well as officers are eligible for full membership, and eligibility applies to those who are serving or have served in the Active Component, the National Guard, or the Reserve. If you are eligible for ROA membership, please join. You can join on-line at Reserve Organization of America - ROA or call ROA at 800-809-9448.

If you are not eligible to join, please contribute financially, to help us keep up and expand this effort on behalf of those who serve. Please mail us a contribution to:

Reserve Organization of America
1 Constitution Ave. NE
Washington, DC 20002[6]

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.
[5] Spouses, widows, and widowers of past or present members of the uniformed services are also eligible to join.
[6] You can also contribute on-line at www.roa.org.