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MINNESOTA



LEGISLATIVE RESEARCH COMMITTEE

VETERANS' PREFERENCE IN MINNESOTA

Publication No. 4

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The Committee (1) acts as a clearing house for current legislative problems by receiving proposals for research studies; (2) determines and directs the study and research necessary for proper consideration of all proposals; (3) disseminates advance information on these problems to other legislators, the governor and the public by means of committee and research reports; and (4) reports to the legislature one month in advance of the regular session.

The Research Department of the Legislative Research Committee is organized to provide an unbiased, factual source of information with regard to problems which may be acted upon by the legislature. This department is engaged in objective fact finding under the general supervision of members of the Committee.

M I N N E S O T A

LEGISLATIVE RESEARCH COMMITTEE

Veterans' Preference

in

Minnesota

Research Report issued pursuant to Proposal No. 12:

A PROPOSAL that the Legislative Research Committee study the effect of those provisions of the civil service laws of the State of Minnesota relating to veterans' preference as applied to state and local government, and further, to conduct a comparative analysis of the veterans' preference provisions in civil service laws of other states.

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B R I E F L Y . . .

Veterans' preference in public employment dates from the era following the Civil War. It was first incorporated into legislation in Minnesota following the Spanish-American War.

The merit system for selection of public employees is a product of the Twentieth Century. In principle it requires the selection of public employees solely on the basis of merit and fitness, while veterans' preference requires that preference be extended to members of a special class on the basis of membership in that class. Thus, veterans' preference is contrary to the merit system principle.

In view of our long history of liberal benefits for those who have served in the armed forces of our nation, veterans' preference is, in all probability, here to stay. The problem, therefore, resolves itself into the extension of preference to veterans in such a manner as to conflict least with the merit system principle.

Recent estimates indicate that veterans comprise 13 per cent of the population of the State. Veterans' preference provisions are operating so as to increase the proportion of veterans in the service of the State and its political subdivisions.

Veterans are granted absolute preference in the unclassified service of the State and in the service of the political subdivisions which operate under the general Veterans' Preference Law. A few positions of a confidential nature are exempt from veterans' preference as are school teachers and superintendents.

In the classified service of the State, veterans are granted preference in accordance with the provisions of the Civil Service Act. Among the features of the Minnesota law which are not in accord with recommendations of a representative committee are the following: granting of preference points regardless of whether examinations are passed (this permits the appointment of persons who fail examinations), extending absolute preference to disabled veterans whose augmented scores are passing, granting disabled veterans' preference to those with disabilities rated at zero per cent or greater, and allowing veterans' preference on promotional as well as entrance examinations. Minnesota has not yet established terminal dates for service in World War II.

Most public personnel administrators agree that veterans' preference is not a great problem at present. The wealth of talent found among veteran applicants at this time makes possible the appointment of well qualified persons, although present laws sometimes operate so as to require the appointment of poorly qualified individuals. Moreover, present laws are a potential threat to the underlying principle of the merit system, for it is expected that in times of future economic crisis, as in the past, veterans will more widely avail themselves of their rights to preference. This is a problem not only of quantity, but quality, for the least efficient workers are generally the first to be laid off by industry.

INTRODUCTION

Veterans' preference is a legal right granted to veterans favoring them in appointment to government positions. It is an outgrowth of the philosophy of veterans' rewards and privileges. The first record of such preference was by the national government during the Jackson administration. Veterans' preference laws were enacted following the Civil War as a result of GAR pressure. Minnesota enacted its first veterans' preference law following the Spanish-American War.

Due to the tremendous number of veterans at the present time, the problem of veterans' preference is receiving more consideration. Granting preference to veterans, which is an outgrowth of a philosophy that in view of their service to the country during war time they should receive special consideration, is generally accepted. However, two fundamental problems are involved:

1. Enactment of veterans' preference laws which will still permit government to recruit most capable employees.
2. The enactment of veterans' preference laws which will not practically preclude employment by the government of its citizens who, through no fault of their own, have not been able to secure veterans' status. This is particularly applicable to the rising generation.

At present, personnel administrators generally agree that veterans' preference is more of a potential problem than an existing problem. However, provisions which result in the appointment of persons who fail examinations are a current problem. Immediately following a war, sufficient veterans apply for governmental positions so that a wide range of talent and ability permits the recruitment of well qualified veterans. Experience has shown, especially following World War I, that it is during a period when it is difficult to secure employment that the greatest problem is presented. Following discharge from service, veterans secure positions either in government or private

enterprise which enable them to establish themselves in the community. However, during a period of economic distress when employees are laid off, it is generally the case that such employees are the least efficient. It is at this time that such persons avail themselves to the fullest extent of their rights and privileges under veterans' preference. Unless the veterans' preference laws are so drawn that veterans must compete with others for positions in government, the public service may suffer through recruitment of persons who do not meet accepted standards.

Veterans' preference was enacted prior to the development of merit systems in the public service. Basic incompatibility exists between the two systems. The merit system endeavors to select personnel for public service based entirely on the ability of those being recruited, whereas veterans' preference disregards the ability principle in that it grants a particular class preference on the basis of membership in the class.

This report analyzes the effect of the Minnesota veterans' preference laws on employment in the State service and its political subdivisions. In addition it compares the pertinent provisions of the Minnesota law with such provisions in other states recruiting personnel through a merit system. An evaluation is made of current Minnesota law and practice with respect to the considered recommendations of a representative group studying veterans' preference in the public service.

VETERANS' PREFERENCE IN MINNESOTA STATE CIVIL SERVICE

LEGAL FOUNDATION OF VETERANS' PREFERENCE IN MINNESOTA

Veterans' preference in the State Civil Service in Minnesota has its legal foundation in two separate divisions of the law: one, the Civil Service Act; the other, Veterans' Rewards and Privileges Act.

Chapter 43 of Minnesota Statutes 1945 contains the laws relating to the State Civil Service. Section 43.30, as amended by Chapter 395, Session Laws of Minnesota for 1947, prescribes the manner in which veterans shall be given preference in all examinations under Chapter 43.

Sections 197.45-.48 of Minnesota Statutes 1945 are known as the "Veterans' Preference Act" and are a part of the chapter devoted to Veterans' Rewards and Privileges. This was formerly known as the "Soldiers' Preference Act".

Section 38 of Chapter 441 of Session Laws of Minnesota for 1939 (Section 43.34 of Minnesota Statutes 1945) repeals the Veterans' Preference Act insofar as it might be applicable to the State Civil Service. However, in an Attorney General's opinion issued May 10, 1940, it was held that, "The Soldiers' Preference Act is only superseded by the provisions of the Civil Service Act insofar as it might be applicable to employees in the classified service. Employees of the state in the unclassified service are still entitled to soldiers' preference, subject, however, to the limitations upon its application which have heretofore existed".

Thus in the State Civil Service, veterans' preference is granted in the classified service in accordance with Section 43.30 as amended and in the unclassified service pursuant to Sections 197.45-.48 of Minnesota Statutes 1945 (which also apply to provisional appointments in the classified service). Inasmuch as these divisions of the law are not identical, veterans are granted preference according to somewhat different standards in the classified service from those used in the unclassified service.

VETERANS' PREFERENCE IN THE CLASSIFIED SERVICE

Honorably discharged veterans of wartime service in the armed forces who have been residents of the State of Minnesota for five years immediately preceding the time of filing for an examination or who enlisted from the State are entitled to veterans' preference in all examinations conducted by the Department of Civil Service. In addition, veterans' preference is extended to the widows of both disabled and non-disabled veterans and to the spouses of disabled veterans who are unable to qualify because of such disability.

What is "Wartime Service"?

A question is raised by the definition of "wartime service". Attorney General's opinions have established that such service in World War I must have occurred between April 6, 1917, and November 11, 1918. At this writing no terminal date has yet been established for World War II. It is, therefore, possible for persons to receive veterans' preference for wartime service occurring more than two years after the cessation of hostilities in World War II. There is an acute need for a definition of terminal dates of wartime service in World War II. The American Legion has defined it as service between the dates of December 7, 1941, and September 2, 1945.

However, it was not until December 31, 1946, that a Presidential Proclamation declaring the cessation of hostilities went into effect. This served as a guide in the determination that state employees who were on military leaves of absence are given credit for retirement purposes for the period of military service which occurred between July 1, 1940, and December 1, 1946.¹ Perhaps this might be a suitable precedent for establishing the terminal dates within which service in World War II must have occurred in order to entitle the veteran to preference in public employment. In any event, the situation would be clarified if wartime service were defined in the law.

Minimum Length of Military Service Not Required

Another question worthy of consideration is whether there should be a minimum length of service in the armed forces to entitle a person to veterans' preference. There are cases on record of persons' receiving veterans' preference for less than 24 hours of "active duty"! This is hardly comparable with the sacrifices made by most veterans. However, any attempt to establish a minimum period of service is faced with the problem of where to draw the line. Who is to say that 59 days of service are less meritorious than 60, or 89 less than 90? As a practical matter it is very difficult to arrive at an equitable basis for establishing a minimum length of service to entitle a veteran to preference in appointment to public positions. Minnesota statutes do not provide for a minimum length of service.

Residence Requirements and Veterans' Preference

Another item that bears consideration is the matter of residence requirements in connection with veterans' preference. Service in the armed forces in time of war is primarily in the interest of the nation - not a particular state. Therefore, it is held by some authorities that the fact that a man is a veteran is sufficient to entitle him to preference without regard to his residence or the place from which he enlisted. Other authorities feel that preference should be conditioned upon residence as well as wartime service in the armed forces. The latter view prevails in Minnesota.

1. Session Laws of Minnesota 1947, Chap. 631, Sec. 6, Subd. (5)

Age and Physical Requirements Waived for Veterans

In Minnesota State Civil Service there are minimum requirements for admission to examinations. However, age and physical requirements are waived if the veteran is able to perform the duties of the position with reasonable efficiency. If age and physical requirements have real significance in connection with a position as they do with such positions as forest ranger, sound personnel practices are undermined by exempting preference applicants from these requirements.

Contradictory Feature of Law

The law states, "the fact that an applicant has claimed a veterans' preference shall not be made known to the examiners and the preference credit shall be added to the examination rating by the director, and the records shall show the examination rating and the preference credit".¹ However, in rating experience of applicants for positions, credit is given for pertinent experience in the armed forces. Thus, the examiner is faced with the anomalous situation of not officially knowing whether or not an applicant is a veteran but actually having to pass on the pertinency of the applicant's military experience.

For many positions military experience and training of the proper kind are very valuable, e.g., for automobile mechanic the experience and training a veteran received as a mechanic in the army would be a definite asset. If the law were applied literally, no credit could be given for experience gained in the armed forces. Furthermore, if there were a blank space in the applicant's employment history during the war years, it could be assumed that the applicant is a veteran. As a practical matter, it is almost impossible for the examiner to be unaware of whether or not an applicant is a veteran.

Although this provision was intended to protect veterans from discrimination, its literal application would harm them by preventing their being given credit for pertinent military experience.

Passing Grade Lowered for Veterans

Veterans are entitled to preference points on examinations whether or not they have achieved a passing grade. Thus in effect, the non-disabled veteran has the passing grade lowered 5 points. His augmented score places his name higher on the register than it would otherwise be. The passing grade is lowered 10 points for the disabled veteran and his name is placed on the eligible list ahead of all non-disabled veterans and all non-veterans regardless of their scores. These provisions are hardly in accord with one of the declared purposes of the State Civil Service Act, namely, "fair and equal opportunity shall be accorded to all qualified citizens of the state to enter state employment on the sole basis of merit and fitness as ascertained through practical competitive examinations".²

1. Session Laws of Minnesota 1947, Chap. 395

2. Minn. Civil Service Rules 1945, Rule 1.1b (2)

5 Points Added to Non-disabled Veterans Earned Score

Non-disabled veterans are given a credit of 5 points to be added to the earned examination rating. If such augmented rating gives the veteran a passing grade (70%) and if he is able to perform the duties of the position with reasonable efficiency, his name shall be placed upon the list of eligibles with the names of other eligible persons. In case of ties, the name of the veteran shall be entered ahead of that of the non-veteran.¹ The same preference is extended to the widows of non-disabled veterans.²

10 Points Added to Disabled Veterans' Earned Score-If Augmented Score Is Passing, Granted Absolute Preference

Disabled veterans are given a credit of 10 points to be added to the earned examination rating. If such augmented rating gives the disabled veteran a passing grade (70%) and if he is able to perform the duties of the position with reasonable efficiency, his name shall be placed at the head of the eligible list.³ Thus disabled veterans who earn a score of 60 or more are granted absolute preference over all other applicants. The same preference is extended to the widows of disabled veterans and to the spouses of disabled veterans who are unable to qualify because of such disability.⁴ It is therefore possible for persons entitled to disabled veteran's preference to fail an examination and still head the eligible list.

Determination of Disability

Inasmuch as a disabled veteran is entitled to considerable advantages in the service of the State, the determination of disability becomes a matter of considerable importance. In Minnesota "a disabled veteran is one who is rated or certified as disabled by the United States Veterans Administration, or by the retirement boards of the several branches of the armed forces, and which disability is existing at the time preference is claimed".⁵

Zero Per Cent Disability Enough for Disabled Veterans' Preference

In an Attorney General's opinion issued October 18, 1944, it was declared, "It is our conclusion, and we hold, that 'disabled veteran' as used in Section 31 of the Civil Service Act, id. Section 43.30 means that a disabled veteran is one who has a disability which has been adjudicated by the United States Veterans Administration to be service connected and which has been found by the Veterans Administration to be existing at the time preference is claimed even though there may be no percentage of disability under the rating schedule". In other words, a veteran with zero per cent disability is eligible for disabled veterans' preference. A question worthy of consideration is, "How can a zero per cent disability exist?"

1. Minn. Laws 1947, Chap. 395

2. Minn. Civil Service Rules 1945, Rule 6.9 and 16.11 and .29

3. Minn. Laws 1947, Chap. 395

4. Ibid. and Minn. Civil Ser. Rules 1945, Rule 16.11

5. Minn. Session Laws 1947, Chap. 395

The Veterans Administration rates disability on the basis of the particular handicap, wound or disease. It has a rating scale which assigns a specified percentage of disability to particular types of disability. Every five years the disability is re-rated. Zero per cent disability has been interpreted as meaning that no disability currently exists but the rating of zero is applied in order to keep the record open in case something recurs or develops in the future. "Recognition must be given to the fact that under Minnesota statutes . . . a sprained ankle that occurred after being sworn into the service can cause a zero per cent disability and carry the same weight as the loss of a leg at Okinawa".¹ It would seem to be going beyond legislative intent when disabled veterans' preference is extended to those who have zero per cent disability.

Veterans' Preference Extended to Widows and Spouses

The provision granting preference "to the spouse of a disabled veteran, who because of such disability is unable to qualify", is not clear. Neither the law nor the rules specify what the disabled veteran must be unable to qualify for. Is it for the job in question? Is it for gainful employment?

If the former were meant, it would mean that the disabled veteran might be employed full time and if his spouse would apply for a position for which his disability rendered him unable to qualify, the spouse would receive disabled veteran's preference. It would seem more in accord with the reasons for extending preference to the spouse of a disabled veteran to condition such extension upon the disabled veterans' inability to qualify for gainful employment.

It is noteworthy that the widow of a disabled veteran is not only granted more preference than the widow of a non-disabled veteran, but she is granted more preference than the non-disabled veteran himself. Thus we have a situation where the dependent of one class of veteran is granted more preference than actual veterans of another class. Furthermore, when once the widow of a disabled veteran receives permanent status in the Civil Service she cannot be removed except for cause. Remarrying, which deprives her of disabled veterans' preference, is not sufficient cause for removal.

In connection with extending veterans' preference to their widows, it must be remembered that they are eligible in many cases for monetary benefits from the Federal government. Also, many disabled veterans are granted compensation by the Federal government.

If the disabled veteran is employed, this compensation is in addition to his salary. Therefore, it might be well to condition the extension of a disabled veteran's preference to a spouse upon the inability of the veteran

1. E. A. Preston, member of the Veterans Preference and Civil Service Legislation Committee of the Fourth District American Legion in St. Paul and veterans' representative of the American Federation of State, County and Municipal Employees, "Need of Changes in Preference Laws Cited", Minnesota Public Employee, Dec. 1947, p. 3.

to earn a minimum annual income including his disability compensation. The principal of extending a veteran's preference to his spouse is to prevent financial want -- therefore it would seem that inability to meet a minimum income level would be an equitable basis for extending a veteran's preference to his spouse.

Also it must be borne in mind that all widows and the spouses of incapacitated disabled veterans may be eligible for assistance under the Aid to Dependent Children Program created by the Social Security Act.

In considering the wisdom of extending veterans' preference to their widows or spouses, one must not lose sight of the fact that preference in appointment to public employment is not the only resource available to veterans and their dependents.

Law Requires in Some Cases that Persons Who Fail Examination Must be Appointed

The Rule of Three, together with absolute preference to disabled veterans, sometimes operates in such a manner as to require that an appointing authority hire a person who has failed the examination. The Rule of Three requires that the three eligibles at the top of the list be certified to the appointing officer in order to fill a vacancy. A disabled veteran who scores between 60 and 70 per cent on an examination receives 10 per cent for being disabled, and inasmuch as his augmented score is above 70 per cent, he receives absolute preference over non-disabled veterans and non-veterans alike. It is very possible that an appointing authority might receive three names on certification - all of whom scored between 60 and 70 per cent on the examination, and the appointing authority would be required to hire one of the three.

Rejected Veteran Must be Informed Why He Was Rejected

If an appointing officer rejects an eligible entitled to veterans' preference when certified for promotion or to fill a vacancy or a new position, the appointing officer shall file in writing with the Director of Civil Service the reasons for such rejection and shall furnish a copy thereof to the rejected veteran.¹ In an opinion of the Attorney General issued April 30, 1946, it was held that rejected veterans must be notified of reasons for rejection by an appointing authority even though the person appointed is also a veteran.

The letter to the veteran who is certified but not appointed is the source of many hard feelings. There is little justification in requiring that a rejected veteran be notified of the reasons for his rejection when another veteran is appointed to the position. Furthermore, in the interests of administrative harmony, it is held by many authorities in the field of public personnel administration that an appointing authority be granted some

1. Ibid. Rule 8.3 g

discretion in the selection of personnel. The concept of the Rule of Three is based on the recognition that three adjacent eligibles on a register are so nearly equal in measurable ability that the appointing authority should be free to choose any one of the three, even if only on the basis of personality. Many appointing authorities are reluctant to incur adverse public opinion by failing to appoint a veteran, who, if rejected, might call upon veterans' pressure groups to publicize the case. In many cases the appointing officers themselves are veterans and would therefore be sympathetic toward a veteran seeking public employment.

It is well to consider whether this protection of the veteran is worth the reduction in administrative discretion it imposes upon appointing authorities. Furthermore, interference with the operation of the Rule of Three tends to promote disharmony in administration.

Veterans Subject to Probation Same as Non-Veterans

All appointments in the classified service are subject to a probationary period of six months before they become permanent appointments. "At any time during the probationary period, an appointing authority may remove an employee whose performance does not meet the required work standard, provided that he shall report such removals to the director and to the employee upon the form and in the manner provided by the director".

The above provision is contained in Rule No. 9.5 of Minnesota Civil Service Rules 1945. Veteran and non-veteran alike are subject to the same provisions regarding probationary appointments. Veterans are not given additional protection and are subject to dismissal for cause without a hearing. However, the appointing authority is again faced with a situation in which he is reluctant to act against a veteran. In the immediate aftermath of war, public opinion is likely to condemn him for dismissing a veteran. He may be subject to pressures from various veterans' groups in which case the appointing authority must either take considerable abuse or sacrifice efficiency for expediency.

Veterans' Preference on Promotional Examinations

In Minnesota, veterans' preference applies to both entrance and promotional examinations. When an appointing authority requests that a vacancy in a permanent position be filled, the Director of Civil Service shall certify the one name highest on the agency layoff list; if no such list exists, he shall certify three names from the promotional list for the agency or organization unit concerned; and in the absence of either such list, he shall certify three names from the appropriate eligible list.¹

1. Minnesota Civil Service Rules 1945, Rule 8.2 as amended May 24, 1946

Thus the Civil Service Rules provide for mandatory use of promotion lists in filling vacancies. However, if an appointing authority submits specific evidence in writing that the interests of the State would be best served by certification from some list other than the agency promotional list and the Director of Civil Service finds that there are better qualified persons on other eligible lists, he may certify names from some eligible list other than the agency promotional list. As a check against abuses of this device, the Director is required to report to the Civil Service Board each instance in which an appointment is made under the provisions of this paragraph.¹

Personnel administrators are not in agreement on the wisdom of mandatory use of promotion lists. Those in favor argue that promotion from within the service tends to improve employee morale and promote a career service. Those opposed argue that filling vacancies in the higher levels of positions only by promotion excludes new blood which would be injected into the service if they were filled by open competition. Some authorities hold that new blood is needed in order to prevent stagnation.

The law provides that veterans' preference shall be given in all examinations, therefore it applies to both entrance and promotional exams. Veterans' preference in promotional exams is considered by most personnel administrators to be particularly bad. It makes for poor morale on the part of non-veteran employees, because their chances of promotion become very poor, particularly when disabled veterans continue to be given absolute preference. Furthermore, a policy of promotion from within coupled with veterans' preference tends to differentiate between two groups of veterans - those who are within the service are eligible to compete for the better paying positions, while those outside the service are restricted to entry at the lower levels.

Retroactive Examinations for Employees on Military Leave

When a promotional examination for a class was given during the absence on military leave of a permanent or probationary employee, such employee is eligible to take the examination provided he applies within 60 days from the time he was reinstated in the State service. He shall be given the same examination or its equivalent, and if he attains a final rating above passing, his name shall be placed on the register in the same manner as if he had taken the original promotional examination. If an employee attains a position on the register higher than the lowest ranking person certified from the original promotional list, his name shall be certified to the appointing authority who may appoint him to a position which already has been filled. An employee so displaced shall have his name placed upon the appropriate reemployment list and shall be restored to the position held when promoted.

1. Minnesota Civil Service Rules 1945, Rule 8.2 as amended May 24, 1946

Similar provisions permit a person who was a provisional employee at the time of his entry into military service to take open competitive examinations given while he was on military leave of absence provided he applies within 90 days from his separation under honorable conditions from the armed forces. However, such a person can take retroactive examinations only for the class of position in which he was a provisional employee prior to his entry into the armed forces. If he attains a final rating above passing, his name shall be placed on the original eligible list in the same manner as if he had taken the original examination.¹

VETERANS' PREFERENCE IN THE UNCLASSIFIED SERVICE OF THE STATE

The Veterans' Preference Act contains broad provisions relating to veterans' preference in public employment both in the State and its political subdivisions.² It provides that: honorably discharged wartime veterans shall have absolute preference over other applicants; in jurisdictions hiring under a civil service or merit system no inquiry shall be made of any applicant for an examination before such examination as to whether or not he is a veteran; all governmental agencies, when notifying the applicant that he has passed, shall inform the applicant of the right of a veteran to preference; refusal to allow the preference provided for shall entitle any such honorably discharged veteran the right of action therefor in any court of competent jurisdiction for damages and also mandamus to right the wrong; and no honorably discharged veteran may be removed from a position in the public service of the State or its political subdivisions except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, in writing, and with the burden of proof resting upon the governmental subdivision alleging incompetency or misconduct. Similar preference is extended to the widows of veterans and the spouses of disabled veterans who themselves are unable to qualify.

Positions Exempted from Veterans' Preference

The positions of private secretary, teacher, superintendent of schools, or one chief deputy of any elected official or head of a department, or to any person holding a strictly confidential relation to the appointing officer are exempt from the provisions of the Veterans' Preference Act. The burden of proof in establishing a confidential relation rests upon the appointing officer.

Positions Held by Employees in the Unclassified Service

Section 43.09 of Minnesota Statutes 1945 as amended by Chapter 482, Laws of 1947, lists employees in the unclassified service as follows:

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1. Civil Service Rules, State of Minnesota, Rule No. 6.13
 2. Minnesota Statutes 1945, Sections 197.45-.48

- "(1) Chosen by election or appointed to fill an elective office;
- (2) Heads of departments required by law to be appointed by the governor or other elective officers, except the railroad and warehouse commission, and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;
- (3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;
- (4) All deputy registrars of motor vehicles and seasonal help employed by the registrar and his deputies to assist in the issuance of motor vehicle licenses;
- (5) One executive secretary and five other confidential employees in the office of the governor, and one confidential employee for the governor in the office of the adjutant general;
- (6) Officers and employees of the senate and house of representatives of the legislature;
- (7) Teachers, research assistants, student employees on less than half-time pay basis, presidents, deans, and administrative officers in the teachers colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;
- (8) Officers and enlisted men in the national guard and the naval militia;
- (9) Election officers;
- (10) Persons engaged in public work for the state but employed by contractors when the performance of the contract is authorized by the legislature or other competent authority;
- (11) Persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination, or installation;
- (12) Deputy attorneys general, assistant attorneys general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general or employed with his authorization;
- (13) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the industrial commission;
- (14) Patient and inmate help in state charitable, penal, and correctional institutions;

- (15) State highway patrolmen now operating under the provisions of sections 161.07 to 161.12; provided, that with respect to the method of selection and appointment only, all state highway patrolmen who shall be appointed subsequent to the effective date of Laws 1939, Chapter 441, shall be selected and appointed in accordance with the provisions hereof relating to the classified service, but in all other respects the provisions of this chapter shall not apply to state highway patrolmen;
- (16) The deputy commissioner of agriculture, dairy, and food;
- (17) Persons, not exceeding one, appointed or employed by the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act."

In view of the fact the Congress has exempted its own employees, as well as employees of the Federal courts from veterans' preference,¹ it is interesting to note that both legislative and judicial employees of the State of Minnesota are in the unclassified service which has been held by the Attorney General to be subject to veterans' preference as set forth in the Veterans' Preference Act.²

Veterans' Preference Enforceable Through Court Action

Inasmuch as appointments to positions in the unclassified service are seldom based upon performance in competitive examinations, it has not been practicable to draw up precise rules governing the application of veterans' preference. However, appointing officers must bear in mind the veterans' preference in the unclassified service is enforceable through court action for damages or mandamus.

PROVISIONS APPLICABLE TO VETERANS IN BOTH THE CLASSIFIED AND UNCLASSIFIED SERVICE OF THE STATE

Military Leaves of Absence for State Officers and Employees

State officers or employees who engage in active service in time of war in any branch of the armed forces are entitled to leaves of absence without pay together with the right of reinstatement. ". . . Upon such reinstatement, the officer or employee shall have the same rights with respect to accrued and future seniority status, efficiency rating, vacation, sick leave, and other benefits as if he had actually been employed during the time of such leave...."³

Reinstatement Following Military Leave

Chapter 120 of Session Laws of Minnesota for 1941 provides that, "...upon the completion of such service such officer or employee shall be reinstated in the public position which he held at the time of entry into such service at the same salary which he would have received if he had not taken such leave, upon

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1. Samuel H. Ordway, Jr. "The Veteran in the Civil Service", The Annals of the American Academy of Political and Social Science. March 1945, p. 136
 2. An opinion issued May 10, 1940, to Stafford King, State Auditor.
 3. Minn. Statutes 1945, Sec. 192.261

the following conditions: (1) that the position has not been abolished or that the term thereof, if limited, has not expired; (2) that he is not physically or mentally disabled from performing the duties of such position; (3) that he makes written application for reinstatement to the appointing authority within 45 days after termination of such service; (4) that he submits an honorable discharge or other form of release by proper authority indicating that his military or naval service was satisfactory . . ."

Pay For Unused Leave

Upon separation from the State service, an employee is entitled to pay for any unused portion of his annual leave allowance.¹ In an opinion issued March 6, 1946, the Attorney General held that an employee who has been on a military leave of absence is absolutely entitled to reinstatement upon the completion of his military service provided that the statutory conditions of reinstatement are fulfilled. "There is nothing in the act which requires him to remain in the service of the state after reinstatement."²

Thus, it is possible for an employee to apply for reinstatement and resign immediately thereafter and receive pay for his vacation accrued during the period in which he was on military leave. In effect, an employee of the State on military leave of absence without pay is entitled to pay for 12 days per year even though he has not worked for the State during the year. Furthermore, it must be remembered that members of the armed forces are granted vacation leave, are paid while ill, and when mustered out, they receive payment for any unused leave time. Holding a man's job open for him is one thing, but granting him annual leave with pay for a period in which he was not working for the State is something else.

Retirement and Veterans' Preference

For retirement purposes veterans who are reinstated following military leaves of absence are given credit for the time spent in military service. The period a veteran spent in the armed forces between July 1, 1940, and December 31, 1946, shall be included in computing time of service for the State, but shall be excluded in computing the amount of the average salary upon which the retirement annuity is based.³

Veterans are not subject to retirement under exactly the same conditions as other employees. The above described method of computing length of service and average wage applies only to veterans. Furthermore, although Civil Service Rule No. 10.1 provides for compulsory retirement at the age of 70 for employees in the classified service unless an emergency exists, the portion of Chapter 395 of Minnesota Session Laws 1947 which reads "... and the veterans thus preferred shall not be disqualified from holding any position in the classified service on account of his age or by reason of any

1. Session Laws 1945, Chap. 492

2. Opinion of Attorney General issued March 6, 1946

3. Session Laws 1947, Chapter 631, Sec. 6, Subd. (5)

physical disability, provided such age or physical disability does not render him incompetent to perform the duties of the position ..." has been interpreted to apply not only to entrance into the service, but also to retirement from the service. In short, there is no age for compulsory retirement for veterans in the classified service.

EFFECT OF PRESENT LAWS ON COMPOSITION OF THE STATE SERVICE

TABLE I

Proportion of Veterans Employed in Minnesota Classified Service

	MALE			FEMALE			TOTAL	
	No.	% of Males	% of Total	No.	% of Females	% of Total	No.	%
Employees as of								
December 1, 1946	6,659	100.0	65.4	3,527	100.0	34.6	10,186	100.0
Veterans	2,612	39.2	- -	64	1.8	- -	2,676	26.3
Non-veterans	4,047	60.8	- -	3,463	98.2	- -	7,510	73.7
Persons on open competitive eligible lists								
Dec. 30, 1947	1,593	100.0	- -	--	--	--	--	--
Veterans	1,067	67.0	- -					
Non-veterans	526	33.0	- -					
Persons on Promotional Eligible Lists								
12-30-47	268	100.0	- -	--	--	--	--	--
Veterans	119	44.4	- -					
Non-veterans	149	55.6	- -					
Persons Appointed May 1, 1947, to Dec. 30, 1947*								
	--	--	--	--	--	--	437	100.0
Veterans							177	40.5
Non-veterans							260	59.5

* Note: These figures are for classifications which are predominately male, and include both entrance and promotional appointments.

Source: Minnesota Department of Civil Service

As indicated in the above table, 26.3% of all employees in the classified service of the State as of December 1, 1946, were veterans. At that time 65.4% of all employees were men, of whom 39.2% were veterans.

As of July 1, 1947, the population of Minnesota has been estimated by the United States Department of Commerce to be 2,897,000. It was estimated by Mr. A. L. Paulson, Branch Research Officer of the U. S. Veterans Administration at Fort Snelling, that as of July 31, 1947, there were 378,000 veterans in the State. Combining these two estimates indicates that 13.0% of the population of Minnesota is composed of veterans. It is important to bear this figure in mind when examining the proportion of veterans in public employment in the State and its political subdivisions. However, since the vast majority of veterans are men of employable ages, their proportion among the male labor force would be much greater. No satisfactory estimates of the size of the present labor force were obtainable.

Of the 1,593 men on open competitive eligible lists as of December 30, 1947, 1,067 or 67.0% were veterans. (See Table A, Appendix) Of this group of veterans 731 were non-disabled veterans and 336 were disabled. Disabled veterans comprised 31.5% of all veterans and 21.1% of all males on the register. Of the veterans who were placed on the eligible lists, 170 actually failed the examinations, but their preference points, when added to their earned ratings, gave them passing grades. The 170 failures comprise 15.9% of the male veterans and 10.7% of all men on the eligible lists. Disabled veterans whose augmented scores are passing are placed on eligible lists ahead of both non-disabled veterans and non-veterans. In other words, a disabled veteran may fail the examination and yet he would be certified for appointment before high ranking non-disabled veterans and non-veterans.

A similar situation exists with respect to the proportion of veterans on promotional registers. Of the 268 men on promotional eligible lists as of December 30, 1947, 119 or 44.4% were veterans. (See Table B, Appendix) Of this group 93 were non-disabled veterans and 26 were disabled. Disabled veterans comprised 21.8% of all veterans and 9.7% of all males on the promotional registers. Of the veterans whose names were placed on the promotional lists, 10 actually failed the examination. These 10 failures represent 8.4% of all veterans and 3.7% of all males on the promotional lists. Again it is true that a disabled veteran may fail the examination but if his augmented score is passing, he must be certified for promotion before high ranking non-disabled veterans and non-veterans.

From April 23, 1945, to May 1, 1947, permanent appointments were prohibited by the wartime suspension law designed to hold jobs open for returning veterans. From the latter date to the end of 1947, 437 appointments, both entrance and promotional, were made in a group of positions which are generally filled by men. (See Table C, Appendix) Of this total, 177 or 40.5% were veterans, of whom 102 were non-disabled and 75 were disabled. Disabled veterans comprised 42.4% of all veterans and 17.2% of all persons appointed to these positions.

On both the entrance and promotional eligible lists there was a total of 362 disabled veterans who were entitled to absolute preference. The classes of positions which are covered in the tabulation of male eligibles are not exactly the same as those covered in the tabulation of

appointments to positions generally filled by males. However, the two are roughly comparable. It is therefore significant to note that the 362 disabled veterans had first chance at receiving appointments. It would have been possible, therefore, for approximately 80% of the appointees to have been disabled veterans rather than the 17.2% which were appointed. It is evident that not all disabled veterans accept appointments when they are certified. It is conceivable that a much larger proportion of them would accept appointments during a depression, and this is a situation with grave potentialities.

Veterans' preference provisions are operating so as to increase the proportion of veterans in the State service. As of December 1, 1946, 39.2% of male employees were veterans. They comprised 67.0% of the men on open competitive eligible lists and 44.4% of the men on promotional eligible lists. Veterans comprised 40.5% of the appointments to positions generally filled by men. The increase is slight, but is indicative of what is likely to occur.

In view of the fact that 13% of the population of Minnesota is composed of veterans, the proportion of veterans in the State service is not excessive when allowance is made for sex and age. However, the quantitative aspects of the situation must be examined in the light of the qualitative. The provisions of the law which permit the appointment of veterans who fail to pass examinations are definitely not in accord with the basic principles of a merit system of selection of public personnel.

CIVIL SERVICE IN POLITICAL SUBDIVISIONS AND VETERANS' PREFERENCE

COUNTY WELFARE MERIT SYSTEM

In Minnesota the only statewide merit system for local units of government is the County Welfare Merit System for the selection of personnel to administer the social welfare programs in the various counties.

Same Statutory Basis as for Unclassified Service of the State

Veterans' preference is granted in accordance with Sections 197.45 to 197.48 of Minnesota Statutes 1945 which apply to the unclassified service of the State and to appointments and employment in the political subdivisions.¹

Veterans Given Absolute Preference

Honorably discharged wartime veterans who pass examinations given under the merit system are given absolute preference in position on registers and appointment. Similar preference is extended to their widows and to the spouses of disabled veterans. All persons entitled to veterans' preference are ranked in the order of their examination scores and placed on the registers ahead of non-preference applicants. There is no distinction as to rank on the register between disabled and non-disabled veterans. Certification for appointment is made on the basis of the Rule of Three.

Veterans Must Pass Examination Before Being Granted Preference

No inquiry is made prior to an examination as to whether or not an applicant is a veteran. When applicants are given notice of passing the examination, they are informed of the right of veterans to veterans' preference. These provisions are set forth in Section 197.45 of Minnesota Statutes 1945. Inasmuch as registers of eligibles cannot be established until the merit system staff knows which of the eligibles are entitled to veterans' preference, this provision of the law operates so as to delay the establishment of registers.

Age and physical requirements are waived for persons entitled to veterans' preference provided such age or disability does not render them incompetent to perform properly the duties of the position applied for.

Veterans' preference is limited to any wartime veteran who is a citizen of the United States and a resident of the State of Minnesota and the political subdivision to which application is made for five years immediately preceding his application, or who enlisted from the State.

1. Minnesota Division of Social Welfare, Public Welfare Manual, Part IV, Sec. 1356

Veterans Entitled To Court Action

Veterans are entitled to action in court for damages resulting from a refusal to allow preference in accordance with the law and also are entitled to a writ of mandamus to right the wrong. No person entitled to preference shall be removed from a position except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, in writing. The burden of proving incompetency or misconduct rests upon the governmental subdivision alleging the same.

TABLE II

Proportion of Veterans Under Minnesota County Welfare Merit System

	MALE			FEMALE			TOTAL	
	No.	% of Males	% of Total	No.	% of Females	% of Total	No.	%
Employees as of								
Oct. 31, 1947	185	100.0	19.0	789	100.0	81.0	974	100.0
Veterans	61	33.0	- -	15	1.9	- -	76	7.8
Non-veterans	124	67.0	- -	774	98.1	- -	898	92.2
Persons on Registers Est. 1-1-47								
to 12-19-47	204	100.0	17.7	946	100.0	82.3	1150	100.0
Veterans	99	48.5	- -	40	4.2	- -	139	12.1
Non-veterans	105	51.5	- -	906	95.8	- -	1011	87.9
Persons Appointed								
1-1-47 to 12-19-47	53	100.0	12.4	373	100.0	87.6	426	100.0
Veterans	31	58.5	- -	8	2.1	- -	39	9.2
Non-veterans	22	41.5	- -	365	97.9	- -	387	90.8

Source: Special Reports to the L.R.C. by Mr. Thomas L. Culhane, Merit System Supervisor, Dec. 10, 1947, and Dec. 19, 1947

As indicated in the foregoing table, persons entitled to veterans' preference comprise 7.8% of all employees under the Minnesota County Welfare Merit System. More than 4/5 of the employees are women, of whom 1.9% are entitled to veterans' preference. The remaining 1/5 of the employees are men, of whom 1/3 are veterans. In other words, 19% of all employees under the merit system are men, of whom 33.0% are veterans. The preponderance of women in the service accounts for the low percentage of veterans in the service as a whole.

Veterans' preference is operating so as to increase the proportion of veterans in the employees under the County Welfare Merit System. This is indicated by the fact that 12.1% of the eligibles on the registers established

from January 1, 1947, to December 19, 1947, are entitled to veterans' preference. During the same period 9.2% of the persons appointed were entitled to preference as compared with 7.8% of all employees as of October 31, 1947.

Veterans comprise 48.5% of the male eligibles and 58.5% of male appointees. It is interesting to note that of the 99 men and 40 women entitled to absolute veterans' preference, only 31 men and 8 women accepted appointments. The effect of absolute preference is further indicated by the fact that while 33% of the male employees as of October 31, 1947, were veterans, 58.5% of the male appointees from January 1, 1947, to December 19, 1947, were veterans. Since only 53 men were appointed during the period while 99 men were entitled to absolute veterans' preference, it could have been possible that no male non-veteran eligible would be appointed.

DULUTH CIVIL SERVICE BOARD

Veterans Granted Absolute Preference

Veterans are granted absolute preference in the classified service of the City of Duluth in accordance with the General Preference Law.

Preference is granted to honorably discharged wartime veterans who pass examinations. It is extended to their widows and the spouses of disabled veterans. Veterans must meet minimum requirements for admission to examinations including age and physical qualifications. Disabled veterans are not given preference over non-disabled veterans. Certification for appointment is done in accordance with the Rule of Three. The veteran must be informed of the reason for his rejection if his name is certified for appointment and is not selected.

No positions in the classified service are set aside for the exclusive appointment of veterans. Veterans who are reinstated following a military leave of absence are not granted credit towards retirement for the time spent in military service. When there are reductions in force, veterans are not given preference in retention. Statistics as to the proportion of veterans in the service of the City of Duluth were not available.¹

MINNEAPOLIS CIVIL SERVICE COMMISSION

Veterans Granted Absolute Preference

Veterans' preference in appointment to positions in the Minneapolis Civil Service is granted in accordance with Sections 197.45-.48 of Minnesota Statutes 1945.

Absolute preference is granted to honorably discharged wartime veterans who pass examinations. Disabled veterans are not given greater preference than that given to non-disabled veterans. Veterans' preference is

1. Special Report to the L.R.C. by Mr. R. W. Flelwell, Exec. Sec'y. of the Duluth Civil Service Board, January 6, 1948.

extended to their widows and to the spouses of disabled veterans. Veterans are required to meet minimum requirements (including physical requirements) for admission to examinations with the exception of age limitations which are waived.

Veterans' preference is granted on promotional examinations as well as on entrance. In addition, certifications are made in accordance with the Rule of One which requires that the top eligible on the list be certified for appointment to a vacancy. This latter provision, together with absolute preference for veterans, makes it very difficult for a non-veteran to receive an appointment.¹

ST. PAUL CIVIL SERVICE BUREAU

Veterans Granted Absolute Preference

Absolute veterans' preference is granted in accordance with Sections 197.45-.48 of Minnesota Statutes 1945. Preference is granted on both entrance and promotional examinations to honorably discharged wartime veterans, their widows, and the spouses of disabled veterans. Veterans are required to meet minimum requirements for admission to examinations including age and physical requirements. No positions are reserved exclusively for veterans. Certification for appointment is made in accordance with the Rule of Three.²

TABLE III

Proportion of Veterans Employed in St. Paul Civil Service

	MALE			FEMALE			TOTAL	
	No.	% of Males	% of Total	No.	% of Females	% of Total	No.	%
Employees as of								
12-17-47	1608	100.0	76.4	498	100.0	23.6	2106	100.0
Veterans	582	36.2	- -	12	2.4	- -	594	28.2
Non-veterans	1026	63.8	- -	486	97.6	- -	1512	71.8
Persons on Registers								
Est. 1-1-47 to 12-17-47	279	100.0	71.0	114	100.0	29.0	393	100.0
Veterans	156	55.9	- -	4	3.5	- -	160	40.7
Non-veterans	123	44.1	- -	110	96.5	- -	233	59.3
Persons Appointed								
1-1-47 to 12-17-47	124	100.0	61.4	78	100.0	39.6	202	100.0
Veterans	92	74.2	- -	4	5.1	- -	96	47.5
Non-veterans	32	25.8	- -	74	94.9	- -	106	52.5

Source: Special report to the L.R.C. by Mr. Herbert Lyon, Chief Examiner, St. Paul Civil Service Bureau, December 17, 1947

1. Special Report to the L.R.C. by Mrs. Florence R. Dwyer, Sec'y. and Chief Examiner of the Civil Service Commission of the City of Mpls., Dec. 15, 1947
2. Special report to the L.R.C. by Herbert Lyon, Chief Examiner of the St. Paul Civil Service Bureau, Dec. 16, 1947

As indicated in the foregoing table, persons entitled to veterans' preference comprise 28.2% of all employees under the St. Paul Civil Service Bureau. More than 3/4 of the employees are men, of whom 36.2% are veterans.

Veterans' preference is operating so as to increase the proportion of veterans in the Civil Service of the City of St. Paul. Persons entitled to veterans' preference comprise 40.7% of all eligibles and 47.5% of all appointees during the period of January 1, 1947, to December 17, 1947.

Of the 279 male eligibles, 156 (55.9%) are entitled to absolute veterans' preference. 92 of the latter accepted 74.2% of the 124 male appointments. Inasmuch as there were 156 men entitled to absolute preference, no non-veteran could have been appointed were it not for the fact that 64 of the veterans declined appointments.

All of the 4 women preference eligibles accepted appointments. They were 3.5% of all women eligibles and 5.1% of those appointed.

In view of the fact that over 61.4% of the newly appointed employees of the City of St. Paul are men, the large proportion of male veterans appointed is particularly significant.

RAMSEY COUNTY CIVIL SERVICE DEPARTMENT

Absolute Veterans' Preference

Veterans' preference in the Ramsey County Civil Service is granted in accordance with the general law (Sections 197.45-.48 Minn. Statutes 1945) granting veterans' preference in employment by political subdivisions of the State.

The Civil Service system for employees of the county and certain city-county agencies in Ramsey County was created in accordance with Chapter 513 of Session Laws of Minnesota for 1941. Section 17 of that act set forth a limited veterans' preference. It provided that five points on the basis of 100 be added to the earned score of all veterans who received a passing grade on the examination. If with such preferential rating the veteran were among the first three on the eligible list for a position to which an appointment was to be made, he should receive the appointment over all other eligibles except another veteran.

The veterans' preference provisions of the above special law are less liberal than those of the general law. While it was the intent of the legislature to apply the less liberal provisions to the Civil Service in Ramsey County, in enacting the Civil Service law for Ramsey County, it failed to specifically exempt Ramsey County from the general law. Therefore the special law is superseded by the general law and veterans are given absolute preference in appointment in the Civil Service of Ramsey County.

Thus, veterans who pass examinations conducted by the Ramsey County Civil Service Department are given absolute preference over non-veteran eligibles in both entrance and promotional examinations. Both non-disabled and

disabled veterans are granted the same preference which is extended to their widows and to the spouses of disabled veterans. Veterans are required to meet minimum requirements for admission to examinations, including age and physical requirements. Certifications of eligibles for appointment are made in accordance with the Rule of Three. The positions of Veterans' Service Officer and Veterans' Service Fieldman are reserved exclusively for veterans.

TABLE IV

Proportion of Veterans Employed in Ramsey County Civil Service

	MALE			FEMALE			TOTAL	
	No.	% of Males	% of Total	No.	% of Females	% of Total	No.	%
Persons on Registers								
Est. 1-1-47 to								
12-31-47	31	100.0	67.4	15	100.0	32.6	46	100.0
Veterans	16	51.6	- -	1	6.7	- -	17	37.0
Non-veterans	15	48.4	- -	14	93.3	- -	29	63.0
Persons Appointed								
1-1-47 to 12-31-47	7	100.0	70.0	3	100.0	30.0	10	100.0
Veterans	4	57.1	- -	0	0	- -	4	40.0
Non-veterans	3	42.9	- -	3	100.0	- -	6	60.0

Note: Information is not available regarding present employees.

Source: Special report to the L.R.C. by Mr. Herbert Lyon, Administrator of the Ramsey County Civil Service Department, December 31, 1947

As indicated in the foregoing table, no information was available as to the proportion of veterans already in the service of Ramsey County. However, of the persons on lists of eligibles established during the calendar year of 1947, 37% are veterans. Of the 46 eligibles, 31 are men of whom 16 (51.6%) are veterans. One of the 15 women eligibles is entitled to preference.

Of the 10 eligibles appointed during 1947, 4 were veterans who constituted 40% of all appointees and 57.1% of male appointees. In view of the fact that only 7 male eligibles were appointed, it is significant to note that there were 16 absolute preference eligibles who had an opportunity to accept an appointment before any of the non-veteran men were certified. Of the male eligibles, 51.6% were entitled to absolute preference, while 57.1% of the male appointees were preference appointees.

ST. LOUIS COUNTY CIVIL SERVICE DEPARTMENT

Veterans' Preference Same As In Classified Service Of The State

The St. Louis County Civil Service System was created pursuant to Chapter 423 of Session Laws of Minnesota for 1941. Section 25 of the Act provides that "Honorable discharged veterans of the United States Army, Navy or Marine Corps, who have served in past wars, shall be entitled to preferential

rating or preference in appointment as provided for in Laws 1939, Chapter 441, Section 31". The latter is the section of the Minnesota Civil Service Act which provides for veterans' preference in the classified service.

Thus, veterans' preference in the Civil Service of St. Louis County and the classified service of the State has its legal foundation in the same body of law. It is not surprising, therefore, to find that veterans' preference is applied in much the same manner in the two jurisdictions.

In St. Louis County, honorably discharged wartime veterans are granted a 5-point preference which is added to their earned examination ratings, and if their augmented scores are passing, they are placed in rank order upon the eligible lists. Disabled veterans are given an additional 5 points preference, and if their augmented scores are passing, they are given absolute preference. Preference is granted on both entrance and promotional examinations to veterans, their widows, and the spouses of disabled veterans. Veterans must meet minimum requirements for admission to examination, including physical requirements, but excluding age requirements.

Certifications for appointment are made in accordance with the Rule of Three, and rejected veterans must be notified of the reasons for their rejection.

It is significant that St. Louis County has seen fit to establish terminal dates for service in World War II. They are from December 8, 1941, to April 1, 1947.¹

TABLE V

Proportion of Veterans Employed in St. Louis County Civil Service

	MALE			FEMALE			TOTAL	
	No.	% of Males	% of Total	No.	% of Females	% of Total	No.	%
Employees as of 12-31-47 *							950*	
Veterans								
Non-veterans								
Persons on Registers as of 12-31-47	137	100.0	86.2	22	100.0	13.8	159	100.0
Veterans	66	48.2	- -	1	4.5	- -	67	42.1
Non-veterans	71	51.8	- -	21	95.5	- -	92	57.9
Persons Appointed **								
1-1-47 to 12-31-47	67	100.0	50.4	66	100.0	49.6	133	100.0
Veterans	23	34.3	- -	4	6.1	- -	27	20.3
Non-veterans	44	65.7	- -	62	93.9	- -	106	79.7

* Information as to veteran status not available

** Includes provisional appointments

Source: Special report to L.R.C. by Mr. Frank P. Blatnik, Personnel Technician, St. Louis County Civil Service Dept., December 31, 1947

1. Special Report to L.R.C. by Mr. Thomas S. O'Neill, Director of St. Louis County Civil Service Dept., Jan. 5, 1948

Information as to veterans' status of current employees under the St. Louis County Civil Service Department was not obtainable.

From the foregoing table it may be noted that while 42.1% of eligibles on registers as of December 31, 1947, were entitled to veterans' preference, only 20.3% of all appointments during the year of 1947 were of persons entitled to preference. This lower percentage of veteran appointees as compared with the percentage of veteran eligibles is contrasted with the usually higher percentage of veteran appointees when veterans are given absolute preference.

TABLE V

COMPARISON OF VETERANS' PREFERENCE PROVISIONS IN STATES OPERATING UNDER MERIT SYSTEM

	Ala.	Cal.	Col.	Conn.	Ga.	Ha.	Ill.	Ind.	Kan.	La.	Me.	Md.	Mass.	Mich.	Minn.	Ohio	N.J.	N.Y.	Penn.	Tenn.	Va.	Wis.
1. Are veterans granted preference in the classified Civil Service?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Is preference granted to veterans for an unlimited period? If not, give date preference terminates.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No*	Yes	12-31-50	Yes	Yes	Yes	Yes
3. How many points are added to a non-disabled veteran's score?	5	10	5	5	5	5	0	5	10	5	5	5	0	10	5	20%**	0	0	10	5	5	5
4. How many additional points are added to a disabled veteran's score?	5	5	5	5	5	5	0	5	5	5	5	5	0	5	5	0	0	0	0	5	5	5
5. Is a veteran required to have a passing grade in the examination before preference points are added to his score?	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No
6. If a non-disabled veteran passes an examination, does his name precede non-veterans on an eligible list regardless of their scores?	No	No	No	No	No	No	Yes	No	No	No	No	Yes	Yes	No	No	No	Yes	Yes	No	No	No	No
7. If a disabled veteran passes an examination, does his name precede a non-disabled veteran on an eligible list regardless of his score?	No	No	No	No	Yes	No	Yes	Yes	No	No	No	No	Yes	No	Yes	No	Yes	Yes	No	No	No	No
8. Who determines whether a veteran is disabled? (see note)	C.S.	S.D. V.A.	C.S.	V.A.	C.S.	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.	---***	V.A.	V.A.	V.A.	V.A.	V.A.	V.A.
9. What % of disability must a veteran have to be eligible for disabled veterans' preference?	10%	10%	0%	10%	0%	0%	10%	10%	15%	10%	0%	0%	10%	10%	0%	--	10%	0%	0%	0%	--	0%
10. Does the higher the per cent of disability of a disabled veteran entitle him to a greater degree of preference?	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
11. In the event you have promotional examinations, does veterans' preference apply?	No	Yes	Yes	No	No	No	Yes	No	No	Yes	No	No	No	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
12. When certification is made for a position, how many persons are certified?	3	3	1	3	3	Entire list	3	3	3	Entire list	3	--	3	3	3	3	3	3	3	3	5	3
13. If a veteran is rejected for appointment following certification, is the appointing authority required to notify the veteran of his reasons for rejection?	Yes	No	No	No	No	No	Yes	No	No	No	No	--	No	No	Yes	No	--	--	Yes	No	No	No
14. Is the preference granted to veterans also granted to their widows?	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	No	No	No

TABLE V - Cont'd.

	Ala.	Cal.	Col.	Conn.	Ga.	Ha.	Ill.	Ind.	Kan.	La.	Me.	Md.	Mass.	Mich.	Minn.	Ohio	N.J.	N.Y.	Penn.	Tenn.	Va.	Wis.
15. Is preference granted to spouses of disabled veterans?	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	No	No	No
16. In the event you have minimum requirements for admission to examinations, must veterans meet these requirements?	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
17. Must veterans meet age requirements?	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No
18. Must veterans meet physical requirements?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes
19. During what dates must a veteran of WW II have served with the armed forces to be eligible for veterans' preference?	12-8-41 to ----	9-16-40 to 1-1-47	12-8-41 to ----	12-7-41 to ----	12-7-41 to ----	---	9-16-40 to ---	12-7-41 to ---	12-7-41 to 1-1-47	12-7-41 to 8-14-45	12-7-41 to ---	9-16-40 to ---	12-7-41 to ---	12-7-41 to ---	12-7-41 to ---	12-8-41 to ---	9-16-40 to 9-2-45	12-7-41 to 9-2-45	12-7-41 to ---	12-7-41 to 7-25-47	---	12-7-41 to ---
20. When there are reductions in force, are veterans given preference?	Yes	Yes	No	No	Yes	No	No	Yes	No	No	No	---	Yes	No	No	No	---	Yes	Yes	Yes	No	No
21. If you have a mandatory age for retirement, are veterans exempt from such provisions?	No	No	--	No	--	No	No	No	No	No	No	--	No	No	Yes	No	--	--	No	No	No	No
22. Are veterans subject to retirement under the same conditions as other employees?	Yes	Yes	Yes	Yes	--	Yes	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	No	Yes	--	--	Yes	Yes	Yes	Yes
23. If you have a pension or retirement plan, are veterans who were reinstated from military leaves of absence given credit for the time spent in military service?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	Yes	Yes	--	--	No	Yes	Yes	Yes
24. Were employees who were reinstated to their positions following a military leave of absence permitted to accrue annual and sick leave for the period they were on leave?	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	--	--	--	No	No	No	No
25. Is a veteran required to be a resident of your state in order to be eligible for preference?	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	--	--	Yes	Yes	No	No
26. Is preference granted to veterans whose military service was not during time of war (i.e. peacetime veterans)?	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	--	--	No	No	No	No
27. Are pay differentials contained in your salary schedule for veterans?	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	--	--	No	No	No	No
28. Are employees in your unclassified service eligible for veterans' preference?	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	Yes	No	Yes	--	Yes	No	No	--

TABLE V - Cont'd.

	Ala.	Cal.	Col.	Conn.	Ga.	Ha.	Ill.	Ind.	Kan.	La.	Me.	Md.	Mass.	Mich.	Minn.	Ohio	N.J.	N.Y.	Penn.	Tenn.	Va.	Wis.
29. Are any positions in your classified service set aside for the exclusive appointment of veterans?	Yes	Yes	No.	No	No	No	No	No	No.	No	Yes	No	No	No	Yes	No	No	No	Yes	Yes	No	Yes
30. In general, is the preference granted to veterans in the local units of government in your state similar to the preference granted to state employees?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	No	Yes	No	Yes	Yes	--	--	Yes	Yes	Yes	--

Note: Under Item #8:

C.S. - State Civil Service Department
S.D.V.A.- State Department of Veterans Affairs
V.A. - U. S. Veterans Administration

* 6 months after termination
** of earned grade
*** no determination as to disability
--- indicates an unanswered question

COMPARISON OF VETERANS' PREFERENCE PROVISIONS IN STATES
OPERATING UNDER MERIT SYSTEM

The foregoing tabulation indicates the results of a survey made of veterans' preference provisions in states having merit systems for the recruitment of public employees. Questionnaires were sent to 22 states and Hawaii, and they were returned by all states except one. Thirty questions covering the more important phases of veterans' preference were included.

All states covered in the survey grant preference of some sort to veterans in public employment. Twenty states, including Minnesota, grant such preference for an unlimited period of time, while two states have a time limit. New York grants preference to veterans only until December 31, 1950. However, New York places no time limit on extending preference to disabled veterans who have a disability rated at zero per cent or greater. Ohio grants preference only until 6 months after termination of World War II.

Thirteen states, including Minnesota, grant 5 points on the basis of 100 to non-disabled veterans. Four states grant 10 points, and one state, Ohio, grants 20% of the earned rating to veterans who pass examinations. Four states grant no point preference but have absolute preference.

All of the thirteen states granting 5 points to non-disabled veterans grant an additional 5 points to disabled veterans. Three of the four states granting 10 points to non-disabled veterans give an additional 5 points to disabled veterans, while the fourth, Pennsylvania, grants no additional credit to disabled veterans. Ohio grants 20% of the earned rating to both disabled and non-disabled veterans who pass examinations. The four states which allowed no point preference for non-disabled veterans also grant none to disabled veterans; however, in all of them disabled veterans are given absolute preference over both non-disabled veterans and non-veterans.

Fifteen of the states require veterans to pass examinations before they are granted preference. Eleven of these states grant point preference, while four grant absolute preference. Seven of the states, including Minnesota, permit a veteran to augment his earned rating with preference points in order to achieve a passing grade. All of these states grant point preference, while one, Maryland, grants both point preference and absolute preference. In effect, the passing grade is lowered for veterans by the number of preference points.

Seventeen of the states, including Minnesota, place the names of non-disabled veterans on eligible lists in rank order of their augmented scores. The four states which grant no point preference place the names of veterans ahead of non-veterans on registers. This is also done in Maryland which grants point preference. Fourteen states also place the names of disabled veterans on registers in rank order of their augmented scores, while three states, including Minnesota, place the names of disabled veterans whose augmented scores are passing ahead of both non-disabled veterans and non-veterans. In effect, this is absolute preference for

disabled veterans. Disabled veterans are placed ahead of non-disabled veterans in four of the five states which grant absolute veterans' preference. In the fifth, Maryland, both disabled and non-disabled veterans receive preference points and are placed in rank order on a register ahead of all non-veterans.

The determination of disability is of considerable importance in connection with veterans' preference. In 17 states, including Minnesota, disability is determined by the United States Veterans Administration, while in three states it is determined by the State Department of Civil Service, and in one state (California) by the State Department of Veterans Affairs. Ohio grants no additional preference to disabled veterans so no determination is made as to disability.

At the present time there is much divided opinion with respect to the degree of disability which entitles a veteran to the more liberal disabled veterans' preference. Ten states, including Minnesota, grant disabled veterans' preference on the basis of a disability rated at zero per cent or greater. Nine states grant it for disabilities rated at ten per cent or greater, while one state (Kansas) grants it for disabilities rated at fifteen per cent or greater. Ohio grants no additional preference to disabled veterans. None of the states covered in the survey makes a distinction in the amount of preference on the basis of the degree of disability. The slightly disabled veteran gets the same preference as the severely disabled.

Eleven states, including Minnesota, grant preference to veterans in promotional as well as entrance examinations, while eleven restrict it to entrance examinations.

When a vacancy occurs, 17 of the states, including Minnesota, certify three eligibles for the position, one (Colorado) certifies one, one (Virginia) certifies five and two (Hawaii and Louisiana) certify the entire register. Four states, including Minnesota, require that the appointing authority notify a veteran rejected after certification of the reasons for his rejection while 15 states do not.

Fourteen of states, including Minnesota, extend veterans' preference to the widows of veterans, while eight do not. Thirteen states, including Minnesota, extend veterans' preference to the spouses of disabled veterans. This is usually conditioned upon the inability of the veteran to qualify because of disability. Nine states do not extend preference to the spouses of disabled veterans.

Twenty-one of the twenty-two states require veterans to meet minimum requirements for admission to examinations. Illinois is the one state which does not. Fifteen of the states require veterans to meet age requirements, while seven, including Minnesota, do not. Eighteen of the states require veterans to meet physical requirements, while four, including Minnesota, do not.

There is considerable variation among the states as to the terminal dates for service in World War II. As a beginning date, 13 states, including Minnesota, have selected December 7, 1941; four September 16, 1940; three December 8, 1941; and two have not specified a date. As a final date for granting veterans' preference for service in World War II, two states have selected September 2, 1945; two January 1, 1947; one August 14, 1945 (VJ Day); one July 25, 1947; and 16 states, including Minnesota, have not yet established a final date.

Eight states give veterans' preference when there are reductions in force, while 12 states, including Minnesota, do not. Minnesota is the only state of the group which exempts veterans from mandatory retirement and is the only state in which veterans are not subject to retirement under the same conditions as other employees. Seventeen of the states, including Minnesota, grant veterans who were reinstated from military leaves of absence credit towards retirement for the time spent in military service. Two of the states surveyed do not grant this benefit to veterans. Only two of the states, of which Minnesota is one, permit employees who were reinstated following military leaves of absence to accrue annual and sick leave for the period they were on leave. Seventeen states do not permit this.

Fifteen states, including Minnesota, require that a veteran be a resident of the state before granting him preference in employment by the state, while five do not. No state in the group granted preference to peacetime veterans. Likewise, the salary schedule of none of these states contains pay differentials for veterans.

In 15 states employees in the unclassified service are not eligible for veterans' preference, while in five states, including Minnesota, they are. Fifteen of the states do not set aside any positions in the classified service for the exclusive appointment of veterans, while seven states, including Minnesota, do. In Minnesota, Veterans Assistance Officers must be veterans.

Fourteen of the states, including Minnesota, indicated that in general the preference granted to veterans in employment by the political subdivisions of the state is similar to that granted to state employees. Five states indicated that this was not true of the situation within their borders.

CRITERIA OF VETERANS' PREFERENCE

The Employment of Veterans in the Public Service in the United States is a report submitted on August 1, 1944, to the Executive Council of the Civil Service Assembly of the United States and Canada by the Committee on Veteran Employment Policies. The latter committee was composed of: H. Eliot Kaplan, chairman, Executive Secretary of the National Civil Service Reform League and of the Civil Service Reform Association of New York, and a nationally recognized authority on civil service law; Colonel A. E. Garey, a veteran of World Wars I and II, Civil Service Counsel for the American Federation of State, County, and Municipal Employees; Blaine Hoover, Superintendent of Employment and Secretary of the Civil Service Board of the Chicago Park District, and a member of the Executive Council of the Civil Service Assembly; and Leonard D. White, Professor of Public Administration at the University of Chicago and a national authority in the field of public personnel administration. The composition of the committee brought the viewpoints of a lawyer, a labor representative, an administrator, and a professor to bear upon the problem of veterans' preference in public employment. Their recommendations are as follows:¹

Recommendations Regarding Reinstatement of Former Employees

- "1. Public employees who have achieved permanent status in their positions, and who are on military leave, should be entitled upon demobilization to reinstatement or reemployment in their former positions or in similar positions. They should be required to make application for reemployment within 90 days after their discharge or release from military service."

This is done in the classified service of the State and generally in the political subdivisions.

- "2. Employees who return from military leave should be entitled to the privileges that would have been accorded them had they continued in their civil positions, including annual salary increments for satisfactory service, when such increments are authorized by law; seniority credit for continuity in the civil service; eligibility to compete in promotional examinations given during their absence, and for which they would otherwise have been eligible; sick and vacation leave accrued and unused by the employee at the time of entrance into the military service; and credit toward civil retirement for the period of military service."

Minnesota goes even further in this regard and permits both annual leave and sick leave to accrue while on military leave of absence. The employee may take this accrued leave following his reinstatement, or he can resign immediately after his reinstatement and receive pay for his unused annual leave. In general this is also done in the political subdivisions of the State.

1. Civil Service Assembly, The Employment of Veterans in the Public Service in The United States, 1944, pp. 4-7

"3. Returning employees who have been disabled during their military service to the extent that they are incapacitated for performing their former duties should, wherever possible, be readjusted in the service by reassignment or transfer to other duties for which they are qualified. Such reassignment should be within a salary grade not higher than that of the employee's former position."

There is no specific provision for this in the law or rules. However, it is carried out in practice both in the service of the State and its political subdivisions.

"4. Requests of employees returning from military service who seek leave to avail themselves of veteran benefits, such as attendance in educational institutions, should be considered on the same basis as other requests for leave of absence which take into account the administrative necessities of the public service."

This is done in the classified service of the State, and generally in the political subdivisions.

Recommendations Regarding the Substance of Veterans' Preference Policies

"5. Veterans' preference policies that may be adopted should recognize the democratic principle of open competition for public employment on the basis of merit and fitness, and should not by their terms or operations serve to exclude unduly the rising generation from its rightful opportunity for public employment."

This is subject to qualifications and interpretations. However, it may be said that present provisions regarding veterans' preference may so operate as to exclude unduly non-veterans of both this and the rising generation from their rightful opportunity for public employment in the service of the State or its subdivisions.

"6. The term 'veteran', as used in this report, should be understood to mean a person who has been a member of the armed forces during the period of actual hostilities."

Minnesota has not acted in accordance with this recommendation with regard to service in World War II. It has not yet established terminal dates for service in World War II.

"7. Veterans' preference policies should include the maintenance of proper minimum qualifications and standards for entrance to the public service."

In the classified service of the State, minimum qualifications are applied to veteran and non-veteran alike. However, age and physical requirements are waived for veterans if they are able to perform the duties of the position with reasonable efficiency. Generally, the local government units which select personnel through a merit system also employ minimum qualifications.

"8. Veterans should be required to obtain a passing mark in competitive tests before being entitled to preference consideration."

Minnesota does not require that veterans obtain a passing mark in competitive tests before being entitled to preference in the classified service of the State. However, the general preference law which applies to local governments requires that veterans pass examinations before being granted absolute preference.

"9. Preference should be confined to examinations for entrance into the service, and should not be applied to promotions within the service."

Minnesota applies veterans' preference to both entrance and promotional examinations in the classified service of the State and in the political subdivisions.

"10. Preference should take the form of credit points added to the earned examination rating, and the veterans' standing on the eligible list should be determined on the basis of such augmented rating. While the disabled veteran may appropriately be given an added margin of preference in the form of a greater number of credit points added to his earned rating, no veteran should be entitled to be placed automatically at the top of the eligible list unless his augmented rating places him there."

Minnesota gives 5 and 10-point preference to non-disabled and disabled veterans respectively. The former are placed on the eligible list on the basis of their augmented scores. The latter, if their augmented score is passing, are placed at the top of the list of eligibles. In political subdivisions operating under the general preference law, no point preference is given, but veterans who pass examinations are given absolute preference over non-veterans.

"11. The amount of preference credit to be given to non-disabled veterans should be not more than 5 credit points on the basis of 100, and the amount of preference credit given to disabled veterans should be not more than 10 credit points on the same basis."

This is done in the classified service of the State. In view of the comments above, this recommendation does not apply to jurisdictions operating under the general preference law.

"12. The right of a veteran to additional point preference for disability should be based on the findings of the United States Veterans Administration, and should be accorded only to those veterans who have at least a 10 per cent compensable disability rating. The disability should be compensable at the time of the veteran's application for preference."

Minnesota grants disabled veterans' preference to those who have a disability rated by the U. S. Veterans Administration at zero per cent or more and the disability need not be compensable.

Inasmuch as there is no distinction between disabled and non-disabled veterans in the general preference law, the per cent of disability which entitles a veteran to disabled veterans' preference is not a problem in jurisdictions operating under it. However, in extending disabled veterans' preference

to their spouses, the zero per cent rule prevails in the political subdivisions of the State.

- "13. Preference for veterans should be limited to a period of five years after the war, or five years after discharge or release from war service, whichever date is later."

There is no time limitation on veterans' preference in Minnesota.

- "14. Retention in the service in the case of reduction in force or abolition of positions for lack of work or funds should continue to be based solely on ability properly to perform the duties of the position, and on relative length of efficient service."

This is done in the classified service of the State. There is no statute granting veterans' preference in retention in the service of the State or its political subdivisions.

Recommendations Regarding Administrative Policies of Public Personnel Agencies Relating to Veterans

- "15. Experience gained in military service should be properly evaluated and considered in determining the qualifications of candidates for positions to which such experience is relevant."

This is done in the classified service of the State, as well as by most local governments. However, examiners are officially not supposed to know which of the examinees are veterans, but are supposed to rate training and experience as part of the examination.

- "16. Training and education received through official military agencies should be properly evaluated and recognized in giving credit toward civil service eligibility and in rating education and experience."

This is done in the classified service of the state and in the political subdivisions, but under poor procedure as pointed out above.

- "17. Programs of instruction given during or after military service designed to equip veterans for public service careers should be given legislative support and administrative recognition."

This is done by both the State and local governments in Minnesota.

- "18. Public personnel agencies should seek to integrate their own facilities with those of officially designated veteran facilities in their respective jurisdictions to promote efficiency in veteran placement, training, counseling, rehabilitation, and other similar aids to veterans."

The Minnesota Department of Civil Service works closely with veterans' organizations and governmental veterans' facilities in order to promote an understanding among veterans of their rights, opportunities, and obligations in the public service. It is most likely that the merit system agencies of local governments in the State also do so.

STATISTICAL APPENDIX

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TABLE A

TABULATION OF OPEN-COMPETITIVE ELIGIBLE
LISTS OF MINN. DEPT. OF CIVIL SERVICE
(MALES ONLY)

December 30, 1947

<u>TITLE</u>	<u>VETS</u>	<u>5 PTS.</u>	<u>10 PTS.</u>	<u>N.V.</u>	<u>FAILURES</u>
Accountant I	112	74	38	27	19
Bus. & Dist. Occ. Supv. I	8	7	1	2	1
Bus. & Dist. Occ. Supv. II	1	1		1	0
C.E. I Bridge Design	11	9	2	3	1
C.E. I Hydraulics	2	1	1	1	1
C.E. I Plans	11	9	2	10	1
C.E. I Survey	22	18	4	11	4
C.E. I Materials	13	8	5	0	4
C.S. Technician I	15	11	4	3	4
Clerk I	50	41	9	70	5
Clerk Stenographer I				3	0
Clerk Typist I	7	7	0	12	0
Crime Investigator	5	3	2	7	0
Crime Investigator Supervisor	4	4	0	3	1
Drivers License Examiner I	33	24	9	8	0
Drivers License Examiner II	7	6	1	1	0
Electrical Representative	6	4	2	5	0
Forest Guard	70	60	10	37	2
Forest Ranger I	72	59	13	29	17
Forest Ranger II	29	25	4	17	3
Forest Ranger III	16	12	4	6	2
Grain Sampler I	76	50	26	38	9
Grain Weigher I	102	63	39	51	5
Guard I	41	36	5	30	3
Parole Agent I	53	39	14	23	18
Parole Agent II	18	10	8	15	9
Phys. II Psych.	3	3		11	
Phys. II T.B.				1	
Phys. III Psych.	2	2		4	
Phys. III T.B.				1	
Timber Appraiser I	10	9	1	15	1
Timber Appraiser II	2	2		4	1
Trade & Ind. Education Supv. I	6	6		10	
Trade & Ind. Education Supv. II	2	2		5	
Transportation Rate Aide	10	8	2	3	2

TABLE A (Cont.)

<u>TITLE</u>	<u>VETS</u>	<u>5 PTS.</u>	<u>10 PTS.</u>	<u>N.V.</u>	<u>FAILURES</u>
Veterinarian I	1	1		9	
Veterinarian II	3	3		13	
Veterinarian III	4	4		11	
Veterans Assistance Officer I	99	49	50	9	23
Veterans Assistance Officer II	71	31	40	6	15
Veterans Assistance Officer III	42	17	25	1	12
Veterans Assistance Supervisor	22	7	15		7
Voc. Agr. Ed. Supervisor I	3	3		5	
Voc. Agr. Ed. Supervisor II	3	3		5	
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	1067	731	336	526	170

Source: Minn. Dept. of Civil Service

TABLE B
 TABULATION OF PROMOTIONAL ELIGIBLE
 LISTS OF MINN. DEPT. OF CIVIL SERVICE
 (MALES ONLY)
 December 30, 1947)

<u>TITLE</u>	<u>VETS</u>	<u>5 PTS.</u>	<u>10 PTS.</u>	<u>N.V.</u>	<u>FAILURES</u>
Accountant I	15	9	6	17	4
Account Clerk	5	4	1	24	
Assistant Commissioner Admin.	3	2	1	2	
Clerk II	5	4	1	7	
Clerk Typist II				2	
Clerk III	22	17	5	20	
Clerk Typist III	5	5		4	
Clerk Stenographer III	1	1		3	
Forest Ranger I	3	2	1	3	
Forest Ranger II	11	10	1	13	1
Forest Ranger III	11	10	1	16	1
Forest Ranger IV	8	7	1	10	1
Forest Ranger V	4	3	1	4	1
Parole Agent I	1	1		2	
Parole Agent II	1	1		3	
Timber Appraiser I	7	6	1	11	1
Timber Appraiser II	5	4	1	8	
Transportation Rate Expert	1	1			
Veterans Assistance Officer II	5	3	2		
Veterans Assistance Officer III	5	3	2		
Veterans Assistance Supervisor	1		1		1
TOTAL	119	93	26	149	10

Source: Minn. Dept. of Civil Service

TABLE C

APPOINTMENTS TO POSITIONS IN THE CLASSIFIED
SERVICE OF MINNESOTA FROM 5-1-47 to 12-30-47

<u>CLASS</u>	<u>N.V.</u>	<u>5%</u>	<u>10%</u>	<u>TOTAL</u>
Accountant I	12	7	15	34
Accountant II	1	0	0	1
Account Clerk	32	4	0	36
Asst. Com. of Admin.	1	0	0	1
Civil Engineer I	31	15	4	50
Civil Engineer II	26	3	0	29
Civil Engineer III	1	0	0	1
Civil Engineer IV	0	1	0	1
Civil Service Technician I	0	8	1	9
Commercial Fisheries Supv. II	1	0	0	1
Crime Investigator	0	1	0	1
Drivers License Examiner I	1	16	8	25
Drivers License Examiner II	1	4	0	5
Executive I	3	0	1	4
Executive II	1	0	1	1
Executive III	2	0	0	2
Forest Ranger I	2	0	0	2
Forest Ranger II	12	8	1	21
Forest Ranger III	2	1	0	3
Forest Ranger V	1	0	0	1
Grain Sampler I	8	13	12	33
Grain Weigher I	3	5	20	28
Heavy Equipment Operator	0	1	1	2
Highway Maintenance Man II	1	1	0	2
Mechanical Stock Clerk II	0	1	0	1
Parole Agent I	4	6	3	13
Parole Agent II	1	0	0	1
Timber Appraiser I	1	1	0	2
Timber Appraiser II	2	1	0	3
Twine & Rope Factory Foreman	1	0	0	1
Transportation Rate Aide	2	0	0	2
Transportation Rate Expert I	0	1	0	1
Vets Asst. Officer II	0	2	4	6
Vets Asst. Officer III	0	2	3	5
Vets Asst. Supervisor	0	0	1	1
Veterinarian I	1	0	0	1
Veterinarian II	4	0	0	4
Vetrinarian III	2	0	0	2
	<u>260</u>	<u>102</u>	<u>75</u>	<u>437</u>

Source: Minn. Dept. of Civil Service