

Nebraska Workforce Development
Department of Labor

Veterans Preference Law

Neb. Rev. Stat. §§48-225 to 48-231
[Current Through End Of 2005 Regular Session]



DAVE HEINEMAN, Governor
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VETERANS PREFERENCE LAW

TABLE OF CONTENTS

STATUTE	ISSUE	PAGE
48-225	Veterans preference; terms, defined.	1
48-226	Veterans preference; required, when.	1
48-227	Veterans preference; examinations.	1
48-228	Repealed.	1
48-229	Veterans preference; Commissioner of Labor; duties.	1
48-230	Veterans preference; violations; penalty.	2
48-231	Veterans preference; county attorney; duties.	2

VETERANS PREFERENCE LAW

TEXT OF THE LAW

48-225. Veterans preference; terms, defined. As used in sections 48-225 to 48-231, unless the context otherwise requires:

(1) Veteran means any person who served full-time duty with military pay and allowances in the armed forces of the United States, except for training or for determining physical fitness, and was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions);

(2) Full-time duty means duty during time of war or during a period recognized by the United States Department of Veterans Affairs as qualifying for veterans benefits administered by the department and that such duty from January 31, 1955, to February 28, 1961, exceeded one hundred eighty days unless lesser duty was the result of a service-connected or service-aggravated disability;

(3) Disabled veteran means an individual who has served on active duty in the armed forces of the United States, has been discharged or otherwise separated with a characterization of honorable or general (under honorable conditions) therefrom, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the United States Department of Veterans Affairs or a military department; and

(4) Preference eligible means any veteran as defined in this section.

Source: Laws 1969, c. 751, §1, p. 2826; Laws 1991, LB 2, §6; Laws 2001, LB 368, §1; Laws 2005, LB 54, §7.

48-226. Veterans preference; required, when. A preference shall be given to preference eligibles seeking employment with the State of Nebraska or its governmental subdivisions.

Source: Laws 1969, c. 751, § 2, p. 2827; Laws 1997, LB 5, § 1.

48-227. Veterans preference; examinations. Veterans who obtain passing scores on all parts or phases of an examination shall have five percent added to their passing score if a claim for such preference is made on the application. An additional five percent shall be added to the passing score of any disabled veteran.

Source: Laws 1969, c. 751, §3, p. 2827; Laws 1997, LB 5, §2; Laws 2005, LB 54, §8.

48-228. Repealed.

Source: Laws 1997, LB 5, s. 5.

48-229. Veterans preference; Commissioner of Labor; duties. It shall be the duty of the Commissioner of Labor to enforce the provisions of sections 48-225 to 48-231. The commissioner shall act on preference claims as follows:

(1) When the employing agency and the claimant are in disagreement or when there is doubt as to any preference claim, the commissioner shall adjudicate the claim based on information given in the claim, the documents supporting the claim, and information which may be received from the armed forces of the United States, the United States Department of Veterans Affairs, or the National

VETERANS PREFERENCE LAW

Archives and Records Administration;

(2) The commissioner shall allow a tentative five-percent preference, pending receipt of additional information, to any person who claims either a five-percent or a ten-percent preference but who furnishes insufficient information to establish entitlement thereto at the time of examination; and

(3) The commissioner shall decide appeals from preference determinations made by any employing agency.

Source: Laws 1969, c. 751, §5, p. 2827; Laws 1991, LB 2, §7; Laws 2005, LB 54, §9.

48-230. Veterans preference; violations; penalty. Any person who violates sections 48-225 to 48-231 shall be guilty of a Class IV misdemeanor. Such person shall be prohibited from receiving any compensation from public funds until he or she complies with sections 48-225 to 48-231.

Source: Laws 1969, c. 751, § 6, p. 2827; Laws 1977, LB 40, § 279; Laws 2002, LB 722, § 1.

Effective date July 20, 2002.

48-231. Veterans preference; county attorney; duties. The county attorneys, in their respective counties, shall prosecute, before any court of appropriate jurisdiction, all persons charged with violating sections 48-225 to 48-231.

Source: Laws 1969, c. 751, §§ 7, p. 2827; Laws 2002, LB 722, §§ 2.

Effective date July 20, 2002.