

## **LAW REVIEW 1001**

### **New Executive Order on Employment of Veterans in the Federal Government**

**By Captain Samuel F. Wright, JAGC, USN (Ret.)**

#### **8.0—Veterans’ Preference**

On Nov. 9, 2009, President Obama signed Executive Order 13518, titled “Employment of Veterans in the Federal Government.” I think that this is very good news.

Section 1 of the Executive Order sets forth the underlying policy as follows:

“Veterans have served and sacrificed in defense of our Nation. When they complete their service, we must do everything in our power to assist them in re-entering civilian life and finding employment. Government as well as private employers should play a prominent role in helping veterans who may be struggling to find jobs. As one of the Nation’s leading employers, the Federal Government is in need of highly skilled individuals to meet agency staffing needs and to support mission objectives. Our veterans, who have benefited from training and development during their military service, possess a wide variety of skills and experiences, as well as the motivation for public service, that will help fulfill Federal agencies’ staffing needs. It is therefore the policy of my Administration to enhance recruitment of and promote employment opportunities for veterans within the executive branch, consistent with merit system principles and veterans’ preferences prescribed by law. The Federal Government will thereby help lead by example in promoting veterans’ employment.”

Section 2 establishes the Council on Veterans Employment, co-chaired by the Secretary of Labor and the Secretary of Veterans Affairs, with the Director of the Office of Personnel Management (OPM) serving as Vice-Chair and 24 enumerated federal departments and agencies serving as members.

Section 3 provides for the Veterans Employment Initiative, as follows:

“The agencies represented on the Council shall participate in a Veterans Employment Initiative (Initiative). Under the Initiative, each participating agency shall, to the extent permitted by law: (a) develop an agency-specific Operational Plan for promoting employment opportunities for veterans, consistent with the Government-wide Veterans Recruitment and Employment Strategic Plan described in section 4 of this order, merit system principles, the agency’s strategic human capital plan, and other applicable workforce planning strategies and initiatives; (b) within 120 days of the date of this order, establish a Veterans Employment Program Office, or designate an agency officer or employee with full-time responsibility for its Veterans Employment Program, to be responsible for enhancing employment opportunities for veterans within the agency, consistent with law and merit system principles, including developing and implementing the agency’s Operational Plan, veterans recruitment programs, and training

programs for veterans with disabilities, and for coordinating employment counseling to help match the career aspirations of veterans to the needs of the agency; (c) provide mandatory annual training to agency human resources personnel and hiring managers concerning veterans' employment, including training on veterans' preferences and special authorities for the hiring of veterans; (d) identify key occupations for which the agency will provide job counseling and training to better enable veterans to meet agency staffing needs associated with those occupations; and (e) coordinate with the Departments of Defense and Veterans Affairs to promote further development and application of technology designed to assist transitioning service members and veterans with disabilities."

Sections 4 and 5 assign important implementation responsibilities to the OPM Director and the Secretaries of Defense, Labor, Veterans Affairs, and Homeland Security. Section 4(e) requires the OPM Director to compile government-wide statistics on the hiring of veterans and to post those statistics on the OPM website.

Our nation is suffering the worst recession since the Great Depression, and the national unemployment rate has soared into double digits. For many reasons, including unlawful discrimination against those who have served in our armed forces and may be called back for further service, veterans under the age of 30 are suffering from an unemployment rate that is substantially higher than the rate for non-veterans in the same age cohort.

Federal employment rolls are being expanded, and many current federal employees are reaching retirement age. The Federal Government is one of the very few major employers that is currently hiring. Accordingly, Executive Order 13518 is most important and welcome. ROA and its Servicemembers Law Center will monitor closely the implementation of this Executive Order to ensure that it becomes more than one more unfulfilled promise to those who have borne the battle.

If you have questions, suggestions, or comments, please contact Captain Samuel F. Wright, JAGC, USN (Ret.) (Director of the Servicemembers' Law Center) at [swright@roa.org](mailto:swright@roa.org) or 800-809-9448, ext. 730.