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## SPECIAL RIGHTS FOR ARMED SERVICE APPLICANTS SERVING ACTIVE DUTY [05/2009]

Pursuant to the NYS Department of Civil Service Veterans' Rights Manual for Municipalities, eligible Veterans of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard, Reserves, or National Guard) may be eligible for special rights with respect to participation in Albany County Civil Service examinations.

The term "eligible veteran" means a person who:

- served on active duty for other than training for a period of more than 180 days and was discharged or released there from with other than a dishonorable discharge; OR
- was discharged or released from active duty because of a service-connected disability; OR
- as a member of a reserve component served, under orders, on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.

*Ref: Title 38 U. S. C. 4211(4)(A) (B) (C)*

Special rights fall into the following categories:

- A. Filed application prior to last filing date – Unavailable to attend exam on scheduled date.**
1. Any member of the Armed Forces who, because of active military duty, other than for training purposes, is unable to participate on the scheduled examination date, but filed an application prior to the application deadline **and was determined to be qualified**, shall be given a special military make-up exam.
  2. The military make-up examination will be administered under the guidelines set forth by Albany County Department of Civil Service. Candidates who apply for a special military make-up examination under this section must file using the appropriate application procedures listed below.
- B. Missed the application deadline – Able to take exam on scheduled date.**
1. Any member of the Armed Forces who, because of active military duty, other than for training purposes, misses the application deadline for a scheduled examination and who returns from such duty prior to the scheduled examination date shall be granted a waiver of the application deadline requirement. The application will be reviewed in the normal manner. The candidate will be allowed to take the exam if the application is determined to meet the minimum qualifications as stated in the exam announcement.
  2. Candidates who apply under this section **must** supply supporting documentation, as stated below in Application Procedures, for final approval. Depending on administrative capabilities, candidates may be required to take a military make-up exam on an alternate test date.
- C. Missed the application deadline and exam date, or did not file an application for the exam.**
1. **Veterans** may apply for any Albany County Civil Service exam that was administered during their active duty tour as long as the eligible list is still active.
  2. The application will be reviewed in the normal manner. The candidate will be allowed to take the exam if the application is determined to meet the minimum qualifications as stated in the exam announcement. Candidates who are eligible under this section will be required to compete according the Albany County Department of Civil Service's alternate test date procedures and must file using the appropriate application procedures as listed below.

According to the New York State Veterans' Rights Manual for Municipalities, certain conditions apply to all applicants under Veterans' special rights. Please refer to Section 243-b(2) of the NYS Veterans' Rights Manual.

### **APPLICATION PROCEDURES FOR SPECIAL MILITARY MAKE-UP EXAMINATION OR PARTICIPATION IN EXAMINATIONS AFTER THE FILING DEADLINE**

In order to be eligible for a make-up examination or to participate in the scheduled examination after the application deadline has passed, candidates serving in eligible military duty must submit copies of the following information:

- A copy of military orders, a DD-214 (copy 4) or other official military documentation that substantiates his or her military service during the application filing period or on the date of the scheduled examination;
- An Application for Examination or Employment (ACS-21) for each examination with MILITARY clearly written next to the title of the exam;
- An Alternate Test Date/Religious Observation application, if required.
- The appropriate filing fee for each exam application.

Candidates who wish to participate in military make-up examinations must submit an application in order to be eligible for participation in the scheduled examination or a special military make-up examination. Candidates must include an Alternate Test Date application with their application materials if they are unable to participate in the originally scheduled examination date due to an eligible military commitment.

Veteran applicants are NOT entitled to veterans' or disabled veterans' credit on a make-up or comparable examination, unless they qualified for such credit as of the ***last filing date for the original examination***.

Questions on this policy, and the procedure for applying, may be directed to the Albany County Department of Civil Service:

112 State St., Room 660  
Albany, NY 12207  
Phone: (518) 447-7774  
<http://www.albanycounty.com/civilservice>  
[csinfo@albanycounty.com](mailto:csinfo@albanycounty.com)

**ADDITIONAL CREDITS FOR WAR-TIME VETERANS OR DISABLED VETERANS**

For the purpose of claiming veterans' credits on a civil service examination, an applicant must have been honorably discharged or released under honorable circumstances after serving on active duty with the armed forces of the United States **during time of war**.

- Disabled and non-disabled veterans who establish eligibility for additional credits and are successful in the examination are entitled to have 10 and 5 points, respectively, (5 and 2.5 points in the case of promotional examinations) added to their earned scores, and provided they have not previously used such credits to obtain permanent appointment or promotion. Veterans may determine to waive the use of their credits at any time up to the time of permanent appointment or promotion.
- Veterans who are eligible for additional credit must submit a copy of their separation papers (DD-214) within two (2) months of the last filing date for the examination. Veterans' credits can only be added to a passing score on the examination.
- Effective January 1, 1998, the State Constitution was amended to permit a candidate currently in the armed forces to apply for and be conditionally granted veterans' credits in examinations. Any candidate who applies for such credit must provide proof of military status to receive the conditional credit. **No credit may be granted after the establishment of the list.** It is the responsibility of the candidate to provide appropriate documentary proof indicating that the service was in time of war, as defined in Section 85 of the Civil Service Law, and that the candidate received an honorable discharge or was released under honorable conditions in order to be certified at a score including veterans' credits.

If you received or expect to receive an honorable discharge from the Armed Forces of the United States, as a war-time veteran or disabled veteran as defined below, you may claim extra credits to be added to your exam score, if you pass. The Armed Forces of the United States means the Army, Navy, Marine Corps, Air Force and Coast Guard, and all components thereof, and the National Guard when in the service of the United States pursuant to call as provided by law on a full-time, active duty basis other than active duty for training purposes.

Discharged veterans are required to submit a copy of their DD-214 discharge papers. Active duty members of the Armed Forces must submit proof of active duty status, such as current Military I.D., Military Orders or other official military document that substantiates active duty status. To claim credits as a Disabled Veteran, you must be entitled to receive payments for a service-connected disability (rate at 10% or more) incurred during time of hostile action or war.

Are you claiming credits as (check one):

- A Veteran?       A Disabled Veteran?       An Active Service Member?

CHECK AND INDICATE BELOW THE TIME PERIODS YOU SERVED OR ARE SERVING IN THE ARMED FORCES OF THE UNITED STATES

	<u>FROM MO/YR</u>	<u>TO MO/YR</u>
<input type="checkbox"/> World War II.....	December 7, 1941	December 31, 1946
<input type="checkbox"/> US Public Health Service.....	July 29, 1945	September 2, 1945
<input type="checkbox"/> Korean Conflict.....	June 27, 1950	January 31, 1955
<input type="checkbox"/> US Public Health Service.....	June 26, 1950	July 3, 1952
<input type="checkbox"/> Vietnam Conflict.....	February 28, 1961	May 7, 1975
<input type="checkbox"/> Hostilities in Lebanon***.....	June 1, 1983	December 1, 1987***
<input type="checkbox"/> Hostilities in Grenada***.....	October 23, 1983	November 21, 1983***
<input type="checkbox"/> Hostilities in Panama***.....	December 20, 1989	January 31, 1990***
<input type="checkbox"/> Persian Gulf Conflict.....	August 2, 1990	(                    )
<input type="checkbox"/> Active Duty		

\*\*\*For these service dates Veterans must have received the Armed Forces Expeditionary Medal for Service in Zone of Conflict.