

State of California

MEMORANDUM

Date: May 11, 1993

Reference Code: PML 93-29 (AMENDED)
(INCLUDES ATTACHMENT)

To: PERSONNEL MANAGEMENT LIAISONS

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers
Departmental SROA Coordinators

From: Department of Personnel Administration
Classification and Compensation Division

Subject: Revision of Government Code (GC) 19997.6 (Military Service Credit)

Existing civil service law provides that a veteran, except a veteran who has reinstated from military leave, shall in the event of layoff receive seniority credit for recognized military service only if the veteran entered the State service within one year after the date of discharge or the end of the national emergency or the end of the State military emergency, whichever of these dates is the earliest; or, if more than one year has elapsed, he or she shall have been in attendance at regular sessions at a college or vocational training school, for not more than five years, commencing within one year of his or her discharge.

The current one-year requirement precluded many otherwise qualified veterans from receiving credit for military service during layoffs.

GC 19997.6 (a) will be revised, effective July 1, 1993, by AB 3791 (copy attached) to delete the current requirement for a veteran to enter service within a year after discharge from the military. The revised GC 19997.6 will allow a maximum of 12 credits regardless of how long it takes a veteran to start State employment after discharge.

Employees will still be required to meet the definition of "veteran" in GC 18540.4. Additional information for determining whether or not the employees meets the definition of veteran can be found in the Layoff Process Manual.

Departments in layoff modes may have determined that some veterans did not qualify for military service credit due to the one-year requirement. In such cases, those veterans' seniority scores should be adjusted on July 1, 1993.

If you should have any questions regarding this issue, please contact Leslie Ferguson at (916) 324-0447.


Mike Vargas
Staffing Reduction Coordinator

Attachment



Assembly Bill No. 3791

CHAPTER 499

An act to amend, add, and repeal Section 19997.6 of the Government Code, relating to civil service.

[Approved by Governor August 16, 1992. Filed with Secretary of State August 17, 1992.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3791, Gotch. Civil service: veterans.

Existing civil service law provides that a veteran, except a veteran who was reinstated from military leave, shall in the event of layoff receive seniority credit for recognized military service only if the veteran entered the state service within one year after the date of discharge or the end of the national emergency or the end of the state military emergency, whichever of these dates is the earlier, or; if more than one year has elapsed, he or she shall have been in attendance at regular sessions at a college or vocational training school, for not more than 5 years, commencing within one year of his or her discharge.

This bill would revise this provision to eliminate the one-year time limit for a veteran to enter state service after discharge or specified emergencies in order to receive seniority credit for recognized military service. This revised provision would become operative on July 1, 1993.

The people of the State of California do enact as follows:

SECTION 1. Section 19997.6 of the Government Code is amended to read:

19997.6. A veteran, except a veteran who was reinstated from military leave, shall in the event of layoff receive seniority credit for recognized military service only as follows:

(a) The veteran must have entered the state service within one year after date of discharge or the end of the national emergency or the end of the state military emergency, whichever of these dates is the earlier, or; if more than one year has elapsed, he or she shall have been in attendance at regular sessions at a college or vocational training school, for not more than five years, commencing within one year of his discharge.

(b) Seniority credit for recognized military service shall be computed as if it were service in the class to which the employee was first given permanent civil service or exempt appointment after his or her entry into the state service following recognized military service.

(c) Seniority credit shall not exceed one years' credit if the



veteran had no state service prior to entering the military service.

(d) This section shall become inoperative on July 1, 1993, and, as of January 1, 1994, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1994, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 19997.6 is added to the Government Code, to read:

19997.6. (a) A veteran, except a veteran who was reinstated from military leave, shall in the event of layoff receive seniority credit for recognized military service if the veteran entered the state service after discharge, the end of the national emergency, or the end of the state military emergency.

(b) Seniority credit for recognized military service shall be computed as if it were service in the class to which the employee was first given permanent civil service or exempt appointment after his or her entry into the state service following recognized military service.

(c) Seniority credit for recognized military service shall not exceed one years' credit if the veteran had no state service prior to entering the military service.

(d) This section shall become operative on July 1, 1993.

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