



## **City of Fort Myers Veterans' Preference Policy and Procedures**

The City of Fort Myers (the "City") encourages military veterans to apply for posted positions with the City. Pursuant to Chapter 295 of the Florida Statutes, qualified service members, veterans, and the spouses and family members of certain veterans are eligible for preference in employment selection processes. Individuals, including returning applicants, are encouraged to review Chapter 295 of the Florida Statutes and Chapter 55A-7 of the Florida Administrative Code for more information.

Veterans' Preference applies to all City of Fort Myers ("City") vacancies, except elected positions, persons employed on a temporary basis without benefits, heads of departments, positions that require certain licensure, such as positions that require the employee to be a member of the Florida Bar, and any other position classified as exempt under Florida Statute §110.205(2). A vacancy is defined as a position that is announced as being open for recruitment and available to all applicants and does not include positions that are open to current employees only, positions that are to be filled by reassignment, promotion, or demotion, or positions which are not open for recruitment.

Florida Statute §295.07 extends veterans' preference to the following candidates who meet the minimum requirements for the eligible position:

(a) Those disabled veterans:

1. Who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the United States Department of Veterans Affairs; or

2. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the United States Department of Veterans Affairs and the United States Department of Defense.

(b) The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

(c) A wartime veteran as defined in Florida Statute §1.01(14), who has served at least 1 day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.

(d) The unremarried widow or widower of a veteran who died of a service-connected disability.

(e) The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

(f) A veteran as defined in Florida Statute §1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.

(g) A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

All applicants wishing to claim veterans' preference shall indicate such preference on the application. In addition, all applicants must also complete [FDVA Form VP-1](#) at the time of application or before the close of the position posting, and submit the following, as applicable:

(a) Veterans, disabled veterans, and spouses of disabled veterans shall furnish a Department of Defense document, commonly known as form DD-214 or military discharge papers, or equivalent certification from the DVA, listing military status, dates of service and discharge type.

(b) Disabled veterans shall also furnish a document from the Department of Defense, the DVA, or the Department certifying that the veteran has a service-connected disability.

(c) Spouses of disabled veterans shall also furnish either a certification from the Department of Defense or the DVA that the veteran is totally and permanently disabled or an identification card issued by the Department; spouses shall also furnish evidence of marriage to the veteran and a statement that the spouse is still married to the veteran at the time of the application for employment; the spouse shall also submit proof that the disabled veteran cannot qualify for employment because of the service-connected disability.

(d) Spouses of persons on active duty shall furnish a document from the Department of Defense or the DVA certifying that the person on active duty is listed as missing in action, captured in line of duty, or forcibly detained or interned in line of duty by a foreign government or power; such spouses shall also furnish evidence of marriage and a statement that the spouse is married to the person on active duty at the time of that application for employment.

(e) The mother, father, legal guardian, or unremarried widow or widower of a deceased veteran shall furnish a document from the Department of Defense showing the death of the service member while on duty status under combat-related conditions or the DVA certifying the service-connected death of the veteran. The mother, father, or legal guardian shall provide evidence of familial relationship, such as a birth certificate. The unremarried widow or widower of a deceased veteran shall furnish a document from the Department of Defense or the DVA certifying the service-connected death of the veteran, and shall provide evidence of marriage, such as a marriage certificate, and certification that the spouse has not remarried by providing a completed Certification of Unremarried Widow or Widower, [FDVA form VP-3](#).

(f) The current member of any reserve component of the United States Armed Forces shall provide a completed Certification of Current Member of Reserve Component of the United States Armed Forces or The Florida National Guard, [FDVA form VP-2](#), signed by an immediate military supervisor, in addition to the [FDVA form VP-1](#). The current service member of any active component of the United States Armed Forces who is expected to be discharged or released from active duty service under honorable conditions no later than 120 days after the date that a Statement of Service certification or letter is prepared by the armed forces, shall be treated as a

preference-eligible applicant. These documents may be provided in lieu of a DD-214 or other documentation which may not be available until active service has ended.

If an applicant claiming veterans' preference for a vacant position is not selected and believes that he/she was not afforded employment preference in accordance with applicable Florida law and regulation, he/she may file a written complaint with the following agency:

Florida Department of Veterans' Affairs  
Veterans' Preference Coordinator  
11351 Ulmerton Road, Suite 311  
Largo, FL 33778

A complaint must be filed within 60 days of the applicant receiving notice of the hiring decision made by the employing agency. If a notice of hiring decision is not given, it is the responsibility of the veteran to contact the employer within 45 days of the application or interview date whichever is later to determine if the position has been filled.