

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
DIVISION OF STAFFING SERVICES
GENERAL INFORMATION BULLETIN No. 21-01

TO: Department and Agency Directors of Human Resources, Personnel and Affirmative Action Officers, Equal Opportunity Specialists, Diversity and Inclusion Specialists

FROM: Jessica Rowe, Director of Staffing Services

SUBJECT: Enactment of the Restoration of Honor Act

DATE: February 19, 2021

On November 12, 2019, Governor Andrew M. Cuomo signed Chapter 490 of the Laws of 2019, also known as the Restoration of Honor Act (ROHA), into law. This statute, the most inclusive law of its kind in the nation, restores access to New York State Veterans' benefits for veterans who received a General Under Honorable Conditions or an Other Than Honorable Conditions discharge from the military due to their:

- Sexual orientation;
- Gender identity;
- Service-related Post-Traumatic Stress Disorder;
- Traumatic Brain Injury; or
- Mental health condition linked to Military Sexual Trauma.

On November 12, 2020, when this law went into effect statewide, the New York State Division of Veterans' Services (DVS) began issuing determinations restoring access to State Veterans' benefits for Veterans who applied and are determined to meet the criteria as outlined in the law. The DVS adjudicates all ROHA applications. When an application meets the law's criteria for restoration of eligibility for the enumerated State benefits, the DVS will issue a letter on its letterhead, signed by the agency's Director or designee, stating that the veteran now meets the character of discharge criteria for all of the benefits and services listed in the ROHA.

The DVS letter will serve as the sole documentation required by agencies to verify that the veteran meets the eligibility requirements for all benefits, programs, and services covered under the ROHA, regardless of the characterization of discharge listed on the veteran's military discharge paperwork (Department of Defense Form 214 or equivalent).

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The ROHA restores all benefits typically afforded to honorably discharged veterans under New York State's Civil Service and Military Laws to individuals with the discharge categories described above. The table below outlines the specific benefits provided to veterans' by the Department of Civil Service (DCS) pursuant to the NYS Constitution and relevant NYS laws.

**Veterans' Benefits Administered by the New York State
Department of Civil Service**

<u>Legal Basis</u>	<u>Benefit</u>
NYS Constitution, Article V, Section 6	Veterans' Credits on Civil Service Exams
CSL 50.5	Examination application fee waiver for veterans
CSL 55-c	Employment of veterans with disabilities
CSL 75-b	Removal and other disciplinary actions
CSL 85	Additional credit allowed veterans' in competitive examinations; preference in retention upon abolition of positions
CSL 86	Transfer of veterans upon abolition of positions
MIL 243	Provisions applicable to public employees who are absent on military duty
MIL 243-C	Application for civil service examinations for military personnel
Executive Law 369-a, b, & c	Post-9/11 Veterans' Temporary Hiring Program
Public Officers Law 63	Leave of absence for Veterans' on Memorial Day and Veterans' Day
Military Law Section 249	Leave of absence for former reservists or National Guard members on Independence Day

More information on the ROHA is available on the DVS website at the following link:
<https://veterans.ny.gov/content/restoration-honor-act>

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The DCS has updated the publications that relate to the rights of veterans and military services members to reflect changes as result of the ROHA. The updated publications are listed below.

Manuals:

- Attendance and Leave Manual
- Guidelines for the Administration of Reductions in Force
- Manual of Procedure in Disciplinary Actions
- State Personnel Management Manual
 - Advisory Memorandum #21-01, Military Service Benefits and Veteran's Status and Definitions
 - Policy Bulletin #21-01 – replaces attachment to Policy Bulletin #85-01, Veterans' Credits
 - SPMM 2350, Layoffs in the Competitive Class
 - Appendix 3000, Glossary of Civil Service Terms

Publications:

- Merit Guide for Managers

Applications:

- NYS-APP and Online Examination Application; Special Applications
- Application for Veterans' with Disabilities Program
- Statewide Employment Application (Parts 2 and 2a)
- Veterans' Temporary Hiring Program Portal

Job Specifications:

- Correctional Services Guidance Specialist (Veterans Affairs)
- Deputy Veterans Program Administrator
- Institution Safety Officer
- Labor Services Representative (LVER)
- Park Police Officer
- Radio Dispatcher
- Security Officer
- Senior Training Technician (Police)
- Senior Training Technician (Veterans Affairs)
- University Police Communications and Security Specialist 1
- University Police Officer 1
- Veterans Benefits Advisor
- Veterans Education Program Representative
- Veterans Program Coordinator

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It is recommended that your agency review its policies, procedures, publications, and any forms used to document veterans' status to ensure they conform with the ROHA.

If you have questions about the application of the act, please email Jessica.Rowe@cs.ny.gov.

Attachment: [Sample Letter DVS](#)