

Guidelines for Discharging an Honorably Discharged Non-Probationary Veteran

TIP – If the Loudermill Notice contains Veteran's Preference Rights information, an Employer should use the date the Loudermill was provided to the Veteran as the date used to count down the Veteran's 30 day right to elect a Veteran Hearing.

Employer must conduct an employment investigation. If the outcome of the investigation supports misconduct or incompetency by the Veteran and the behavior warrants discharge, begin the discharge process.

TIP - No Veteran shall be removed from employment except for misconduct or incompetency shown after a hearing, upon due notice, upon stated charges, in writing.

Does Loudermill (Notice of Intent to Discharge) letter provided to Veteran include Veteran Preference Rights?

Yes

The veteran's right to request a hearing within 30 days of receipt of the Notice of Intent to Discharge begins to count down. **Note: Veteran remains in paid status during 30 days allowed to request a Veteran Hearing.**

Conduct Loudermill (Notice of Intent to Discharge) pre-termination meeting. The decision maker needs to take into consideration information presented during the meeting.

Was there information provided during the Loudermill (Notice of Intent to Discharge) pre-termination meeting that would alter the decision to discharge the Veteran?

Yes

Possible options are to stop discharge proceedings and Veteran maintains employment; or conduct further investigation, if necessary.

TIP – The failure of the Veteran to request a hearing within the 30-day period constitutes a waiver of the right to a hearing. The failure also waives all other legal remedies for reinstatement.

No

Conduct Loudermill (pre-termination meeting). The decision maker needs to take into consideration information presented during the meeting.

Was there information provided during the Loudermill (pre-termination) meeting that would alter the decision to discharge the Veteran?

Yes

Possible options are to stop discharge proceedings and Veteran maintains employment; or conduct further investigation, if necessary.

No

Provide Veteran with Notice of Discharge. This notice must include Veteran's Rights. **Note: The 30-day countdown begins with this Notice, and Veteran remains in paid status during these 30 days.**

Did Veteran request a hearing within 30 days from receipt of Notice of Discharge letter?

Yes

Proceed with Veterans Hearing as outlined in Minn Stat. [197.46](#). **Note: Veteran remains in paid status until hearing is held and decision is rendered upholding County's intent to terminate.**

No

On 31st day from notice of Veteran's rights, issue letter confirming termination of employment and complete any necessary payroll and administrative processes to complete the termination.

Did Veteran request a hearing within 30 days from receipt of original Notice of Intent to Discharge letter?

Yes

Proceed with Veteran Hearing as outlined in Minn. Stat. [197.46](#). **Note: Veteran remains in paid status until hearing is held and decision is rendered upholding County's intent to terminate.**

No

On 31st day from notice of Veteran's rights, issue letter confirming termination of employment and complete any necessary payroll and administrative processes to complete the termination process.