
OVERSEAS MILITARY SPOUSE PREFERENCE (MSP)

(Reference: DoD Instruction 1400.25 Vol 315, 19 March 2012)

1. What is military spouse preference (MSP)?

The Military Family Act of 1985, Public Law 99-145, as amended, focused attention on the important role of military families in the Department of Defense (DoD). With this in mind, military spouse preference was established to provide improved employment opportunities for spouses of active duty military personnel. Military spouse preference provides priority in the employment selection process for military spouses who are relocating as a result of their military spouse's Permanent Change of Station (PCS). Preference does not mean that positions will be created or made available for the military spouses, and preference does not guarantee employment.

2. Who is a military spouse eligible?

The spouse of an active duty member of the Military Services (including the U.S. Coast Guard and full-time Reserve or National Guard), who relocates via a permanent change of station (PCS) move as a sponsored dependent to the military sponsor's new permanent duty station, is entitled to military spouse preference (MSP) for all positions in the commuting area of the new duty station being filled under competitive procedures. Marriage to the military sponsor must have taken place **PRIOR TO THE DATE OF THE MILITARY SPONSOR'S ORDERS** authorizing a permanent change of station to the new duty station area and a military spouse must be on the sponsor's orders at the time of the PCS. Spouse preference does not apply to separation or retirement moves.

3. When will military spouse preference (MSP) begin for hiring purposes?

In the overseas area, preference is afforded upon arrival at the duty location and throughout the tour. Spouses who do not initially relocate with their sponsors are not eligible for preference until they are actually residing in the commuting area of the new duty station. Spouses may use their military spouse preference only **ONCE** at each new duty station. Spouses may file applications for employment as early as **30 days prior** to their reporting date at the new duty station, and their resume may be referred, however, they may not receive preference until actually arriving at the overseas location. Spouses seeking preference with less than **6 months** time remaining in the overseas area may be non-selected for permanent continuing positions.

4. To what positions does military spouse preference (MSP) apply?

There are two main types of federal employment opportunities within the DoD to which MSP applies: Appropriated Fund (APF) and Non-Appropriated Fund (NAF); NAF is composed of NEX and other NAF Instrumentalities. They are considered separate hiring authorities and generally

have separate hiring offices on military installations. Spouse preference is available for continuing APF positions at grades GS-15 and below or equivalent pay bands or equivalent wage-grade positions, when filling a position through competitive procedures. Spouses may also receive preference for continuing NAF positions at grades NF-3 and below and for equivalent positions paid at hourly rates.

5. How do I receive military spouse preference (MSP)?

The spouse of an active duty member of the Military Services (including the U.S. Coast Guard and full-time Reserve or National Guard) , who relocates via a permanent change of station (PCS) move as a sponsored dependent to the military sponsor's new permanent duty station, is eligible for this hiring category if she/he meets **ALL** the definitions and conditions below:

- The spouse is relocating to accompany the military sponsor under a permanent change of station (PCS) move to an active-duty assignment; **AND**
- The spouse and the sponsor were married **PRIOR to the date of the military sponsor's orders** authorizing a permanent change of station to the new duty station area; **AND**
- The spouse applies for a position in the same commuting area as his/her sponsor's new duty station; **AND**
- Since the relocation, the spouse has not accepted or declined or declined a request for an interview of a **continuing** (defined as not having a time limitation and which is required to have a fixed work schedule, i.e. part-time or full-time) DoD Appropriated Fund (APF) or Non-appropriated Fund (NAF) position at the new duty station of the sponsor; **AND**
- The spouse meets basic qualifications and is among the best qualified group of candidates for the position; **AND**
- The spouse meets all pre-employment criteria and is immediately appointable under the applicable recruitment procedures.

6. What supporting documentation do I need to provide to the HRO to receive military spouse preference (MSP)?

To receive military spouse preference, a spouse shall:

- Furnish a copy of the sponsor's Permanent Change of Station (PCS) orders identifying a dependent-authorized move and the sponsor's reporting date to the new duty location.
- Submit a current application or resume.
- For spouses with current (on LWOP) or prior Federal Service, submit a copy of the most recent Notification of Personnel Action (SF-50), showing Job Title, series, grade and salary earned.
- Furnish documentation verifying marriage to the Service member (i.e. marriage license or other documentation verifying marriage).

7. Does military spouse preference (MSP) apply to temporary positions?

No. Military spouses eligible under this hiring category, may accept or decline an unlimited number of **non-continuing** positions without loss of their preference, however,

upon acceptance of a time-limited appointment, the spouse's eligibility for preference for other non-continuing positions will be suspended until 60 days prior to the expiration of the appointment. Eligibility for other non-continuing positions is not affected by acceptance of a permanent appointment to a position with an intermittent work schedule or any NAF flexible position.

Non-continuing positions are defined as having a time limitation and/or which do not have a required fixed work schedule, including:

- Any temporary position, regardless of work schedule.
- Any term position, regardless of work schedule.
- Permanent positions with an intermittent work schedule, e.g., substitute-teaching positions with DoD Dependents Schools.
- NAF positions with a "flexible" work schedule, or any NAF position for which the employment category is identified as "flexible."

8. When does military spouse preference (MSP) end?

Military spouse preference eligibility terminates upon:

- acceptance or declination or declination of a request for an interview of a **continuing** DoD Appropriated Fund (APF) or Non-appropriated Fund (NAF) position. When applying for multiple continuing DoD APF or NAF positions, the first acceptance or declination or declination of a request for an interview immediately terminates your MPS eligibility.

Continuing positions are defined as not having a time limitation and which are required to have a fixed work schedule, i.e., part-time or full-time.

- Failure to maintain immediate appointability, i.e. pre-employment criteria, ability to obtain and maintain a security clearance, etc.
- Divorce, death of the sponsor, or sponsor's retirement or separation from active duty.

9. Military spouse preference (MSP) does not apply when:

- Preference, if afforded, would result in displacement of a current employee by this action.
- Management chooses to fill positions through non-competitive procedures.
- A PCS move is in conjunction with the retirement or separation of the military member.
- Military spouse preference procedures will not be applied when doing so will violate existing statutes or regulations on veterans' preference. For example, in the family member recruitment category, there is a qualified military spouse without veteran's preference and a qualified civilian spouse with veteran's preference. The only candidate who will be referred is the civilian spouse with veteran's preference.

10. Where can I get more information?

- Contact the Human Resources Office (HRO) at DSN 626-5409 or CML 081-568-5409, or HRO WEBSITE: <http://cnic.navy.mil/regions/cnreurafswa/about/jobs.html>