



Key Message

Military spouses in the civilian workforce have a 20% unemployment rate, which adversely impacts military family economic security. States can assist in bolstering military families by enacting state laws that permit state and local governments and private industries to offer hiring and procurement preferences for military spouses. These efforts recognize the need to combat military spouse unemployment rates and support the financial well-being of military families.

Analysis

The federal government grants hiring preference to military spouses under Title 10 U.S. Code 1784. According to a 2023 demographic profile, there were 561,008 active-duty spouses, with 20% of civilian spouses being unemployed – more than five times the national average. This employment crisis directly undermines military readiness, as financial stress affects service member focus and retention decisions.

When service members deploy to combat zones while worrying about their spouse's employment situation at home, that distraction can have life-or-death consequences.

As one defense official explained, a soldier focused on family financial stress “may not notice the new pile of rocks alongside the road” – potentially missing critical threats (https://www.army.mil/article/212250/spouse_employment_tied_to_soldier_lethality). States that remove employment barriers for military spouses directly contribute to warfighter effectiveness and unit readiness.

Best Practices

State civil service employment preference:

1. **States can extend existing veteran preference frameworks to include military spouses, recognizing their unique qualifications and the instability created by frequent military relocations.**

EXAMPLE:

Maryland Code, State Personnel and Pensions Section 7-207(c)

https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_6_sb0478E.pdf

“(2) (i) An appointing authority shall apply a credit of [ten] 10 points on any selection test for:

1. AN ELIGIBLE MILITARY SPOUSE; [...]

ELIGIBLE MILITARY SPOUSE” MEANS AN INDIVIDUAL WHO IS MARRIED TO AN ACTIVE-DUTY MILITARY-SERVICE MEMBER. A *FULL-TIME ACTIVE DUTY* MEMBER OF ANY BRANCH OF THE UNIFORMED SERVICES OF THE UNITED STATES.”

This 10-point preference mirrors traditional veteran benefits, while addressing current employment barriers. By building on established civil service frameworks, states can implement spouse preferences efficiently without creating entirely new administrative systems.

**Permissive local government employment preference:****2. States can authorize local governments to utilize military spouse hiring preferences at their discretion while maintaining local control over implementation details and scope.**

This approach provides flexibility for local communities to tailor programs to their specific needs and military populations, while establishing statewide authorization for the military spouse hiring preference. Local implementation allows communities near military installations to create more robust programs while giving other areas baseline authority.

EXAMPLE:

Maryland Senate Bill 872, Annotated Code of Maryland, Labor and Employment Article, Section 3-714

<https://mgaleg.maryland.gov/2025RS/bills/sb/sb0872T.pdf>

“SUBJECT TO SUBSECTION (D) OF THIS SECTION, AN employer may grant a preference in hiring and promotion to [...] the spouse of an eligible service member [...]

~~FOR IF AN EMPLOYER WHO THAT IS A COUNTY OR MUNICIPAL CORPORATION CHOOSES TO GRANT A PREFERENCE UNDER SUBSECTION (B) OF THIS SECTION, THE COUNTY OR MUNICIPAL CORPORATION SHALL MAY ADOPT A LOCAL LAW THAT PROVIDES FOR THE HIRING AND PROMOTION PREFERENCE AUTHORIZED UNDER SECTION (B) OF THIS SECTION BEFORE IMPLEMENTING THE PREFERENCE.”~~

Permissive private sector employment preference:**3. States can provide private employers who wish to grant hiring preferences to military spouses the opportunity to do so, enabling private sector voluntary support for military families.**

This approach removes legal uncertainty for employers who want to support military families by clarifying that such preferences do not constitute unlawful discrimination. The definition is specifically tied to PCS moves, addressing the most critical employment disruption periods for military families.

EXAMPLES:

Nebraska Revised Statutes, Chapter 48. Labor Section 48-238, Legislative Bill 144

<https://nebraskalegislature.gov/FloorDocs/109/PDF/Final/LB144.pdf>

“(a) Preference eligible means any veteran as defined in this section or the spouse of a servicemember as defined in this section, except that for a spouse of a servicemember [...]

(c) Servicemember means a person who serves in the armed forces of the United States; [...]

(2) A private employer may adopt a voluntary veterans preference employment policy. Such policy shall be in writing and applied uniformly to decisions regarding hiring and promotion. [...]



(5) A voluntary veterans preference employment policy shall not be considered a violation of any state or local equal employment opportunity law including the Nebraska Fair Employment Practice Act.”

West Virginia Code, Chapter 16B, Article 17, Section 9a

https://www.wvlegislature.gov/Bill_Text_HTML/2025_SESSIONS/RS/bills/hb3080%20enr.pdf

“[...] (a) An employer may grant preference in hiring to a military spouse or to a veteran or disabled veteran [...] without violating the provisions of this article. For purposes of this subdivision, ‘military spouse’ means the husband or wife of a member of the Armed Forces who, as determined by the United States Secretary of Defense, is performing active duty pursuant to orders that authorize a permanent change of station move, if such husband or wife relocates to the member’s new permanent duty station.”

Procurement preferences in state government contracting for military family-owned businesses:

4. States can support military spouse entrepreneurship through procurement set-asides that recognize military family-owned businesses as a distinct category deserving preference in government contracting.

This comprehensive approach recognizes that military spouse entrepreneurship often represents a viable alternative to traditional employment, particularly given the portable nature of business ownership during frequent relocations. Including military family-owned businesses in existing state government procurement frameworks leverages established administrative systems that create new economic opportunities.

EXAMPLE:

Virginia Code, Chapter 43, Section 2.2-4310

<https://law.lis.virginia.gov/vacode/title2.2/chapter43/section2.2-4310/>

“B. All public bodies shall establish programs [...] to facilitate the participation of small businesses, businesses owned by women, minorities, and service disabled veterans, military family-owned businesses, and employment services organizations in procurement transactions. [...]

‘Military family-owned business’ means a business that is at least 51 percent owned by one or more persons within the definition of ‘military family’[...] and both the management and daily business operations are controlled by one or more individuals who are persons within the definition of ‘military family.’ ”