

**STATEMENT OF  
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U.S. DEPARTMENT OF LABOR**

**BEFORE THE**

**SUBCOMMITTEE ON ECONOMIC OPPORTUNITY  
COMMITTEE ON VETERANS AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES**

**MARCH 22, 2006  
ROGERS, ARKANSAS**

Mr. Chairman and members of the Committee:

Thank you for the opportunity to appear before this Committee to discuss the collaboration between the U.S. Department of Labor (DOL) Veterans' Employment and Training Service (VETS) and our state partners in providing transition assistance for the Arkansas National Guard.

I have been asked to appear before you today to discuss transition assistance for Arkansas National Guard members returning from the Global War on Terror. As you are aware, our DOL State Director, Mr. Bryan Gallup, recently passed away. Bryan was a true advocate for veterans in Arkansas and he will be missed by us all, but especially by the veterans of Arkansas. The veterans of Arkansas appreciate the leadership you bring, Mr. Chairman, in addressing their transition and employment needs.

The State of Arkansas has deployed over 3500 National Guard members in the Global War on Terror in the last twelve months. The majority of these troops have returned to their home States within the past 12 months. As a result of the influx of these returning National Guard members, we recognized the need to respond to their transition needs, including briefings on their rights and obligations under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**Actions:**

VETS responded by taking the lead and provided employment and assistance briefings at the demobilization sites. These briefings were held along with other federal and state partners, including the State Workforce Agency (SWA), the Department of Defense, Department of Veteran Affairs, Employer Support for the Guard and Reserve (ESGR), and others.

The two major demobilization locations in the Dallas Region are Fort Sill in Lawton, Oklahoma and Fort Carson in Colorado Springs, Colorado. Most of the returning Guard members from Arkansas receive these employment assistance briefings at these two sites. Over 8,000 returning National Guard members and Reservists, including many from Arkansas, were briefed by VETS in 2005.

Each VETS' briefing covers the Uniformed Services Employment and Reemployment Rights Act (USERRA), Transition Assistance Program (TAP) employment workshop classes, and information on how to access employment and training assistance through the State Workforce Agency. This includes information about the Disabled Veteran Outreach Program (DVOP) and Local Veteran Employment Representative (LVER), as well as priority service in all DOL funded programs.

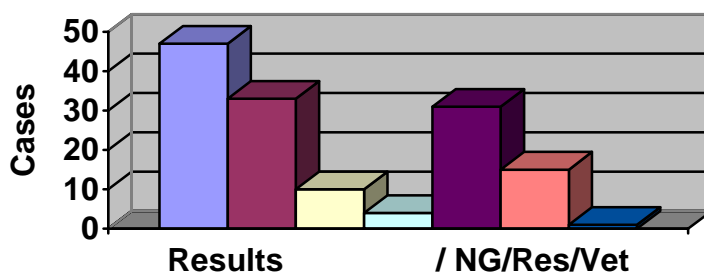
In addition, our two assigned Arkansas VETS staff, in partnership with ESGR, VA, and the SWA, traveled to 18 separate armories in Arkansas to brief National Guard groups and individuals. An estimated total 30,000 troops (active duty, National Guard and Reserves) and family members have attended statewide celebrations, job fairs, local armory briefings, and other public activities during the past year in Arkansas.

Last year, all VETS' State Directors (DVET) contacted the Adjutant Generals of each state offering to provide "on demand" TAP employment workshops for returning National Guard units. On demand transition employment assistance is a high priority for VETS. The training is scheduled for the convenience of the Guard units. The training is also tailored to the needs of the Guard unit members that are transitioning. As a result of these briefings issues regarding reemployment rights were discovered.

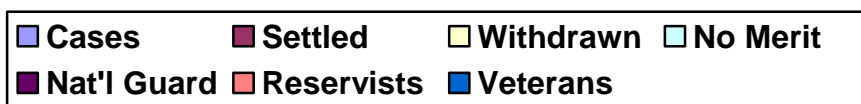
### **USERRA Results for the State of Arkansas:**

The following chart show the number of USERRA cases in Arkansas over the past two years:

## 2004-2005 USERRA Cases



\$33,000 in Compliance Awarded



47 Total USERRA cases 2004-2005

Sources:

31 Cases from National Guard members

15 Cases from Reservists

1 Case from a veteran

### Challenges:

There are a number of challenges involved in getting important benefits information to returning Guard and Reserve members. These challenges include:

- Troop rotations can be sporadic and each demobilization briefing may contain troops from several states, making state-specific information difficult.
- Federal and state veterans' benefits are complex. Upon their return, the Guard and Reserve members are provided detailed information about benefits to which they are entitled; this "overload of information" may be confusing and overwhelming. Returning troops tend to be anxious to get home after an extended absence and can miss pertinent information or misunderstand its application to their individual situation.
- Eligibility for some entitlements is time sensitive. For example, under USERRA, if the period of service was more than 180 days, in most

cases the returning service member must apply for reemployment within 90 days after completing the service.

In response to these challenges, VETS has ensured that visits to the armories are conducted subsequent to the demobilization briefing. This allows the individual needed “down time” and helps ensure a more receptive audience.

During the briefings, emphasis is placed on the time sensitivity of notifying a pre-service employer of the service member’s intent to seek reemployment, and service members are provided written material on their employment and reemployment rights and responsibilities, as well as information on how to access USERRA advisor on elaws ([www.dol.gov/elaws](http://www.dol.gov/elaws)). We also are in the process of developing new materials to be put in the hands of these individuals that provide needed information about DOL’s USERRA regulations and other information.

Employment services are available through the Career One-Stop delivery system for returning Guard and Reserve members. The “Key to Career Success” campaign, recently launched by the Employment and Training Administration in partnership with VETS and the Department of Defense (DoD), is also helping returning Guard and Reserve members connect to employment and supportive services available through the Department of Labor. This campaign employs a wallet card that highlights a service member’s “special” status upon arrival at their local One-Stop Career Center, and contains important information about DOL services and electronic tools.

Over 250,000 “Key to Career Success” Cards and brochures were provided to all DOL and DOD Transition Assistance locations in the U.S. and abroad in February 2006. Each VETS regional office has also been provided with 5,000 “Key to Career Success” cards and brochures to ensure that they are available to demobilizing Guard and Reserve members. For example, “Key to Career Success” cards have already been provided to Guard and Reserve members at a recent demobilization in Alaska. We are currently working on other strategies to get these new cards in the hands of service members at the earliest possible time.

## Conclusion

The commitment by our agency and our Arkansas work force benefits and other partners to the goal of providing maximum assistance to each Guard member is absolute. It is only by working together, and by working across agency lines, will we see better outcomes and better service to Arkansas veterans.

We are currently preparing for similar activities in Texas where an estimated 3,500 to 4,000 National Guard troops are projected to return at the end of March 2006.

I would be pleased to respond to any questions.