

U.S. Department of Labor

Veteran Employment and Training Service (VETS)

Integrated Employment Programs and Services for U.S. Veterans

“we prepare, provide and protect”



DOL & VETS: Mission and Services

Mission and Service Offerings to U.S. Veterans

DOL's Mission

To foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

VETS's Mission

Serves veterans & service members by providing resources and expertise to assist and prepare them to obtain meaningful careers, maximize their employment opportunities, and protect their employment Rights.

VETS Functions

- Employment & Reemployment Rights Enforcement
- Employment and Training Services
- Employment Policy Integration

“we prepare, provide and protect”

VETS Integration with Partner Agencies

- Office of Federal Contractor Compliance (OFCCP)
- Employment and Training Administration (ETA)
- Office of Disability Employment Policy (ODEP)
- Office of the Solicitor (SOL)

VETS services are closely integrated with other Department of Labor employment and enforcement programs in order to serve veterans with a broad array of coordinated services



DOL & VETS: Mission and Services

P3: Our Integrated Approach To Serving U.S. Veterans

Prepare

Prepare our service members for transition to the civilian workplace through our employment workshop.

Provide

Provide our veterans employment placement assistance through our network of American Job Centers and various programs targeted at assisting homeless and other disadvantaged veterans obtain meaningful employment.

Protect

Protect the employment rights of those service members who responded to the call to serve and ensure preference is given to veterans with respect to Federal hiring.

In order for U.S. Veterans to find meaningful employment opportunities, we must prepare them to enter the workforce, provide them the resources to find employment and protect their rights once they find employment.



USDOL-VETS Service to Veterans

► *Prepare*

VETS offers diverse services to U.S. Veterans through effective collaboration with other DOL agencies and external groups to ensure proper **employment and training program** delivery.

► **TAP(DOLEW) & Intensive Services** – the Transition Assistance Program encompasses the Department of Labor’s Employment Workshop

► **National Veterans Training Institute**

► **Veteran Employment Representatives**

- LVERs & DVOPs



USDOL-VETS Service to Veterans

► *Prepare*

DOLEW is a three day course within **DOD's Transition Assistance Program** for *Separating Service Members & Their Spouses*.

- Historically, the only touch point to DOL services
- Sharply focused on mechanics of getting a job
- Explore career interests and related skills
- Build a solid resume
- Practice interviewing techniques
- Learn how to close the deal – negotiating salary
- Gold Card Services

•Professional contract Instructor beginning January 2013

Fiscal Year	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013*	FY 2014*
Participants	127,053	129,612	144,242	160,000	200,819	190,576
Workshops	4,426	4,065	4,203	4,300	5,738	5,444



USDOL-VETS Service to Veterans

▶ ▶ *Provide*

• **VETS'** largest service, **DVOPS** and **LVERS**, are funded by the *Jobs for Veterans State Grant*. DVOPs and LVERs are integrated **within the SDDL**R, which is funded, regulated, and overseen by ETA. VETS is also fully integrated with ETA in service U.S. Veterans through:

- ▶ **Competitive Grants**
 - VWIP, HVRP, Stand Down
- ▶ **Unemployment Insurance**
- ▶ **Gold Card, My Next Move**
- ▶ **Priority of Service**
- ▶ **VRAP**
- ▶ **WOTC**

DVOP (Disabled Veteran Outreach Representative) - provide intensive services

LVER (Local Veterans Employment Representative) - provide employer outreach



USDOL-VETS Service to Veterans

► ► *Provide*

Competitive Grants

HVRP - Homeless Veterans Reintegration Program

- At DOL, our primary program aimed at **eliminating homelessness** among Veterans is the Homeless Veterans' Reintegration Program (HVRP).
- HVRP is the only federally funded program that targets **employment and training for homeless Veterans**.
- In June 2012, more than \$15 million in grants were awarded. These 64 grants are aimed at providing approximately 8,600 homeless veterans nationwide with job training **to help them succeed** in civilian careers.

In June 2012, ***Goodwill Industries*** of Sioux Falls, SD received the first HVRP Grant awarded in South Dakota. ***Goodwill Industries*** just recently received notification of a 2nd year grant award for 2013 as well.



USDOL-VETS Service to Veterans

▶ ▶ *Provide*

Competitive Grants

Homeless Veterans Stand Down

- ▶ ***Stand Down*** is a military term referring to a brief respite from combat
- ▶ ***Stand Down*** community events are held by local organizations that provide veterans with a wide range of social services such as **food, clothing, shelter, housing, and employment assistance**

2012 SD Homeless Veterans Stand Downs

- Rapid City
- Wagner
- Sioux Falls
- Aberdeen



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▶ ▶ *Provide*

Gold Card Initiative

In August 2011, the White House announced the Department's launch of the *Veterans Gold Card initiative*, to **provide post-9/11 veterans with the intensive and follow-up services they need to succeed in today's job market.**

- ▶ This card entitles every post-9/11 veteran to **six months of enhanced, intensive services** at any of the Department of Labor's One-Stop Career Center locations across the country.

Our experience shows that veterans who get **one-on-one job assistance** have a much **greater success** in launching civilian careers.





USDOL-VETS Service to Veterans

▶ ▶ ***Provide***

My Next Move - (www.MyNextMove.org/vets)

▶ is a *simple and quick* search engine where transitioning Service Members and Veterans can:

1. **Translate** Military Skills
2. **Search** Industries that are hiring
3. **Search** areas that Industries are hiring in
4. **Apply** for jobs

The logo for "MY NEXT MOVE" is displayed in a white rectangular box with a thin grey border. The text "MY NEXT MOVE" is in a blue, sans-serif font. The letter "O" in "MOVE" is replaced by a stylized orange and blue compass rose or starburst shape.



USDOL-VETS Service to Veterans

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Licensing and Credentialing

- ▶ **Studies have shown** that licensing and certification (credentialing) requirements for civilian employment pose a barrier to a smooth transition from military service to civilian employment.
- ▶ **To facilitate the credentialing process**, members of the VETS' staff participate in the following committees and boards:
 - The Professional Certification Advisory Board.
 - The Professional Certification and Licensing Advisory Committee.
 - The American National Standards Institute (ANSI) Accreditation Committee.



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VRAP – Veterans Retraining Assistance Program

- ▶ Designed for Veterans who: have received an ***other than dishonorable discharge***, are 35-60, unemployed, are not enrolled in a federal or state job training programs, and have exhausted their G.I. Bill Benefits
- ▶ Eligible recipients may **receive up to 12 months** of retraining assistance (\$1,564 per month)
- ▶ Participants must be enrolled in a VA-Approved Program
- ▶ Must lead to an Associates Degree, Non-College Degree, or a Certificate, and train the Veteran for a high demand occupation as determined by DOL
- ▶ Program began on July 1, 2012 and will accept applications until March 2014
- ▶ ***Over 109,000 applications have been approved as of June 27, 2013!***

***South Dakota has 110 approved applications and 55 currently in training.**



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WOTC – Work Opportunity Tax Credit

Through WOTC, employers can receive up to \$2,400 and \$9,600 in tax credits by hiring:

- ▶ **Veterans** receiving Supplemental Nutrition Assistance Program benefits
- ▶ **Veterans** with a service-connected disability hired within 1 year of discharge or release from active duty
- ▶ **Veterans** with a service-connected disability who are unemployed for at least 6 months
- ▶ **Veterans** who have been unemployed for at least 4 weeks
- ▶ **Veterans** who have been unemployed for 6 months or more

*For more information, directions, and forms – visit

www.irs.gov



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▶ ▶ ***Provide***

Veterans' Preference

- ▶ **Recognition** of the sacrifices made by those serving in the Armed Forces
- ▶ **Preference** over non-preference in Federal hiring practice and the retention during reductions in force.
- ▶ **Applies** in hiring for many positions within the Federal competitive service and provides a uniform method by which special consideration is given to qualified Veterans
- ▶ ***Does not guarantee*** Veterans a job
- ▶ Veterans' Preference ***does not apply*** in internal agency actions such as promotion, transfer, reassignment, and reinstatement



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Veterans Employment Opportunities Act (VEOA) of 1998

- ▶ **Veterans** and other preference-eligible who believe that his or her preference rights have been violated, may file a written complaint with VETS
- ▶ **Veterans** who have separated from the armed forces under honorable conditions after 3 years or more of active service or a preference-eligible, may not be denied the opportunity to compete for vacant positions for which the agency making the announcement will accept applications from individuals outside its own workforce under merit promotion procedures



USDOL-VETS Service to Veterans

▶ ▶ ▶ *Protect*

Uniformed Services Employment and Reemployment Rights Act (USERRA)

- ▶ **USERRA** is a federal law that establishes certain rights, benefits, and responsibilities for Veterans, Service Members, and employers
 - affecting employment, reemployment, and retention in employment
- ▶ **VETS** enforces these rights when the service member returns to civilian employment once tour of duty concludes, or when a veteran or service member alleges adverse discrimination
- ▶ Includes **protection** against discrimination on the basis of a person's membership or application for membership in the service, performance of service, or service obligations
- ▶ Provision applies to all positions of employment and to offers of employment

Compliance Assistance Efforts

- ▶ Functional integration between VETS, SOL, DOJ, and OSC that requires extensive employment law expertise
- ▶ VOW Act expands USERRA enforcement to include hostile work environment to U.S. Veterans



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Uniformed Services Employment and Reemployment Rights Act (USERRA)

Enacted in 1994, but its roots date back to 1940.

Title 38 U.S.C. §§ 4301-4335

▶ **Prohibits** employment discrimination on basis of past military service, current or future military obligations

▶ Initial hiring

▶ Retention in employment

▶ Employment benefits

▶ Promotions

▶ **Protects** reemployment rights with pre-service employers for veterans, Reserve, and National Guard members

VETS investigates complaints from veterans, Reservists, and Guard members who feel that they have been disadvantaged due to their military status



USDOL-VETS Service to Veterans



What is “Uniformed Service?”

Anyone who performs, applies to perform, or has an obligation to perform:

- ▶ **Service** in the armed forces: Active, Reserve and National Guard
 - ▶ Voluntary or involuntary
 - ▶ Peacetime or wartime
 - ▶ Active and Reserve components
 - ▶ Active Duty for Training
 - ▶ Initial Active Duty for Training
 - ▶ Inactive Duty Training (Week-End Drills)
 - ▶ Full-time National Guard Duty
 - ▶ Funeral Honors
- ▶ **Service** in the U.S. Public Health Service Commissioned Corps
- ▶ **Service** in the National Disaster Medical System
- ▶ An examination to determine fitness for military **service**



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Employers Covered:

- ▶ All private employers
- ▶ State and local governments
- ▶ Federal Government – all branches (civilian)
- ▶ Successors in interest
- ▶ Control over employment-related responsibilities

*38 U.S.C. § 4303(4)



USDOL-VETS Service to Veterans

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National Guard Service:

- ▶ **USERRA's** reemployment provisions apply to NG duty performed under Federal authority
- ▶ **USERRA's** reemployment protections do not apply to NG duty performed under State law (e.g., call-up by the Governor for a natural disaster)
- ▶ State call-ups often covered by State law



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Reemployment eligibility criteria:

Certain criteria must be met to be eligible for reemployment following absence for service:

- ▶ **Notify Employer** of military service obligation
 - ▶ Verbal or written
- ▶ **Timely reapplication**
 - ▶ 1-30 days of service: Report to work next day
 - ▶ 31-180 days: 14 days to request reemployment
 - ▶ 181 days and longer: 90 days to request reemployment
- ▶ **Honorable discharge** (DD 214)
- ▶ **Not exceed 5 years** of service

*Note – exceptions listed in 38 U.S.C. § 4312(c)



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Employer is required to:

- ▶ Prompt reinstatement (two weeks)
 - ▶ **Status, Seniority and Pay**
 - ▶ Place returning employee in position he/she would have been in if continuously employed
 - ▶ Verify timely reapplication from **DD214** or order
 - ▶ **1-30** days of service: Report to work next day
 - ▶ **31-180** days: **14** days to request reemployment
 - ▶ **181** days and longer: **90** days to request reemployment



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Escalator Position:

- ▶ Escalator can go **up**, Escalator can go **down**



- ▶ “As if they never left”
 - ▶ What would have happened?
 - ▶ Promotion? Bonus?
 - ▶ Lay off? Dissolve of program?
- ▶ Reasonable certainty test



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Disabilities and Reasonable Accommodations:

▶ Reasonable Accommodations:

- ▶ ADA states any “vacant position”
- ▶ USERRA states “any position”

▶ Disability:

- ▶ Must be sustained, aggravated or manifested during the period of service
- ▶ **Can't be during interim between job/service or service/job**

▶ Disability may be delayed:

- ▶ Reinstatement process may start all over again if the disability interferes with reinstatement position
- ▶ Up to two years for convalescing or hospitalization



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Protection from Discharge:

▶ Reemployed person may not be discharged,

EXCEPT FOR CAUSE

▶ **within one year** after reemployment if the period of service was more than 180 days; or,

▶ **within 180 days** after reemployment if the period of service was for more than 30 but less than 181 days



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VETS Process when receiving a claim:

▶ The process:

▶ VETS investigator assigned to claim:

- ▶ Review files, interview witnesses
- ▶ Subpoena power if necessary

▶ If unsuccessful, two options:

- ▶ Refer case to U.S. Department of Justice
- ▶ Private Attorney

▶ Goal is to make the service member **WHOLE**.



USDOL-VETS Service to Veterans

National Electronic Tools for Veterans

Veterans Reemployment Portal

<http://careeronestop.org/ReEmployment/veterans/default.aspx>

Military to Civilian Job Finder

<http://www.careeronestop.org/MilitaryTransition/findajob.aspx>

My Next Move for Veterans

<http://www.mynextmove.org/vets/>

My Skills My Future

<http://www.myskillsmyfuture.org/>

Military to Civilian Occupation Translator

<http://www.careerinfonet.org/moc/>

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Contact Information:

Sarah L. Bierman

bierman.sarah@dol.gov

(605) 626-2325