



# TROOPS *to* ENERGY JOBS

*Connecting Veterans to Rewarding Energy Careers*



## Veterans Human Resources Policies and Promising Practices Guide





# *Veterans Human Resources Policies and Promising Practices Guide*

Military veterans is a broad term that encompasses personnel who have completed their service and those currently serving in the Guard and Reserve. The men and women who serve their country and are successful in their military careers possess the skills and traits highly desired in the civilian workplace. What is unique about veterans is that these characteristics not usually found in adults under the age of 30 are quite common in veterans in their early 20s. Employers who have recognized this rich source of talent have implemented Human Resources Policies and Practices to target and hire people with the knowledge, skills, characteristics, and traits to be successful in energy careers.



The purpose of this Veteran-Friendly Human Resources Policies and Practices Toolkit is to provide guidance and descriptions of practices implemented by employers who encourage veterans to work for them. Requirements encoded in the law are covered and practices that go beyond the basic requirements are described.

Military veterans are dedicated, disciplined people who know the value of following procedures and accepting responsibility. Military employees often have valuable skills and technical knowledge they have learned through their service. They understand motivation and teamwork, work well under pressure or stress, and work well despite adversity. They are a diverse group with integrity, a strong work ethic, and a proven ability to work well in a diverse environment. It costs your company much less to retain these good employees! Concrete, overt policies and practices are needed to attract and retain these motivated and skilled workers. This toolkit outlines practices that are required, those additional practices that help differentiate your company as military-friendly, and those practices implemented by CEWD members.

# *The Uniformed Services Employment and Reemployment Rights Act*

The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 contains the minimum requirements for employers of military veterans and protects civilian job rights and benefits for veterans and members of Reserve components. The law applies to all public and private employers in the United States to include federal, state, and local governments, regardless of size. Providing that the servicemember meets all criteria, employers must provide the following:

- Prompt job reinstatement when returning from military service.
- Accumulation of seniority, including pension plan benefits while employed and deployed for military service.
- Reinstatement of health insurance.
- Training/retraining of job skills, including accommodations for the disabled.
- Protection against discrimination.

An employer must not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her military service. Additionally, an employer cannot retaliate against an individual by taking any adverse employment action against him or her because the individual has taken an action to enforce a protection afforded any person under USERRA.

USERRA's definition of "service in the uniformed services" covers all categories of military training and service. Most often understood as applying to National Guard and Reserve military personnel, USERRA also applies to persons serving in the active components of the Armed Forces "upon release from active duty."



USERRA establishes the cumulative length of time that an individual may be absent from work for military duty and retain reemployment rights to five years. There are important exceptions to the five-year policy, including:

- Initial enlistments lasting more than five years, such as when initial training requires serving longer.
- Periodic National Guard and Reserve training duty.
- Involuntary active duty extensions and recalls, especially during a time of national emergency.

To be eligible for protection under USERRA, the servicemember must report back to work or apply for reemployment within the following guidelines:

- 1-30 days of service: Report next scheduled work day.
- 31-180 days of service: Apply within 14 days after completion of service.
- 181+ days of service: Apply within 90 days after completion of service.

USERRA clearly establishes that reemployment protection does not depend on the timing, frequency, duration, or nature of an individual's service as long as the basic eligibility criteria are met.

In general, if the employee has been absent from a position of civilian employment by reason of service in the uniformed services, he or she will be eligible for reemployment under USERRA by meeting the following criteria:

- The employer had advance notice of the employee's service.
- The employee has five years or less of cumulative service in the uniformed services in his or her employment relationship with a particular employer.
- The employee returns to work in a timely manner as defined under USERRA.
- The employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

Documents satisfying the requirement that the employee establish eligibility for reemployment after a period of service of more than thirty days include the following:

- DOD (Department of Defense) 214 Certificate of Release or Discharge from Active Duty.
- Copy of duty orders prepared by the facility where the orders were fulfilled carrying an endorsement indicating completion of the described service.
- Letter from the commanding officer of a Personnel Support Activity or someone of comparable authority.
- Certificate of completion from military training school.
- Discharge certificate showing character of service.
- Copy of extracts from payroll documents showing periods of service.



The types of documents that are necessary to establish eligibility for reemployment will vary from case to case. Not all of these documents are available or necessary in every instance to establish reemployment eligibility.

Reemployment rights are terminated if the employee is:

- Separated from uniformed service with a dishonorable or bad conduct discharge.
- Separated from uniformed service under other than honorable conditions, as characterized by regulations of the uniformed service.
- A commissioned officer dismissed by sentence of a general court-martial; in commutation of a sentence of a general court-martial; or, in time of war, by order of the President.
- A commissioned officer dropped from the rolls due to absence without authority for at least three months; separation by reason of a sentence to confinement adjudged by a court-martial; or a sentence to confinement in a Federal or State penitentiary or correctional institution.

USERRA provides protection for disabled veterans, requiring employers to make reasonable efforts to accommodate the disability. Servicemembers convalescing from injuries received during service or training may have up to two years from the date of completion of service to return to their jobs or apply for reemployment.

USERRA provides that returning servicemembers are reemployed in the job that they would have attained had they not been absent for military service (the “escalator” principle), with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

The principle is that, if not for the period of military service, the employee could have moved to positions of greater responsibility and compensation. This principle requires that the employee be reemployed in a position that reflects with reasonable certainty the pay, benefits, seniority, and other job perquisites that he or she would have attained if not for the period of service.

Application of the escalator principle can have adverse consequences. For example, the returning veteran could be restored to a position that has been eliminated. In such situations, the veteran would be restored to layoff status. Similarly, the reemployment position might require assignment to a different shift or location.

A disabled servicemember is entitled, to the same extent as any other individual, to the escalator position he or she would have attained if not for military service. The employer must make reasonable efforts to accommodate that disability and to help the employee become qualified to perform the duties of the reemployment position. If the employee is not qualified for reemployment in the escalator position because of a disability after reasonable efforts by the employer to accommodate the disability and to help the employee to become qualified, the employee must be reemployed in a position according to the following priority:

- A position that is equivalent in seniority, status, and pay to the escalator position.
- A position that is the nearest approximation to the equivalent position, which may be a higher or lower position.

USERRA applies to all employees. There is no exclusion for executive, managerial, or professional employees. However, USERRA does not provide protection for independent contractors.

USERRA also requires that reasonable efforts (such as training or retraining) be made to enable returning servicemembers to refresh or upgrade their skills to help them qualify for reemployment. The law clearly provides for alternative reemployment positions if the service member cannot qualify for the “escalator” position.

USERRA also provides that while an individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other employees on non-military leaves of absence. For example, accrual of vacation leave is considered to be a non-seniority benefit that must be provided to an employee on a military leave of absence only if the employer provides that benefit to similarly situated employees on comparable leaves of absence. Also, upon reemployment, the employee is treated as not having a break in service with the employer with a pension plan for purposes of participation, vesting, and accrual of benefits.

Individuals performing military duty of more than 30 days may elect to continue employer-sponsored healthcare for up to 24 months; however, they may be required to pay up to 102 percent of the full premium. For military service of less than 31 days, healthcare coverage is provided as if the servicemember had remained employed. This requirement does not mean that an employer must establish a health plan if one is not in place. Also, the employer is not required to permit the employee to initiate new health plan coverage if she or he did not previously have such coverage.

USERRA clarifies pension plan coverage by making explicit that all pension plans are protected.

USERRA also requires that servicemembers provide advance written or verbal notice to their employers for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity.

- An employee should provide notice as far in advance as is reasonable under the circumstances.
- Additionally, servicemembers are able (but are not required) to use accrued vacation or annual leave while performing military duty.
- The employee is not required to request the employer’s permission to leave to perform military service. The employee is only required to give the employer notice of the requirement to perform service.



- The employee is not required to decide in advance whether to seek reemployment. Even if the employee informs the employer he or she will not seek reemployment, the right to reemployment is not forfeited.

USERRA provides the employee protection from discharge, except for cause:

- For 180 days after the employee's date of reemployment if his or her most recent period of uniformed service was more than 30 days.
- For one year after the date of reemployment if the employee's most recent period of uniformed service was more than 180 days.

Eliminating the employee's job position or laying off the employee based on the application of other legitimate nondiscriminatory reasons is considered for cause for purposes of USERRA.

The preceding information on USERRA was collated and summarized from the Employer Resource Guide available at <https://www.dol.gov/agencies/vets/programs/userra/USERRA%20Pocket%20Guide> and the basic requirements at [https://www.dol.gov/agencies/vets/programs/userra/userra fs](https://www.dol.gov/agencies/vets/programs/userra/userra_fs).

Seek assistance in understanding your rights and responsibilities as an employer. The information in this toolkit is merely an introductory overview. Seek assistance and guidance from the Local Veterans' Employment Representative (LVER). Additional assistance is from Employer Support of the Guard and Reserve (ESGR): <https://www.esgr.mil/USERRA/USERRA-Contact>.



## Policies and Practices Beyond the Minimum

While USERRA provides the minimum requirements for employers of military veterans, many employers go beyond these basic requirements to create a military-friendly workplace. Following are some characteristics and activities of employers providing a welcoming work environment for returning veterans, members of the Guard and Reserve, and the spouses of military members.



### HIRING

- Actively seek to hire military veterans.
- Search the state employment office's website to find your Local Veterans' Employment Representative (LVER) and Disabled Veterans' Outreach Program (DVOP) specialist who help veterans find employment and can help you find qualified candidates. Most LVERs are located at your local One-Stop Career Center, which can be located at <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/american-job-centers.aspx>. DVOPs can be located at <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/american-job-centers.aspx>.
- Develop relationships with veteran-oriented recruiting programs, such as RecruitMilitary (<http://recruitmilitary.com/>) and G.I. Jobs ([www.gijobs.com](http://www.gijobs.com)). More of these organizations are listed in the CEWD Troops to Energy Jobs Resource Guide: <http://www.cewd.org/documents/wizard/documents/CEWDTroopsResourceGuide-2019.pdf>.
- Consult with your military veteran employees to advise you on your military recruiting plan.
- Contract with recruiting companies who have experience in finding veterans with the specific skills you need. They are better able to translate resumes using military jargon into terms your hiring managers understand.
- Identify a specific portion of your recruiting budget for military recruiting. Use these funds for military career fairs, job boards, placement firms, and publications that transitioning veterans tend to use.

- Participate in military career fairs offered in multiple locations, not just those that are held close to your location. Servicemembers separating from active duty are entitled to a final free move at government expense. Learn where the candidates you seek are located and be at those career fairs.
- Bring your veteran-employees as volunteer recruiters to the on-site career events. They can establish rapport quickly with the job fair attendees, can translate their questions, and can offer assurances that their skills are relevant and needed in the energy workforce.
- Since you use community relations not just to build goodwill, but to market the company, reach out to veteran groups with your community service initiatives.
- Make it a priority to hire spouses of military veterans.
- Consider internships or management trainee programs to observe how veteran candidates who show promise but lack some of the skills needed to perform the job are able to learn the job. Contact your state or local Workforce Investment Board to learn whether funds exist to support paid internships.

## USE YOUR WEBSITE

Update your company career opportunities page of your website to make it obvious that you are looking for military applicants on your main recruiting website. The servicemember should be no more than one click away from discovering just how committed your company is to hiring veterans and a page where they can find information such as military-specific career fairs you are attending in the foreseeable future and how military specialties translate to your careers and specific job openings.

- Use the Job Match-Up finder at <http://www.troopstoenergyjobs.com/job-matchup-tool>.
- Include information about the number of veterans you've hired over the years on your website.
- State the military skills you seek and show them in the job description for the jobs you have open. This shows the potential applicant you understand how the veteran's experience fits your needs.

- Describe the military-friendly policies and programs offered by your company, such as a salary differential for mobilized National Guard and Reserve, a veteran affiliation group within the company, or your unique veteran integration process. This informs potential applicants that you understand their unique needs and are committed to supporting them.
- Include links to internal and external news sources describing your corporate citizenship work conducted on behalf of veterans.
- Make sure your website highlights your accommodation of those with disabilities.
- Encourage website visitors to complete a profile providing their military experience and contact information so you can alert them to opportunities matching their skills. Offer to send reminders of your company's attendance at upcoming military-specific and civilian job fairs. A periodic reminder, such as a text message from you, sent a few weeks and then again a few days in advance of an event can bolster attendance.

## ESTABLISH SUPPORTIVE HR POLICIES

Some policies are required as part of the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. Other policies are recognized differentiators that get noticed by those who continue to serve in the Guard and Reserve.

- Pay employees the difference between your company's salary and the military pay to offset any lost wages during active duty service. Military service for a two-week annual training requirement or a 12-month mobilization can put your veteran-employee in a financial bind. You are not required to offer a pay differential, but many top-ranked military-friendly employers do.
- Demonstrate your understanding of USERRA, showing that military veteran employees will not have to explain and advocate for their rights under USERRA. For example, show you understand that USERRA prohibits companies from forcing an employee to use vacation time to complete military service requirements by making it clear that the company treats absence for vacation different from absence for military service.

- Provide ongoing communication to help managers understand company policies in regards to supporting military employees. Everyone needs to know what to expect and how to continue to work together. This helps eliminate any “me against them” attitudes.

## RETENTION

- Establish a veteran affinity or resource group. Military veterans have a strong kinship with each other. Provide them a formal group where they can meet those who have made the transition from military to civilian life and who can share their successful strategies for this transition.
- Create a formal program such as a sponsor or buddy program to help make the transition from military to civilian work life less overwhelming, confusing, and frustrating. A veteran-employee sponsor can provide advice and encouragement to help the new veteran-employee learn the new company culture.
- Identify a single point of contact to provide support to the veteran and to those on active duty.
- Make sure your military veterans know the specific point of contact in your Human Resources department who knows the requirements of USERRA and your specific company military policies and who can help new employees maneuver through the system and understand all the benefits they are entitled to, especially during the orientation process. This person will contact your employees who still serve in the Guard or Reserves to explain your policies and that utilizing these benefits will not affect their career at your company.
- Make sure your Employee Assistance Program (EAP) includes services needed by veteran-employees, such as mental health counseling or rehabilitation services for those with service-connected disabilities or who have recently returned from an extended deployment to a warzone. Other pertinent services include stress and anger management counseling, guidance on reuniting with families, and how to transition to a civilian job. Make sure veteran-employees are aware your company offers these benefits, and ensure their families are also informed these services are available.

## DEPLOYMENT

Preparing for deployment can be stressful for servicemembers and their families. Employers can help by:

- Understanding the stress that these employees and their co-workers and families might be experiencing.
- Refraining from trying to persuade them to find a way out of being deployed, even if they're very valuable to your operation. (The employee has no legal method to change his or her orders to military duty and asking them to try only adds stress.)
- Helping them organize the necessary business and benefit-related paperwork (e.g., on benefits for employees and dependents, return policies, account and financial information, contact information) before they deploy.
- Offering the military employee any help they or their family members may need during the preparation process.
- Giving the employee time to prepare for the deployment. During deployment, employers can help by:
  - Encouraging employees who are friends with deployed employees and their families to keep in contact with them during deployment.
  - Sending the deployed employee's bonus to the family at bonus time.
  - Keeping in contact with deployed servicemembers, while respecting the stress they're experiencing and taking care not to place the burdens of your organization on their shoulders at long distance. Deployed Guard and Reserve members need to know their civilian employers have not forgotten them. Send company news, care packages, photos, and cards and letters from co-workers.
  - Keeping in contact with the families of deployed employees—with respect for their privacy—inviting them to company events, and offering support. Ask for volunteers to offer support that the left-behind parent/caregiver agrees would be helpful.
  - Offering support to employees who have family members who are deployed.
  - Creating a plan that keeps the lines of communication open from the company to the service member and their family. This needs to be especially nurtured during times of deployment so the individual doesn't feel out of touch when he or she returns to the job.

## POST-DEPLOYMENT

- Publicly welcome the veteran-employee back from extended military duty.
- Acknowledge company-wide the service and the hardships they endured while being separated from family, loved ones, and co-workers.
- Smooth the transition back to the job after extended military service.
  - Mirror the buddy program established for new employees.
  - Create a special orientation program explaining any changes in policies, procedures, customer, workload, staffing, or benefits and the reasons for these changes. Involve veterans of current and past deployments and their families and close friends who have experienced the transition in your planning for this transition.
  - Understand that some people will not want to participate in this planning and won't know their reasons. Respect their wishes and continue giving the opportunity to provide input and review plans as they are developed.
  - Plan for any retraining that will be needed for technology and procedures implemented during the absence.
- Understand the employee may have been changed by the experience of war and may be experiencing some readjustment challenges, and that other employees (e.g., the employees who held their positions during their absence) may be experiencing adjustment challenges as well.



## GENERAL PRACTICES

- Form alliances with military installations in your service area.
- Encourage employee participation in the National Guard and Reserve. Recognize and publicize their dedication and commitment to your business and the nation. Learn about the training they receive from military duty and leverage it to enhance their job performance and value to your organization.
- Recognize your veteran-employees on Veterans Day and Memorial Day. Have a recognized company leader send a personal message to each veteran-employee thanking them for their service. Celebrate the meaning of these specific holidays in your offices and acknowledge the sacrifices that all veterans and their families have made in service to the country.
- Let everybody know of your company's support of your veteran-employees. This proclamation of your support will be positively interpreted by the veteran-employee and will encourage support from your non-veteran employees.
- Learn military culture.
  - There are more than two million people serving in active or reserved duty in the U.S. military, many having served in Iraq and Afghanistan. Acquiring knowledge about this population's values and structure can result in an employer's improved ability to understand, communicate, and effectively interact with service members and their families.
  - For example, active duty members live on or near a military facility that provides full benefits, such as complete medical care. Reservists are considered part-time employees who are deployed overseas and return home, where they often live in areas not near a military facility that provides healthcare and other services that will screen for issues like traumatic brain injury or post-traumatic stress disorder. Isolation from a strong, supportive military community can be difficult for post-deployment adjustment, which may require healthcare and EAP services not commonly needed by your other employees.
- Pledge your support of your employees serving in the National Guard and Reserve. Join thousands of American employers who have signed a Statement of Support. Visit the Statement of Support page: <https://www.esgr.mil/Employers/Statement-of-Support> to find more information on how to show your support.
- Have your Corporate Foundation support the military.



# Energy Company Policies and Practices

The third part of this toolkit is a report on practices energy companies have employed and found successful. CEWD solicited information on veteran-friendly practices and policies from Troops to Energy Jobs Pilot and Sponsor companies, receiving completed surveys from 8 companies. Following is a high-level summary of the findings.



## RECRUITMENT STRATEGIES FOR VETERANS:

- Employ a dedicated Military Recruiter.
- Establish “Relationship Teams” made up of employees who assist with and attend the different military events in which the company participates, such as career fairs, recognition events, etc.
- Attend military-specific job fairs and Transition Assistance Program Classes.
- Post job openings on military-specific job boards (e.g., monster.com VET, Helmets to Hardhats, military.com, recruitmilitary.com). Also post job openings on Direct Employers, who deliver employers’ job opportunities to the influencers of job seekers (e.g., government, education, and community partners) to reach the job seekers. They build strong partnerships with vendors who serve the online recruiting industry, niche job board sites, applicant tracking systems, outplacement and recruiting agencies, recruitment process outsourcing firms, and advertising agencies.
- Use third-party military recruiting firms, such as Orion International, to locate qualified veterans to fill specific hard-to-fill positions. When someone is hired, there is a fee paid by the company.
- Advertise in military-specific publications and websites, such as GI Jobs. Place full-page ads in the publication. Also provide articles to some of the bases for their local newspapers/newsletters.

- Maintain an employment website directed specifically to veterans on your company website. Provide resume writing tips, information on interviewing skills, employment testing practice tests, and links between military occupations/jobs to company occupations/jobs. CEWD has developed a Troops to Energy Jobs website specifically for veterans: <http://www.troopstoenergyjobs.com/>.
- Develop relationships with various veteran organizations:
  - Local Veterans' Employment Representatives (LVER) located in One-Stop Career Centers.
  - Local Guard and Reserve units.
  - Military Transition Assistance Program Offices.
  - Student veteran groups at local colleges.
  - Professional military associations with a commitment to partner with companies and post job opportunities, such as the Army Reserves Employment Partnership, Reserve Officers Association, and Military Spouse Employment Partnership.
- Have current veteran-employees refer other veterans for employment.
- Post job openings and participate in the Employer Partnership of the Armed Forces as a veteran-friendly employer.
- Participate in Employer Support of the Guard and Reserve. ESGR was established in 1972 to promote cooperation and understanding between Reserve component members and their civilian employers and to assist in the resolution of conflicts arising from an employee's military commitment. Show your support and appreciation for all those who serve. Say, "Yes, I pledge my support to the National Guard and Reserve Members" by submitting a Statement of Support Form on their site.
- Allocate a percentage of HR Strategic Staffing budget specifically to military and veteran recruitment.



**Dedicated efforts and resources specific to hiring disabled veterans:**

- Work with veteran service organizations dedicated to disabled vets. For example, work with a local VA Hospital to identify ways to work with them and their wounded warriors. The department responsible for volunteerism and philanthropy can coordinate and organize events and giving programs with these types of organizations.
- Attend job fairs specifically for disabled vets.
- Participate in Project Healing Waters, a not-for-profit organization that is dedicated to the physical and emotional rehabilitation of disabled active military service personnel and veterans.

**RETENTION STRATEGIES:**

- Creation of a veteran business resource group (i.e. affinity group) focused on veteran-employee issues.

**Communication efforts:**

- Use of Corporate, Facebook, and Twitter websites to communicate events and happenings related to veterans.
- Periodic publishing of interest articles and internal publications focused on highlighting military achievements, awards, community outreach, etc.

**Formal Programs to honor and recognize veteran-employees:**

- Wall of Heroes/Wall of Honors listing the names of all employees who are military veterans.
- Veterans Day Celebrations.
- Supporting deployed veteran-employees and deployed family members of employees by sending care packages and letters of care and support for the family remaining state-side.
- Veteran-employees were eligible to enter their name for a raffle giving away 24 tickets and parking passes to the Dominion Luxury Box at FedEx Field for the 2011 Army–Navy football game.

## CEWD Resources

CEWD has prepared several resources that are helpful in hiring, retaining, and supporting military veteran employees.

- Troops to Energy Jobs Video – This video can be used for recruiting purposes, added to websites, shown at career fairs, etc. It shows veterans who have transitioned to energy jobs and demonstrates the commitment of energy companies to hiring veterans. <http://www.youtube.com/watch?v=y2CBRfYlPhw&feature=youtu.be>.
- Veteran Mentoring Toolkit – This toolkit provides a complete structure for the first several months of the mentor/mentee working together to ensure that the typical issues a veteran may have when they are new to the company can be covered. <http://www.cewd.org/troops>.
- Troops to Energy Jobs Resource Guide – The guide provides information and links that will assist in finding and hiring qualified veterans, no matter their physical conditions. <http://www.cewd.org/documents/wizard/documents/CEWDTroopsResourceGuide-2019.pdf>.
- Troops to Energy Jobs Workshop – The workshop is designed for energy companies to use in programs where military personnel are looking for work, such as a Transition Assistance Program (TAP). The goal is for military attendees to learn about the energy industry and in-demand career pathways and leave with a better sense of how they might fit into the big picture of the energy industry for a rewarding career. <http://www.cewd.org/troops-workshop>.
- Get Into Energy Job Match-Up – This site helps energy companies identify military specialties that match up with the energy industry's top five career categories. <http://www.troopstoenergyjobs.com/job-matchup-tool> and <http://www.troopstoenergyjobs.com/>.
- Troops to Energy Jobs Veterans Database – This site helps employers locate veterans/servicemembers looking for jobs in the energy industry. <http://www.troopstoenergyjobs.com/registration>.



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