

**TESTIMONY
OF
ISMAEL ORTIZ
DEPUTY ASSISTANT SECRETARY FOR
VETERANS' EMPLOYMENT AND TRAINING
U.S. DEPARTMENT OF LABOR**

**BEFORE THE
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION,
AND RELATED AGENCIES**

MARCH 21, 2012

Chairman Rehberg, Ranking Member DeLauro, and members of the Subcommittee, thank you for your service to our nation's Veterans and for the opportunity to testify before you today about what the Department of Labor's (DOL) Veterans' Employment and Training Service (VETS) is doing to help our Veterans and transitioning Service Members.

President Obama and Secretary Solis are committed to ensuring that the men and women who serve this country have the employment support, assistance and opportunities they deserve. In support of this goal, the Administration has undertaken initiatives to train, transition and employ Veterans, including support for the Federal hiring of Veterans and working with the private sector to increase job opportunities, especially for recently separated Veterans. These initiatives are, of course, in addition to the core programs DOL has been administering for decades, providing Veterans and transitioning Service Members with critical resources and expertise to assist and prepare them to obtain meaningful careers, maximize their employment opportunities, and protect their employment rights.

I am proud to testify today on the essential programs DOL provides our Veterans and transitioning Service Members. I would like to begin by providing an overview of DOL's core Veterans assistance programs, and then highlight some of the recent initiatives we've undertaken in with our agency partners to help Veterans obtain good jobs and maintain stability.

DOL coordinates its programs to ensure that Veterans receive priority of service for various employment services and other programs. Title 38 USC, section 4215 establishes Priority of Service (POS) for Veterans. The purpose is to provide Priority of Service to Veterans and certain eligible spouses for the receipt of employment, training, and placement services in any workforce preparation program directly funded, in whole or in part, by the Department. To obtain Priority of Service for a specific program, a Veteran or eligible spouse must meet the statutory definition of a "covered person" and also must meet any other statutory eligibility requirements applicable to that program. The Department issued regulations to implement Priority of Service in qualified job training programs on January 19, 2009. DOL's workforce training agencies worked in lock-step to issue relevant guidance. On November 10, 2009, the Employment and Training Administration (ETA) and VETS issued joint guidance through Training and Employment Guidance Letter

(TEGL) 10-09 and Veterans' Program Letter (VPL) 07-09 to provide additional details on the expectations for implementing Priority of Service for Veterans and eligible spouses under Department of Labor-funded job training programs. Veterans receive priority of service in several ETA programs, including, but not limited to:

- Wagner-Peyser Funded Programs;
- Trade Act Programs;
- Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Programs;
- National Emergency Grants;
- Senior Community Service Employment Program;
- Indian/Native American and Migrant/Seasonal Farm Worker Programs;
- Projects authorized under WIA §171, including grants to smaller or grassroots entities such as faith-based and community organizations, and grants under the Re-Integration of Ex-Offenders Program;
- Virtual Workforce Information Tools; and
- High Growth Grants.

Core Programs

VETS administers five programs to promote the hiring and job readiness of Veterans:

- The Jobs for Veterans State Grants (JVSG);
- The Transition Assistance Program Employment Workshops (TAP);
- The Homeless Veterans' Reintegration Program (HVRP);
- The Veterans Workforce Investment Program (VWIP); and
- The Uniformed Services Employment and Reemployment Rights Act (USERRA), and Veterans' Preference in Federal Employment.

Jobs for Veterans State Grants (JVSG)

Jobs for Veterans State Grants help Veterans find good jobs through services provided at One-Stop Career Centers, the cornerstone of the Nation's workforce system administered by DOL, and other locations. As you know, much of the Department's work with Veterans and other eligible individuals is concentrated on maximizing the employment and training opportunities developed through VETS and the Employment and Training Administration's (ETA) strong relationship with State Workforce Agencies. Based on these relationships, DOL has decades of experience working with the employer community, at both local and national levels, to recruit, train, and find employment for Veterans and transitioning Service Members. Through the JVSG, for example, the Department provides grants to the State Workforce Agencies in each state, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands to fund support services to Veterans through two primary staff positions, Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representative (LVER) staff members.

DVOP staff members have specialized in providing intensive employment services to Veterans for the past 32 years. The primary duty of DVOP specialists is to provide intensive services to Veterans. They may be located within the One-Stop Career Centers or co-located with other service providers such as the Department of Veterans Affairs' (VA) Regional Offices and other

points of entry to VA's Vocational Rehabilitation and Employment (VR&E) services to help VR&E participants find good jobs. DVOP Specialists:

- Provide intensive services to meet the employment needs of special disabled, disabled, and other eligible Veterans; and,
- Provide a full range of employment services to Veterans with maximum emphasis on assisting economically or educationally disadvantaged Veterans.

LVER staff members have been providing employment services to Veterans for the past 67 years. They are primarily responsible for conducting outreach to employers to assist Veterans in gaining employment. LVER staff members are located in service delivery points -- such as One-Stop Career Centers -- throughout the states. Their specific responsibilities are to:

- Conduct outreach to employers in the area to assist Veterans in gaining employment;
- Provide seminars for employers and, in conjunction with employers, conduct job search workshops and establish job search groups for job-seeking Veterans; and
- Facilitate employment, training, and placement services furnished to Veterans in states under the applicable state employment service delivery system.

In accordance with Title 38, United States Code (USC), chapter 41, each state is responsible for establishing the appropriate mix of DVOP and LVER staff based upon local economic conditions and related factors, and allocates a corresponding share of its JVSG funds to support those staff members each year. We note that in 2011, approximately 530,000 Veterans and transitioning Service members received employment services through JVSG programs.

Your invitation mentioned that you were particularly concerned with those individuals who have become disabled during the course of their service to our country. The Department is committed to supporting our disabled Veterans, and works closely with the Department of Veterans Affairs' Vocational Rehabilitation and Employment (VR&E) program to ensure that robust employment services are made available. DVOPs are outstationed at VR&E offices to provide employment information to VR&E participants during their rehabilitation program, and refer them to DVOPs at One-Stop Career Centers when the program is over. The DVOPs at One-Stop Career Centers then provide intensive services to referred participants to assist them in obtaining employment.

Besides working with job-ready Veterans, the outstationed DVOP is involved at the front end of the VR&E process to help Veterans determine local labor market information. This interaction facilitates the rehabilitation planning process by providing the Veteran and the VR&E counselor with current data on salary and job outlook as well as increasing understanding of working conditions for specific occupations. There is currently either a DVOP specialist or LVER outstationed at least half-time in 48 of the VA Regional Offices and in 19 satellite offices.

Transition Assistance Program (TAP) Employment Workshops

The U.S. military transitions approximately 160,000 active duty Service Members and demobilizes 95,000 Reservists and National Guard Members annually. Given these figures, transition assistance and employment services for Veterans are essential to helping our men and women in

uniform reintegrate into the civilian workforce. This is especially true now that the Iraq war has officially ended and we are winding down our presence in Afghanistan.

One important program designed to help Service Members successfully reintegrate into civilian life is the Transition Assistance Program (TAP), an interagency effort among DOL, VA, and Departments of Defense and Homeland Security. Through TAP, the Department of Labor brings to bear its extensive expertise in employment services to provide a comprehensive two and a half day voluntary Employment Workshop at U.S. military installations around the world to assist separating Service Members and their spouses transition from the military to civilian employment. In 2011, for example, VETS provided more than 4,200 TAP Employment Workshops to nearly 145,000 participants combined at domestic and overseas locations. This figure is only expected to increase over the coming months as partner agencies implement the VOW to Hire Heroes Act of 2011, which will now require mandatory Service Member participation for all TAP components, including the Employment Workshop.

The TAP Employment Workshop is standardized so that all attending transitioning Service Members and spouses receive the same high level of instruction. Participants receive the same student manual, and all TAP facilitators work from the same facilitator manual (which are both available online at <http://www.dol.gov/vets/programs/tap/main.htm>). Participants also receive an individualized skills assessment and evaluation of their employability relative to the current job market. The course curriculum provides information on a variety of topics including career exploration, job search techniques, current labor market conditions, resume preparation and interview techniques, as well as information on eligibility for other Veterans' benefits. Further, VETS requires that all Employment Workshop facilitators receive training conducted by the National Veterans Training Institute (NVTI) at the University of Colorado in Denver.

VETS began offering TAP Employment Workshops to members of the Reserve and National Guard returning from active duty assignments in FY 2005. VETS' State Directors for Veterans' Employment and Training (DVETs) coordinate closely with JVSG grantees to ensure that State staff members are available to facilitate TAP Employment Workshops for returning Reserve and National Guard component Service Members and their spouses. Additionally, DVETs work directly with state Adjutant Generals and local reserve unit commanders to advertise the availability of TAP Employment Workshops. And, during most Employment Workshops, representatives from the VA are also on hand to provide pertinent information on VA benefits, VA education assistance, and Post Traumatic Stress Disorder. VETS has also committed to provide any requested TAP Employment Workshop module at the 30, 60, and 90-day Yellow Ribbon Reintegration programs, a DoD-led effort to promote the well-being of National Guard and Reservists, their families, and communities by connecting them with appropriate resources throughout the deployment cycle.

Last year, in direct response to external assessments and participant feedback, VETS worked with its partner agencies to significantly redesign the TAP Employment Workshop to make it more engaging and relevant in light of the unique challenges facing returning Service Members as they look to transition into meaningful civilian careers during the current economic recession. Aside from a new curriculum, delivery methods, and student hand-out materials based on established best practices in career transition, the redesign of the Employment Workshop also includes tools to help Service Members translate their military skills and training to meet applicable civilian licensing and credentialing requirements that are required in their chosen career field. As part of this

feature, Employment Workshop facilitators help transitioning Service Members to better understand the Verification of Military Experience and Training (VMET) document provided by DoD; the VMET certifies job skills and experience acquired on active duty that may also apply to licensing and certification needed for civilian employment.

We are currently piloting the redesigned Employment Workshop at 11 test sites and plan to have it fully implemented at all locations by November 1, 2012.

Homeless Veterans' Reintegration Program (HVRP)

Secretaries Solis, Shinseki, Sebelius, and Donovan share a strong commitment to eliminating homelessness among our Nation's Veterans.

At DOL, our primary program aimed at eliminating homelessness among Veterans is the Homeless Veterans' Reintegration Program (HVRP). The HVRP provides employment and training services to assist in reintegrating homeless Veterans into meaningful employment within the labor force and to stimulate the development of effective service delivery systems that will address the complex problems facing homeless Veterans. HVRP is the only nationwide program focusing exclusively on employment of Veterans who are homeless. HVRP funds are awarded to eligible entities through a competitive grant process. These grantees provide an array of services utilizing a holistic case management approach that directly assists homeless Veterans and provides training services to help them transition into the labor force. Grantees also provide critical linkages for a variety of supportive services available in their local communities, including employers. In Program Year (PY) 2010, VETS awarded 140 HVRP grants; 15,941 homeless Veterans received services from HVRP grantees, 9,447 (59 %) obtained employment.

Veterans' Workforce Investment Program (VWIP)

Through the Veterans' Workforce Investment Program (VWIP), DOL awards competitive grants geared toward focused training, re-training and employment opportunities for recently separated Veterans, Veterans with service-connected disabilities, Veterans with significant barriers to employment and Veterans who served on active duty during expeditions or campaigns for which specific badges were awarded. These grants are awarded to meet the needs of employers for qualified workers in high demand industries, particularly those occupations requiring a license or certification. The Secretary is appearing before the Committee next week to discuss the Department's FY 2013 budget request, which reallocates funds from VWIP to other programs which serve greater numbers of Veterans. We are proceeding with both option years for current grantees and a competitive grant solicitation for the remainder of the funding in the FY 2012 bill.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) and Veterans' Preference in Federal Employment

DOL administers and enforces a host of laws that protect American workers to ensure their workplace safety, protect their hard-earned retirement benefits, and to ensure that they are treated fairly on the job. Among these important worker protection laws is the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Through USERRA, VETS works tirelessly to ensure that our Nation's Service Members and Veterans are protected against adverse discrimination due to their past, present, or future military service obligations. VETS is committed to protecting their employment and reemployment rights, and also works diligently to

help ensure that Veterans receive their due preference in securing Federal employment, as provided by Title 5 of the U.S. Code.

VETS' professional investigative staff accepts and investigates complaints filed by individuals who believe that their USERRA employment or reemployment rights have been violated by public or private-sector employers. In addition, it investigates complaints brought by eligible Veterans who allege their Federal Veterans' preference rights have been violated. VETS has established an electronic filing capability for both USERRA and Veterans' Preference complaints. The ability to file electronically benefits both the claimant and the VETS investigators to ensure that timely attention is given to complaints. The filing of complaints is available directly through VETS' elaws Veterans' Preference Advisor and the USERRA Advisor, both of which are interactive systems designed to provide the user with information on the roles and responsibilities of employees and employers under these laws.

VETS staff also provides technical assistance and informational briefings on the law to the public. Many employment disputes arise from misunderstandings on employee and employer rights and obligations under the law, and, as a result, VETS seeks to resolve issues at the earliest possible opportunity. Since September 11, 2001, VETS has received and investigated approximately 1,375 cases per year. VETS conducts thorough and complete investigations, including obtaining all documentary evidence and witness statements. VETS also has subpoena authority and uses it when necessary.

VETS works with the employers and claimants to achieve a satisfactory resolution. When VETS is unable to resolve the issue, the claimant may request that his or her case be referred to either the U.S. Department of Justice (for non-Federal employers) or the Office of Special Counsel (for Federal-sector employers) for those agencies to determine whether they will provide representation in Federal District Court or before the Merit Systems Protection Board, respectively. In the alternative, the claimant may elect to pursue relief as a *pro se* litigant or through private counsel at his or her own expense.

VETS is proud to lead the Department's efforts on many of its programs, and works in tandem with other DOL workforce training and employment protection agencies, such as ETA and the Office of Federal Contract Compliance Programs (OFCCP), to provide essential services, assistance, and employee protections to our Service Members and Veterans. DOL is taking similar steps to ensure implementation of the VOW to Hire Heroes Act of 2011 – an integrated DOL effort involving VETS and several other DOL agencies, all working to ensure that the men and women who served our Nation are cared for when they leave the service.

Interagency and Public-Private Initiatives, Projects, Programs and Services

I would like to touch now briefly on just some of the initiatives, both public and private partnerships, the Department leads or supports to improve services to Veterans and transitioning Service Members in the area of employment. On all of these initiatives, VETS provides valuable insight and assistance to DOL agencies about the unique employment-related needs of our Nation's Veterans and Service Members, and also helps coordinate with our Federal partners.

National Resource Directory and Veterans Job Bank

The National Resource Directory (NRD, <https://www.nationalresourcedirectory.gov/>) is a website for connecting wounded warriors, Service Members, Veterans, their families, and those who support them, to services and resources at the national, state and local levels to support recovery, rehabilitation and community reintegration. The NRD is a partnership among DoD, DOL, and VA. NRD includes information from Federal, state and local government agencies; Veterans service and benefit organizations; non-profit and community-based organizations; academic institutions; and professional associations that assist wounded warriors and their families. VETS is the Department's lead agency for this initiative.

The Veterans Job Bank (https://www.nationalresourcedirectory.gov/home/veterans_job_bank), powered by NRD, provides a central source for Veterans to identify Veteran-committed employment opportunities and for America's employers to identify qualified Veterans. It facilitates access to nearly one million private-sector job openings drawn from various job boards that have posted or specifically tagged jobs for Veterans. The Veterans Job Bank, co-managed by DoD, DOL, and VA, enables Veterans to search for jobs from thousands of military-friendly employers worldwide based on keyword, military occupation code (MOC), and /or location.

As part of the Department's Employment Laws Assistance for Workers and Small Businesses (elaws) program, VETS has developed an e-VETS Resource Advisor. This Advisor integrates with the NRD and assists Veterans, Service Members and all those who support them, to quickly and easily navigate information and resources on a range of topics, including: Benefits and Compensation; Education and Training; Employment; Family and Caregiver Support; Health; Homeless Assistance; Housing; Transportation and Travel; Other Services and Resources; and State-Specific Information and Resources. The Advisor is available 24/7.

Gold Card Initiative

The "Gold Card" provides unemployed post-9/11 era Veterans with the services they need to succeed in today's job market. VETS, in conjunction with DOL's Employment and Training Administration (ETA), has developed a suite of enhanced intensive services, including follow-up, designed to address the barriers to employment faced by post-9/11 era Veterans. By maximizing synergies between VETS-funded programs and the One-Stop Career Center system funded mainly by ETA, these services, when provided under the Veterans' priority of service, are designed to overcome such barriers to employment and return our post-9/11 era Veterans to the civilian workforce.¹

¹ DOL, DoD, and VA have also collaborated on outreach to publicize several DOL products and tools to assist Veterans, including the Veterans ReEmployment Page (www.careeronestop.org/reemployment/veterans/default.aspx); the Key to Success Career site (www.careeronestop.org/militarytransition), which connects Veterans and transitioning Service Members to high-quality career planning, training, and job search resources available online and at local OneStop Career Centers; and MyNextMove for Veterans (<http://www.mynextmove.org/vets>), an easy-to-use electronic tool that enables military Veterans to enter their military occupational experience to explore related civilian occupations and find career information, including job openings, job outlook information, salaries, apprenticeships, and other related education and training programs. These sites also link to the National Resource Directory.

Reemployment for Military Unemployment Compensation Claimants

VETS and ETA are working with the Department of the Army and DoD to support the rapid reemployment of transitioning Service Members who are receiving Unemployment Compensation for Ex-Military Members (UCX). Better reemployment outcomes for UCX claimants will help military families in need while producing savings from the approximately \$900 million in annual UCX costs to taxpayers. The interagency UCX reemployment team's strategies include: facilitating more timely and aggressive outreach to UCX claimants, leveraging existing Veteran resources and tools of DOL and the public workforce system, and supporting state workforce agency engagement in these efforts.

Joining Forces

Joining Forces is a comprehensive national initiative, co-led from the White House by the First Lady and Dr. Jill Biden, to mobilize all sectors of society to give our Service Members and their families the opportunities and support they have earned. DOL is working through this initiative to help highlight the workforce potential of transitioning Service Members, Veterans and military spouses, whose moves from one community to another make it difficult for these spouses to continue their careers or find similar jobs in new locations. This initiative will help to expand employment and career development opportunities and help employers create military family-friendly workplaces. VETS is the lead DOL agency for Joining Forces.

Veterans Transportation and Community Living Initiative

As co-chair of Veterans Work Group of the Department of Transportation's interagency United We Ride effort, DOL's Office of Disability Employment Policy (ODEP) has played a leadership role in developing a \$35 million Veterans' Transportation and Community Living Initiative, announced by Transportation Secretary LaHood on November 12, 2011. Grants were awarded to 55 local communities to assist newly disabled Service Members returning from Iraq and Afghanistan, and their families, to access needed transportation supports and services, including employment-related transportation. Secretary LaHood has recently announced the availability of an additional \$30 million for this program for a total of \$65 million in this fiscal year.

United Services Military Apprenticeship Program (USMAP)

The United Services Military Apprenticeship Program is a formal military training program that provides active duty Coast Guard, Marine Corps, and Navy Service Members the opportunity to improve their job skills and to complete their civilian apprenticeship requirements while they are on active duty. DOL's Employment and Training Administration provides the nationally recognized "Certificate of Completion of Apprenticeship" upon program completion. This assists Service Members in earning an apprenticeship credential while on active duty that can be leveraged toward civilian employment when they separate.

Guard Apprenticeship Program Initiative (GAPI)

To help soldiers improve their job skills and establish a lifetime career, the Army National Guard has established the Guard Apprenticeship Program Initiative (GAPI) – a partnership with DOL's Employment and Training Administration in coordination with VA offices. The GAPI is an "earn

while you learn" experience, where soldiers learn new concepts and skills and also obtain national certification in one of over 100 occupations while earning civilian wages. These skilled occupations are mapped to 107 military occupational specialties, and eligible soldiers receive VA educational benefits while they pursue a registered apprenticeship program.

America's Heroes at Work

America's Heroes at Work (www.americaheroesatwork.gov) is a DOL technical assistance and public awareness campaign targeting America's employers. America's Heroes at Work focuses on the employment challenges of returning Service Members and Veterans living with Traumatic Brain Injury (TBI) and/or Post-Traumatic Stress Disorder (PTSD). The initiative equips employers and military support systems with the tools they need to help these men and women affected by TBI and/or PTSD succeed in the workplace—particularly Service Members and Veterans returning from Iraq and Afghanistan. The program is managed by VETS, with the assistance of ODEP and in collaboration with other Federal agencies engaged in TBI and PTSD programs, including the DoD, VA, the Department of Health and Human Services (HHS), and others. As part of this effort, ODEP and VETS sit on the advisory committee for DoD's Real Warriors Campaign administered by the Defense Center on Excellence for Psychological Health and Traumatic Brain Injury.

Hiring Our Heroes

VETS is also working with the private sector to increase the employment of our Veterans and returning Service Members. The first of these initiatives is our work with the US Chamber of Commerce. The Chamber, in partnership with VETS and ESGR, will have conducted 100 hiring fairs exclusively for Veterans, transitioning Service Members and their spouses between March 2011 and March 2012. Through this partnership, the Chamber and its affiliates secure the participation of employers, while the VETS team and ESGR focus on participation by Veterans, transitioning Service Members, and their spouses. The Chamber hiring fairs have hosted more than 84,000 Veterans and military spouses and given them the opportunity to meet with over 4,300 different employers. As a result, the effort has helped more than 7,300 Veterans and military spouses and 60 wounded warriors find employment.

Information Technology Industry Training and Certification

Working with DOL in a liaison role, Microsoft Corporation will offer 10,000 technology training and certification packages to U.S. military Veterans over a two-year period in five cities- Seattle, Houston, San Diego, Jacksonville, and Northern Virginia. The technology training and certification will be available at intermediate and advanced levels and will be delivered through e-learning, with additional in-person support. This partnership with the One-Stop Career Center system is an extension of the overall Microsoft Elevate America Veterans initiative, which demonstrates a total investment of \$12 million cash, product, and related support for U.S. Veterans.

Conclusion

This testimony has outlined the Department's considerable efforts, through both formal government programs and a series of initiatives and partnerships that work in concert, to serve

America's Veterans. Each has an important role to play, and the men and women who work within the Department, within the State and local workforce system where many of our services are delivered, and within our grantees, all understand that no one part of the system can go it alone. Employers want and need the skills that our Veterans can provide to their workforce, and when we can make the connection between the job-seeker and the employer, both win.

I am deeply humbled to have the privilege of serving our nation as the Deputy Assistant Secretary for Veterans' Employment and Training. Secretary Solis has been an incredible source of guidance and support, and has made Veterans and VETS one of her top priorities. Our programs are an integral part of Secretary Solis's vision of "*Good Jobs for Everyone*," and her commitment to help Veterans and their families get into the middle class and maintain stability.

Chairman Rehberg, Ranking Member DeLauro, and members of the Subcommittee, this concludes my statement. Thank you again for the opportunity to testify today. I would be pleased to answer any questions you may have.