



# Highlights

Highlights of [GAO-08-254T](#), a testimony to Committee on Health, Education, Labor and Pensions, U.S. Senate

## Why GAO Did This Study

Since September 11, 2001, the Department of Defense (DOD) has mobilized more than 500,000 National Guard and Reserve members. As reservists return to civilian life, concerns exist about difficulties with their civilian employment. The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 protects the employment rights of individuals, largely National Guard and Reserve members, as they transition back to their civilian employment. GAO has issued a number of reports on agency efforts to carry out their USERRA responsibilities. DOD, the Department of Labor (DOL), the Department of Justice (DOJ), and the Office of Special Counsel (OSC) have key responsibilities under the act. GAO was asked to discuss the overall process that the agencies use to implement USERRA. Specifically, this testimony addresses (1) organizational accountability in the implementation of USERRA and (2) actions that the agencies have taken to improve their processes to implement USERRA. For this testimony, GAO drew from its most recent reports on USERRA.

## What GAO Recommends

In October 2005 GAO suggested that Congress make a single entity accountable for maintaining visibility over the entire USERRA complaint resolution process. Designating one single entity would, in GAO's view, enhance efforts to improve overall program results.

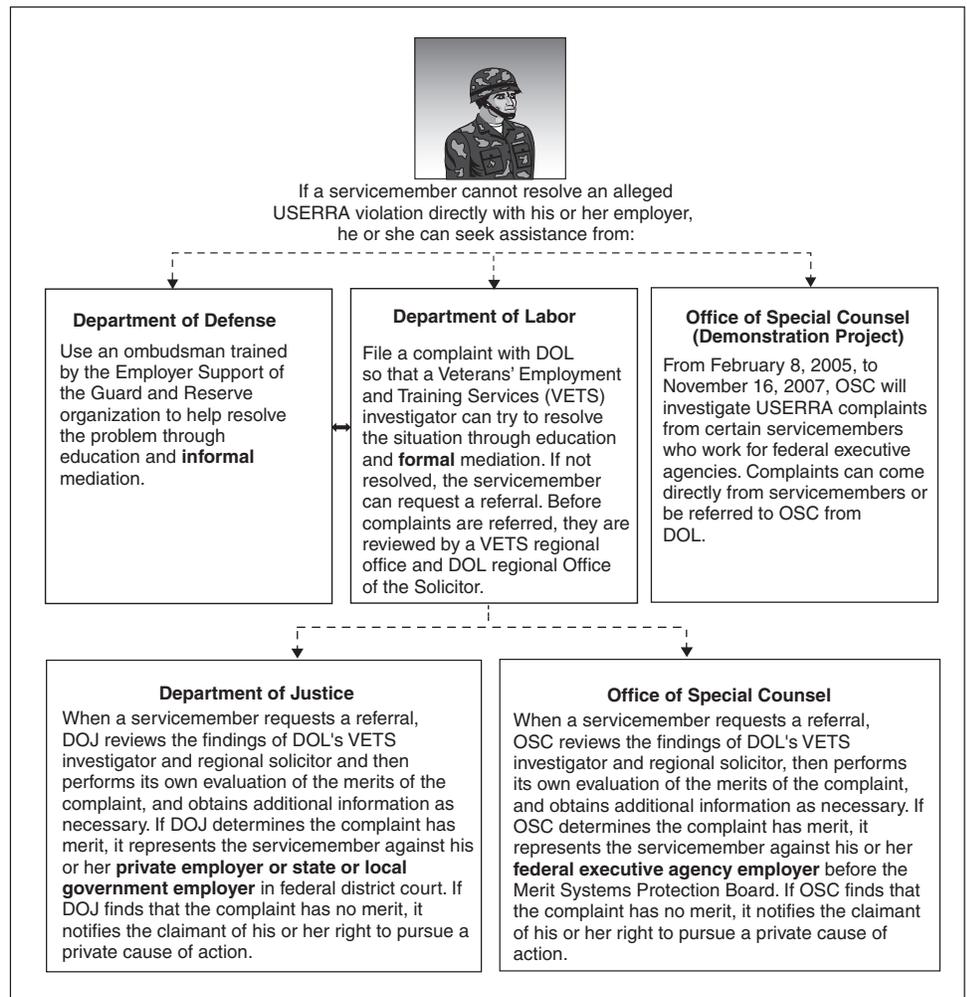
To view the full product, including the scope and methodology, click on [GAO-08-254T](#). For more information, contact Brenda Farrell at (202) 512-3604 or [farrellb@gao.gov](mailto:farrellb@gao.gov) or George Stalcup at (202) 512-9490 or [stalcupg@gao.gov](mailto:stalcupg@gao.gov).

## MILITARY PERSONNEL

### Federal Agencies Have Taken Actions to Address Servicemembers' Employment Rights, but a Single Entity Needs to Maintain Visibility to Improve Focus on Overall Program Results

## What GAO Found

Depicted below are servicemembers' options for obtaining federal assistance with their USERRA complaints.



Source: GAO, Art Explosion.

USERRA defines individual agency roles and responsibilities; however, it does not designate any single individual or office as accountable for maintaining visibility over the entire complaint resolution process. From the time informal complaints are filed with DOD's Employer Support of the Guard and Reserve through final resolution of formal complaints at DOL, DOJ, or OSC, no one entity has visibility over the entire process.

The four agencies have generally been responsive to GAO's recommendations to improve the implementation of USERRA—on outreach to employers, data sharing and trend information, reporting to Congress, and the internal review of DOL's investigators' determinations of USERRA claims.