STRATEGY RESEARCH PROJECT

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WILL EMPLOYERS CONTINUE TO SUPPORT THE RESERVE COMPONENTS IN THE 21ST CENTURY?

BY

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ABSTRACT

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Numerous events have taken place within the defense community resulting in greater reliance on each of the seven military reserve components in fulfilling our National Military Strategy. These events include: a reduction in both active component endstrength and force structure; an increase in post-cold war deployments; and initiatives to further integrate the active and reserve components.

The nature of U.S. military involvement has changed significantly over the past ten years. Military Operations Other Than War (MOOTW) have dominated the military's role and will continue to do so for the foreseeable future. The future clearly holds an increase in reserve component participation as the active forces struggle with multiple and often competing demands on their limited resources.

All reserve components welcome the opportunity to play an expanded role in executing our National Military Strategy. The critical element in fulfilling that role may be the willingness of employers to support the participation of their employees as reserve component members. The current incentives available to employers are not sufficient to maintain long-term support given the heightened role of the Guard and Reserve. Employers require new incentives, programs and other initiatives to ensure continued support of the reserve components.

TABLE OF CONTENTS

ABSTRACT III

LIST OF TABLES VII

WILL EMPLOYERS CONTINUE TO SUPPORT THE RESERVE COMPONENTS IN THE 21ST CENTURY?

WHAT HAS CHANGED? 1

ENDSTRENGTH AND FORCE STRUCTURE 2

POST-COLD WAR DEPLOYMENTS 4

INTEGRATION INITIATIVES 5

EMERGING THREATS 6

AN EXPANDED ROLE FOR THE RESERVE COMPONENTS 6

THE PARADIGM SHIFT 7

EMPLOYER SUPPORT 8

BACKGROUND 8

USERRA – PROTECTIONS AND RESPONSIBILITIES 9

BENEFITS OF EMPLOYING RESERVISTS 12

EMPLOYER CONCERNS 12

DURATION AND FREQUENCY OF DEPLOYMENTS 13

ADEQUATE NOTIFICATION TIME 14

FAIR LIMITS ON VOLUNTEER DUTY 15

COMMERCIAL AIRLINE CERTIFICATION 15

MULTIPLE DEPLOYMENTS UNDER THE SAME PRC 16

RIGHTS OF TEMPORARY EMPLOYEES 16

EMPLOYEE CONCERNS 16

JOB PROTECTION 16

VOLUNTARY VERSUS INVOLUNTARY DUTY 17

EMPLOYER HARASSMENT 17

LOSS OF CIVILIAN CAREER OPORTUNITIES 18

CURRENT INNITIATIVES 18

TAX CREDITS/INCENTIVES 18

SHORTENING OVERSEAS TOURS 18

FEDERAL MODEL EMPLOYER INITIATIVE 19

DOD-U.S. CHAMBER OF COMMERCE INITIATIVE 19

DOD SURVEY TO EMPLOYERS 19

IMPACT ON STRENGTH MANAGEMENT 19

CONCLUSIONS AND RECOMMENDATIONS 20

ENDNOTES 23

BLIOGRAPHY 25

LIST OF TABLES

TABLE 1. PERSONNEL TABLES 2

TABLE 2. GENERAL PURPOSE FORCE HIGHLIGHTS 3

TABLE 3. POST-COLD WAR DEPLOYMENTS 4

WILL EMPLOYERS CONTINUE TO SUPPORT THE RESERVE COMPONENTS IN THE 21ST CENTURY?

> "Today, reserve forces are included in all war plans, and no major military operation can be successful without them. We could not maintain our military without the Guard and Reserve. It would be cut in half. We couldn't do it in Bosnia, we couldn't do it in the Gulf, we couldn't do it anywhere."
>
> — William S. Cohen, Secretary of Defense

> "Today's Guard and Reserve number 1.4 million men and women. They are half the Total Force, critical contributors to every mission, and essential to our national security."
>
> — Charles L. Cragin, Principal Deputy Assistant Secretary of Defense

The extent to which employers support their employees participation as reserve component members is arguably one of the most critical challenges for the Guard and Reserves in the wake of an increased role in fulfilling the National Military Strategy. However, evidence suggests employers are becoming increasingly concerned about the impact of lost work-time due to employee participation in the Guard and Reserves. Guard and Reserve members face a tremendous challenge in balancing the needs between family, civilian careers, and their military responsibilities.

WHAT HAS CHANGED?

In the post-cold war environment there has been a natural tendency by the American people to assume there is a reduced threat to our national vital interests. In part, due to this assumption and pressure to reduce the national debt, the U.S. military has been significantly reduced in both authorized endstrength and as a percent of the Nation's Gross Domestic Product (GDP). The so-called savings associated with a more *tranquil* post-cold war environment have led to a "peace dividend".

However, despite the collapse of the former Soviet Union, the new world order has proven to be very unstable and subject to increased regional tensions as nation states compete for economic and military dominance. The change from a bipolar world has led to an unprecedented period of increased post-cold war deployments for U.S. military forces.

The nature of U.S. military operations has changed significantly over the past ten years. Military Operations Other Than War (MOOTW), to include peace keeping operations (PKO), humanitarian assistance, non-combatant evacuation operation (NEO), and other non-combative type missions have dominated the military's role and will continue to do so for the foreseeable future. Additionally, emerging threats affiliated with Homeland Security are placing new burdens on an already over-taxed U.S. military.

As a consequence, a number of events have taken place within the defense community resulting in a greater reliance on each of the seven military reserve components (Air Force Reserve, Air National Guard, Army Reserve, Army National Guard, Marine Corps Reserve, Navy Reserve, and Coast Guard Reserve) in fulfilling our National Military Strategy. These events include: a significant reduction in both active component endstrength and force structure; an unprecedented increase in post-cold war

deployments; initiatives by all services to further integrate their respective active and reserve components; and a new generation of emerging threats.

ENDSTRENGTH AND FORCE STRUCTURE

From 1991 through 1999, the total military endstrength was reduced by over 33 percent. The active component forces have shrunk by 800,000 troops to approximately 1.4 million. The active Army was cut from 18 to 10 active divisions; the Navy went from 567 ships to just over 300; and the Air Force lost half of its 24 fighter wings. Table 1 below reflects the reduction in endstrength from FY 1989-2001.

MILITARY AND CIVILIAN PERSONNEL STRENGTH[a,b] (END FISCAL YEAR - IN THOUSANDS)													
	FY89	**FY90**	**FY91**	**FY92**	**FY93**	**FY94**	**FY95**	**FY96**	**FY97**	**FY98**	**FY99**	**FY00**	**FY01**
Active Component													
Army	769.7	750.6	725.4	611.3	572.4	541.3	508.6	491.1	491.7	483.9	479.4	480.0	480.0
Navy	592.7	582.9	571.3	541.9	510.0	468.7	434.6	416.7	395.6	382.3	373.0	371.8	371.3
Marine Corps	197.0	196.7	195.0	184.6	178.4	174.2	174.6	174.9	173.9	173.1	172.6	172.1	172.0
Air Force	570.9	539.3	510.9	470.3	444.4	426.3	400.4	389.0	377.4	367.5	360.6	360.9	354.4
Total	**2130.2**	**2069.4**	**2002.6**	**1808.1**	**1705.1**	**1610.5**	**1518.2**	**1471.7**	**1438.6**	**1406.8**	**1385.7**	**1384.8**	**1377.7**
Reserve Component Military (Selected Reserve)													
ARNG	457.0	437.0	441.3	426.5	409.9	369.9	374.9	370.0	370.0	362.4	357.5	350.0	350.0
Army Reserve	319.2	299.1	299.9	302.9	275.9	259.9	241.3	226.2	212.9	205.0	205.2	205.0	205.0
Naval Reserve	151.5	149.4	150.5	142.3	132.4	107.6	100.6	98.0	95.3	93.2	89.0	90.3	89.6
USMC Res	43.6	44.5	44.0	42.3	41.7	40.7	40.9	42.1	42.0	40.8	40.0	39.6	39.5
ANG	116.1	117.0	117.6	119.1	117.2	113.6	109.8	110.5	110.0	108.1	105.7	106.6	160.7
Air Force Res	83.2	83.8	84.5	81.9	80.6	79.6	78.3	73.7	72.0	72.0	71.7	73.7	73.9
Total	**1170.6**	**1130.8[b]**	**1137.8[c]**	**1114.9**	**1057.7**	**9971.3**	**945.8**	**920.4**	**902.2**	**881.5**	**869.1**	**865.2**	**864.7**
Civilian[d]													
Army	401.5	398.4	369.6	364.5	327.3	289.5	272.7	258.6	246.7	232.5	224.9	219.9	216.4
Navy/USMC	350.2	349.0	331.8	319.5	295.0	276.5	259.3	239.9	222.6	207.6	200.8	199.5	192.2
Air Force	258.6	255.4	235.0	215.0	208.2	196.6	188.9	182.6	180.0	172.8	165.7	162.6	161.6
DoD Agencies	97.1	99.6	112.4	139.4	153.6	154.0	144.3	137.6	136.5	118.0	112.5	118.4	114.3
Total	**1107.4**	**1102.4**	**1048.7[e]**	**1038.4**	**984.1**	**916.5**	**865.2**	**818.7**	**785.8**	**730.9**	**704.0**	**700.2**	**684.5**

TABLE 1. PERSONNEL TABLES

[a] As of September 30, 1999.
[b] Numbers may not add to totals due to rounding.
[c] Does not include 25,600 members of the Selected Reserve who were activated for Operation Desert Shield, displayed in the FY 1990 active strength total and paid for from the Active Military Personnel Appropriations account.
[d] Includes direct and indirect hire civilian full–time equivalents.
[e] Does not include 17,059 members of the Selected Reserve who were activated for Operation Desert Shield/Storm, displayed in the FY 1991 active strength total and paid for from the Active Military Personnel Appropriations account.

Table 2 shows the major force structure for all services and components from FY 1994-2002.

DEPARTMENT OF DEFENSE GENERAL PURPOSE FORCES HIGHLIGHTS									
	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
Land Forces									
Army Divisions									
Active	12	12	10	10	10	10	10	10	10
Reserve	8	8	8	8	8	8	8	8	8
Marine Corps Divisions									
Active	3	3	3	3	3	3	3	3	3
Reserve	1	1	1	1	1	1	1	1	1
Army Separate Brigades[a]									
Active	7	3	3	3	3	3	3	3	3
Reserve	24	24	22	18	18	18	18	18	18
Tactical Air Forces (PMAI/Squadron)[b]									
Air Force Fighter and Attack Aircraft[c]									
Active	966/53	936/53	936/52	936/52	936/52	936/49	936/47[d]	906/45	906/45
Reserve	639/40	576/38	504/40	504/40	504/40	519/38	549/38	549/38	549/38
Conventional Bombers									
B–1 (Active/Reserve)	0	0	0	0	36/18	36/18	36/16	36/16	36/16
Navy Fighter and Attack Aircraft									
Active	582/50	528/44	504/37	456/36	456/36	432/36	432/36	432/36	432/36
Reserve	90/7	38/3	38/3	38/3	38/3	36/3	36/3	36/3	36/3
Marine Corps Fighter and Attack Aircraft									
Active	320/23	320/23	308/21	308/21	308/21	280/21	280/21	280/21	280/21
Reserve	68/5	48/4	48/4	48/4	48/4	48/4	48/4	48/4	48/4
Naval Forces									
Strategic Forces Ships	19	16	17	18	18	18	18	18	18
Battle Forces	315	300	294	292	271	256	257	258	257
Support Forces Ships	41	37	26	26	26	25	25	25	25
Reserve Forces Ships	16	19	18	18	18	18	16	15	15
Total Ship Battle Forces	391	372	355	354	333	317	316	316	315
Mobilization Category B: Mine Warfare Ships	1	1	2	6	8	10	11	11	11
Local Defense Mine Warfare Ships and Coastal Defense Craft	7	12	13	13	13	12	13	13	11
Total Other Forces[e]	8	13	15	19	21	22	24	24	22

TABLE 2. GENERAL PURPOSE FORCE HIGHLIGHTS

NOTE: PMAI = primary mission aircraft inventory.

[a] Includes the Eskimo Scout Group and the armored cavalry regiments.

[b] The PMAI counts given here include combat–coded aircraft only.

[c] Reductions in the number of squadrons reflect consolidations and organizational changes.

[d] A previously planned reduction to 906 aircraft has been delayed to FY 2001 because of delays in converting some combat units into training units.

[e] Excludes auxiliaries and sealift forces.

POST-COLD WAR DEPLOYMENTS

Ironically, this downsizing has occurred in a period when the pace of operations and U.S. military missions and commitments around the world have increased dramatically. In fact, the post-Cold War period has seen U.S. military forces placed in harm's way on a wider variety of both humanitarian and combat missions, far from families, and with greater frequency than at any comparable peacetime period in U.S. history.[1]

1. Sinai MFO	PKO	1982 ~ ?
2. Just Cause	Limited Conventional Conflict	1989 ~1990
3. Desert Shield/Storm	Regional Conventional Conflict	1990 ~1991
4. Sharp Edge	NEO	1990
5. Eastern Exit	NEO	1991
6. Fury Vigil	NEO	1991
7. Sea Angel	Humanitarian Assistance	1991
8. Provide Comfort	Humanitarian Assistance	1991
9. Sierra Leone	NEO	1992
10. JTF Liberia	NEO	1992
11. Restore/Continued Hope	Humanitarian Assistance	1992
12. Southern Watch	Sanctions Enforcement	1992 ~ ?
13. Provide Promise	Humanitarian Assistance	1992 ~1996
14. Hurricane Andrew	Domestic Disaster Relief	1992
15. Typhoon Iniki	Domestic Disaster Relief	1992
16. LA riots	Domestic Civil Support	1992
17. Provide Hope	Humanitarian Assistance	1992 ~1994
18. Deny Flight	Sanctions Enforcement	1993 ~1995
19. Midwest Flood	Domestic Disaster Relief	1993
20. Able Sentry	PKO	1993 ~ ?
21. Sharp Guard	Sanctions Enforcement	1993 ~1996
22. North Korean Alert	Show of Force	1994
23. Able Vigil/Safe Haven	Humanitarian Assistance	1994 ~1995
24. Western U.S. Fires	Domestic Disaster Relief	1994
25. Uphold Democracy	PKO	1994 ~ ?
26. Vigilant Warrior	Show of Force	1994
27. Support Hope	Humanitarian Assistance	1994
28. Vigilant Sentinel	Show of Force	1995 ~1997
29. Joint Endeavor/Guard/Forge	PKO	1995 ~ ?
30. Assured Response	NEO	1996
31. Taiwan Maneuver	Show of Force	1996
32. Dakota Floods	Domestic Disaster Relief	1997
33. Desert Thunder I	Show of Force-SWA	1998
34. Desert Thunder II	Show of Force-SWA	1998
35. Strong Support	Humanitarian Assistance	1998
36. Desert Fox	Sanctions Enforcement	1998
37. Allied Force	Limited Conventional Conflict	1999

TABLE 3. POST-COLD WAR DEPLOYMENTS

Between the period 1990-1998, there have been 93 major commitments of American service members, both active and reserve, to virtually every corner of the globe. The most notable 37 deployments are listed in Table 3 above. On the home front, the military has responded to almost 300 federal disasters, more than 600 National Guard commitments, and almost 10,000 requests from law enforcement agencies.[2]

The Army has seen deployments increase 300 percent in the last 10 years while the force was reduced by 38 percent. The Navy has seen a 52 percent increase in the number of deployed ships on any given day in the last six years while the number of ships have decreased by 30 percent. The Air Force has quadrupled the number of deployments since 1986 while losing one-third of its personnel.

INTEGRATION INITIATIVES

In 1997, Secretary of Defense William S. Cohen ordered the services to remove "all structural barriers" to integrating Guard and Reserve units into active-duty operations. Integration amongst the respective active and reserve components is required to ensure the military is fully prepared to carry out its operational requirements. The active and reserve components can no longer achieve the military's operational requirements by working as separate entities. As a consequence, the Department of Defense has rewritten policies to provide for increased accessibility and flexibility in the use of reserve component forces.

> Integration is reflected in reserve forces being included in all war plans. The Defense Department is making major changes to doctrine, education, and materiel to ensure reserve components can rapidly deploy when needed. Just as the Total Force Policy is shifting the way forces are structured and utilized, the principle of compensating leverage, which involves leveraging untapped capabilities of reserve components to meet the ongoing mission needs of a much smaller active force, is being applied on a routine basis across the Services.[3]

Defense officials are planning to use National Guard units more frequently in the Balkans to free up active Army units. To this end, the decision to utilize National Guard divisions as the command and control element in Bosnia is a significant change in "business as usual" for the Guard and is a prime example of how senior military and congressional leaders view the role and capabilities of today's reserve components. It has long been recognized that using the Guard and Reserves is key to garnering the support of the American people in times of military deployment. While reserve forces have been deployed in support of every military operation in our nation's recent history, the decision in Bosnia is the first time Guard divisions will be used with their reserve leadership left intact and in command of active component forces. Even more significant is that all three Army components are working together to ensure these Guard divisions are fully resourced and prepared to carry out their operational missions. This paramount shift in working as an Army team will undoubtedly open up more opportunities for utilizing Army reserve components in the future.

EMERGING THREATS

The threat to U.S. national security interests has changed from the Cold War focus on the former Soviet Union to multidimensional, unpredictable threats that range from international terrorism, weapons of mass destruction, organized drug and criminal cartels, to the potential for major battlefield engagements in two or more far-flung parts of the world. "As the U.S. stands alone as the world's only remaining superpower, potential adversaries can be expected to use asymmetric means to counter U.S. capabilities, posing a new threat dimension to U.S. security".[4]

AN EXPANDED ROLE FOR THE RESERVE COMPONENTS

The net result of reduced manning levels coupled with an increase in military deployments has been a significant increase in the utilization of the reserve components as full partners in carrying out the national military strategy. The large reductions in active component endstrength have resulted in 54 percent of the total military force residing in the reserve components.

Current scenarios on how to deal with the emerging threats involve a significant role for the reserve components, particularly in the area of crisis and consequence management associated with homeland defense. The National Guard's Rapid Assessment and Initial Detection (RAID) military support detachments have a role to play in supporting both crisis and consequence management. The RAID teams, located throughout the country, are tasked to help local first responders identify the threat and coordinate further federal and state assistance.[5]

Over the past three years, the Guard and Reserve have contributed nearly 13 million mandays of support annually to total force missions. Over the past 10 years, the number of days Guard and Reserve members have served on active duty has increased 13-fold.

For the Army National Guard, the decision to deploy Army Guard divisions as the command element for three of the next six Bosnia Stabilization Force (SFOR) rotations as part of NATO's multi-national peace keeping force underscores a heightened role. Texas' 49th Armored Division deployed in March 2000, followed by Maryland and Virginia's 29th Infantry Division in October 2001, and Pennsylvania's 28th Infantry Division in October 2002. The Army also plans to use ground maneuver elements from the Army Guard's enhanced separate brigades in Bosnia utilizing North Carolina's 30th Infantry Brigade, Oklahoma's 45th Infantry Brigade and Georgia's 48th Infantry Brigade beginning in October 2000. Elements of Mississippi's 155th Armor Brigade, Idaho's 116th Armor Brigade, Indiana's 76th Infantry Brigade and South Carolina's 218th Infantry Brigade are also scheduled to take part in the Bosnia rotation plan.

The Air Force Reserve and Air National Guard currently provide 55 percent of the total air-refueling capability in the Air Force. Both the Air Force Reserve and the Air National Guard are key components of the Expeditionary Aerospace Force, the Air Force's vision to rapidly respond to contingencies in the 21st century.

The reserve components provide skill sets not always readily available in the active forces. These skills are ideally suited for conducting MOOTW. The political, economic and social experiences derived

from civilian life are fully compatible with executing peacekeeping operations. Consequently, the future utilization of the reserve components is clear. The Guard and Reserves will be used more frequently and for longer periods as the demand for U.S. military forces increases.

THE PARADIGM SHIFT

The traditional federal role of the reserve components and the one many American's believe to still be true is that of being the strategic reserve for the active component forces. That is to say, the Guard and Reserves would be called in to support the active forces only after a lengthy, deliberate, and often cumbersome mobilization process. Under this scenario, employers would be provided sufficient notification time and policy makers would have adequate opportunity to articulate the threat to our national vital interests to the American populace.

As any member of the reserve components can attest, this paradigm has changed dramatically as the Total Force concept has come to fruition. Often, reserve forces are on the leading edge of any U.S. military commitment as the active forces have shifted much of the required force structure to sustain military operations into the reserve components. The ability of U.S. forces to rapidly deploy to any part of the world is a tremendous asset but has the downside of leaving little notification time to employers when reserve forces are used.

Support from employers has generally been positive, particularly when they perceive a direct threat to our national vital interests, as was the case during the Gulf War. In many instances, however, the degree of support is proportional to an employer's *perception* of the threat to those interests. Even though MOOTW can be very dangerous to those executing the mission, the vast majority of Americans believe these types of missions carry less of a threat to our vital interests than do operations involving conventional combat forces. This view is often reinforced when most MOOTW receive only a cursory mention by the news media. Consequently, employers are being asked to support military operations of which they have little understanding or knowledge.

Another component to the paradigm shift is in the way the reserve components fill their active duty manning requirements. For years the Guard and Reserves were able to meet the call-up requirements through the use of volunteers thereby precluding the need for involuntary call-ups. Generally speaking, those able to volunteer had resolved employer and family issues in advance of their deployment. However, as we see more utilization of the reserve components there has been an increased reliance on using involuntary means to meet mobilization requirements. This has placed additional strain on employer relationships and ultimately factors into a member's decision about staying in the reserves.

The shift in paradigm in the use of reserve forces is causing some employers to rethink their commitment to employees who serve as reserve members. Employers are questioning why they should burden the costs associated with lost work time for military operations that are not viewed as being a direct threat to our nation's vital interests. This is a valid concern and one that poses a significant challenge to policy makers and those charged with employing members of the reserve forces.

EMPLOYER SUPPORT

BACKGROUND

After 27 plus years of working to garner support from employers, the issue has never been more important given the heightened role of the reserve components. Effective methods of enhancing employer support require the combined efforts of multiple government and non-governmental agencies. Congress, the Department of Defense, Department of Labor, and the U.S. Chamber of Commerce are all working in cooperation towards achieving greater support from employers.

Employer support is not a new concept. With the end of the draft in 1973, both congressional and Defense planners recognized a potential problem with the Nation's reserve service members and their civilian employers. The basic premise was that employers would question the need for reserve membership in a purely voluntary military system. The planners concluded – correctly, as subsequent behavioral studies showed – that many employers would not be supportive of their workers voluntarily serving in uniform. To that end, the Department of Defense chartered the National Committee for Employer Support of the Guard and Reserve (NCESGR) in 1972 to minimize conflicts between part-time military duties and full-time civilian career responsibilities. The NCESGR was created to inform employers of the ever-increasing importance of the National Guard and Reserve and to explain the necessity for – and role of – these forces. NCESGR seeks to gain and reinforces the support of America's employers for a strong National Guard and Reserve system through a network of volunteers in 54 local Employer Support of the Guard and Reserve (ESGR) Committees.

ESGR programs are conducted at the grass-roots level. More than 4,600 volunteers conduct local ESGR programs to inform, educate, provide support, and show recognition to employers. These programs include:

Mission One. The Mission One program provides direct assistance to members of the Reserve Components at their units during inactive duty training, and during mobilization and demobilization processing. This outreach informs the service members of his or her rights and responsibilities under USERRA, and addresses questions and concerns that the Reservist may have about mobilization and its impact on their civilian employment.

Ombudsman. The Ombudsman provides information, counseling and informal mediation of issues relating to compliance with USERRA. More than 95 percent of all requests for assistance are resolved in this informal process. The Department of Labor is the enforcement authority for USERRA and all formal cases are addressed there.

Briefing with the Boss. Briefings with the Boss provide an informal forum in which employers, unit commanders, ESGR members, and community leaders meet to network and discuss issues that may arise from employee participation in the National Guard and Reserve.

Advertising. The public service advertising (PSA) program develops local partnerships with broadcast and print media nationwide to maximize use of our PSA advertising and promote ESGR's

mission. Since 1972, ESGR has received more than $900 million in donated media placements as a result of its partnership with The Ad Council.

Statement of Support. The "Statements of Support" program asks employers to recognize the vital role of the Reserve components and pledge support for their employees to participate in our "community based defense force."

Speakers. ESGR committees arrange for Department of Defense spokespersons to address influential employer audiences. Pentagon officials accept speaking engagements on behalf of employer support. Many retired military officials also volunteer to speak on behalf of employer support.

Bosslifts. Bosslifts transport employers and supervisors to military training sites where they observe National Guard and Reserve members on duty as part of the Total Force. This provides the employer a better understanding of what their reservists do when they are away from their civilian occupation for duty with their military units.

Exhibits/Associations Liaison. Committee members and staff assist in bringing the employer support message to gatherings of business, trade, and professional associations. The committees utilize ESGR exhibits for events.

Web Site. For those who have Worldwide Web access, NCESGR maintains a web page of information concerning all of its programs and activities. Many local ESGR committees have also developed web sites to support their ESGR mission.

Publications. NCESGR publishes *the ESGRam*, a quarterly newsletter informing volunteer members, employers, and Reservists of current programs. Also included are articles of interest from ESGR committees. Many local ESGR committees publish their own newsletter. Less in-depth, but more Timely, *the Exchange* is a 1-2 page summary update sent out twice monthly to ESGR executive leaders and members via "blast" email or fax. A new addition to publications is *the Expo*, a quarterly summary and reprint of ESGR and employer support related news stories and features.

Awards and Recognition. All employer recognition and rewards originate from nominations by individual reserve component members recognizing their employers for supportive employment policies and practices. Four separate awards are currently available to recognize employers for their outstanding support to military members of the Guard and Reserves.

USERRA – PROTECTIONS AND RESPONSIBILITIES

The Uniformed Services Employment and Reemployment Act (USERRA), enacted October 1994 and significantly updated October 1996, provides protection and rights of reinstatement to employees who participate in the National Guard and Reserve. This key piece of legislation solidified in law numerous protections and rights for employees and outlined specific responsibilities for both employees and employers. Some of the general provisions of the USERRA are as follows:

- Employees are protected from unlawful discrimination by an employer based on military affiliation. USERRA provides protections for initial hiring and adverse employment actions by

an employer if the action relates even in part to the employee's military service. This protection also extends to potential witnesses of a discriminatory action on the part of the employer.

- Employees must be excused from work to attend inactive duty training or annual training and the employer must treat the employee as if he or she has not been absent.
- Although there is no longer any differentiation between voluntary and involuntary military duty, there is a 5-year cumulative service limit on the amount of voluntary military leave an employee can use and still retain reemployment rights.
- The 5-year total does not include: inactive duty training, annual training, involuntary recall to active duty, or additional training requirements determined and certified in writing by the Service Secretary, and considered to be necessary for professional development or for completion of skill training or retraining.
- Prior notice to the employer is required for leave of absence for military duty. Unless precluded by military necessity, advance notice must be provided either orally or in writing. The context for what constitutes timeliness of notification was not spelled out in detail by Congress under USERRA. However, employees who participate in the National Guard or Reserve should provide their employers as much advance notice as possible. Failure to provide notice could result in a denial of the protection of USERRA.
- All written and verbal orders are considered valid when issued by competent military authority. A military member in receipt of official orders is obligated by federal statute to execute them. The recurring requirement to perform inactive duty training is an example of when written orders may not be formally issued.
- After periods of military leave of absence for more then 30 days, the employer has the right to request such documentation, which can be used to establish the employee's basic eligibility for protection under USERRA. All National Guard and Reserve members are encouraged to provide a copy of orders, the annual drill schedule, or other type of documentation to employers as soon as available and, if possible, before the commencement of military duty.
- In instances when the employee cannot provide satisfactory documentation for military service in excess of 30 days, the employer must promptly reinstate the employee pending verifiable proof. The employer may contact the military unit if necessary.
- An employer cannot require an employee to apply for military leave of absence or otherwise submit official documentation for approval of military leave of absence. Further, an employer does not have a "right of refusal" for military leave of absence, so long as the employee has not exceeded the 5 years of cumulative service provided under USERRA.
- An employee cannot be required to find someone to cover his or her work period when military duty interrupts the work schedule. An employee is responsible for notification but not for altering the work schedule or finding a replacement.

- Employers cannot require an employee to reschedule drills, annual training, or any other military duty obligation. When military duties would require an employee to be absent from work for an extended period, during times of acute need, or when (in light of previous leaves) the requested military leave is cumulatively burdensome, the employer may contact the military commander of the employee's military unit to determine if the duty could be rescheduled or performed by another member. If the military commander determines that the military duty cannot be rescheduled, canceled, or performed by another member, the employer is required to permit the employee to perform his or her military duty.
- While many employers offer differential pay or a specific number of paid military leave days, an employer is not required to pay an employee on military leave or absence.
- There are time limits for an employee to return to work after completion of military duty. There are three formats for reinstatement (application for reemployment), dependent on the duration of military service. An employer should reinstate an employee within a matter of days of application, if not on the same day as the application is made. Time limits for returning to work depend on the duration of the orders. The rules are: -- Service of 1-30 days: the beginning of the first regularly scheduled work day or 8 hours after the end of the military duty, plus reasonable commuting time from the military duty station to home. Service of 31 to 180 days: application for reinstatement must be submitted not later than 14 days after completion of military duty. Service of 181 or more days: application for reinstatement must be submitted not later than 90 days after the completion of military duty.
- After completion of weekend drill, employee's must return to work at either the beginning of the next regularly scheduled work day or during that portion of the next regularly scheduled shift that would fall eight hours after the end of drill and a reasonable amount of time to commute home.
- If the employee has an accident, is delayed by lack of military transportation, or is otherwise unable to report back in a timely manner, then the employee must report back to work as soon as possible. If the reason for the employee's delay is not related to military duties, the employee is subject to the personnel policies and practices the employer would normally apply to employees with unexcused absences.
- If an employee is injured or incurs a disability during military training the deadline for reinstatement may be extended for up to 2 years for persons who are convalescing due to a disability incurred or aggravated during military service, and employers must make reasonable accommodations for the impairment.
- Except for respect to persons whose disability occurred in or were aggravated by military service, the position into which an employee is reinstated is determined by priority, based on the length of military service. The rules are: Service of 1 —90 days: (a) in the job the person would have held had he or she remained continuously employed (possibly a promoted

position), so long as the person is qualified for the job or can become qualified after reasonable efforts by the employer, or (b), if the person cannot become qualified, in the position the person was employed on the date of the commencement of the military service. Service of 91 or more days: (a) same as service of 1 – 90 days, or a position of like seniority, status and pay, so long as he or she is qualified, or (b) if the person cannot become qualified, in the position the person was employed on the date of the commencement of the military service or which nearly approximates that position. Note: The reemployment position with the highest priority reflects the "escalator" principle, which requires that a returning service member step back onto the seniority escalator at the point the person would have occupied if the person had remained continuously employed.

- USERRA specifies that returning employees must be "promptly reemployed." What is prompt will depend on individual circumstances. Reinstatement after 3 years on active duty might require two weeks to allow giving notice to an incumbent employee who might have to vacate the position.

BENEFITS OF EMPLOYING RESERVISTS

Reserve members are becoming more reluctant to divulge they are members of the reserves during job interviews for fear that employers will not hire them as a consequence. Although employers are precluded from using reserve membership as a reason for not hiring, there is a perception among reservists that employers view military service in the reserves in a negative way.

Military officials and civilians alike promote the benefits to business owners of employing members of the reserves. Many employers recognize the positive attitude and work habits instilled as a result of military membership. Reserve members bring a strong sense of responsibility, discipline, motivation and sound values to the workplace. The positive effect of these attributes often transcends to other members of the workforce thereby serving as a workplace-multiplier. The positive attributes associated with military service translates into reduced absenteeism, facilitates better teamwork, and a workforce accustomed to working towards a common set of objectives.

Another attribute that reserve members bring to employers is assurance they are drug-free through the administration of random urinalysis testing within the reserve components. Studies have shown a correlation exists between drug use and an increase in accident rates. Although hard to prove empirically, the military's continued emphasis on providing "sensitivity" and "diversity" training to all members may translate into a more tolerant worker who is less prone to workplace violence. Military officials attempt to emphasize how these positive attributes are not a liability to employers and far outweigh the temporary loss associated with military duties.

EMPLOYER CONCERNS

Employers are concerned with a number of issues associated with employee's participation in the reserve components. A few issues include: 1) the duration and frequency of deployments, 2) receiving

adequate notification time, 3) fair limits on volunteer duty, 4) commercial airline pilot certification, 5) multiple deployments under the same Presidential Reserve Callup (PRC) and 6) rights of temporary employees.

DURATION AND FREQUENCY OF DEPLOYMENTS

The duration concern relates to length of time a reserve member is called to active duty, or state active duty, for each separate call up. Any period an employee is away from their job is of concern for an employer in today's rapid business environment. The length of mobilization under a PRC was increased from 180 days (6 months) to 270 days (9 months). While the intent of changing the maximum period under a PRC is to relieve the active components of the high operating and personnel tempo, it has had added to the demands placed on civilian employers.

The options available to employers in filling the vacancies as a result of deploying reserve members are to hire temporary employees, use other current employees to perform the work, or leave the position vacant until the reserve member is released from active duty. All options are problematic to employers. The particular option chosen by employers depends on numerous factors to include the technical specialization of the work to be performed, the size of the workforce, and the resources available. The requirements, resources, and capabilities available to employers are as varied as the organizations. The solutions available to General Motors with thousands of employees are quite different then those of a "Mom and Pop" hardware store with a dozen employees.

Temporary employees can and often fill the void of reserve members but normally with a loss of productivity and additional expense on the part of employers. Job training is both expensive and time consuming for all but the most rudimentary functions. Most jobs in today's workforce require employees to have skills acquired through specialized training or extensive job experience which are not readily available from the temporary workforce.

Using existing employees to perform the workload of reserve members called to active service can also be problematic. Many organizations are "one-deep" in personnel who perform critical functions as they attempt to keep personnel costs to a minimum in a very competitive economy. Reassigning existing personnel often has the same downside as hiring temporary employees. Additionally, there is a trade off in the loss of productivity of the employee's own job or an increase in overtime pay to compensate for accomplishing the workload of both positions. In general, smaller size companies have a more difficult time using existing personnel to accomplish the work of temporarily displaced employees.

Leaving the position vacant may be the best option if the period of the vacancy is relatively short in duration; that being 30 days or less. When the vacancy period exceeds 30 days, temporary and/or existing employees must be considered to preclude a degradation in productivity.

One challenge for reserve members is that of civilian skill degradation during extended periods of military duty. Civilian employment skills often erode quickly when not used frequently and may, therefore, require retraining upon returning to the civilian workforce. Ideally, the skills required for their military duty mirrors, or are nearly the same as, those performed in their civilian jobs. Two notable examples are

commercial airline pilots who fly military aircraft in their reserve role and civilian law enforcement who serve as military police or other related security fields. However, for the most part the functions performed in civilian employment and military duty are inherently different and therefore result in an erosion of their civilian job skills over the period of deployment. This may result in the added expense and time of job retraining upon returning to the civilian workforce.

The concern about frequency has to do with the number of times a reserve member is called to active duty, or state active duty, over a given period of time. Army and Air National Guard members have state as well as federal missions. This dual-missioning exacerbates the potential for increased periods of active duty, either state or federal. Periods of state active duty generally receive favorable support from employers and the community at large due to the direct impact Guard members have on the community.

ADEQUATE NOTIFICATION TIME

Providing adequate notification time to employers of forecasted, pre-planned training requirements is the responsibility of unit members. Normally, weekend training schedules and two-week annual training periods are published a year in advance. This allows sufficient advance notice to employers *when* reserve members provide employers with a copy. Unprogrammed military training requirements, changes in scheduled training dates and unforeseen deployments in support of either state or federal missions present employers with the greatest challenge.

The notification time prior to deployment has traditionally been fairly long for reserve forces with the exception of National Guard members who often have minimal prior warning when responding to state emergencies. Under previous war plans, most reserve component forces had weeks and/or months of alert time to ensure employer and personal affairs were in order. However, due to integration initiatives and increased utilization of reserve forces, Guard and reserve forces are factored into war plans much earlier than their forbears of the 1970s and 80s. So much so that reserve forces are often some of the first elements in a theatre of operations forcing the Department of Defense to make major changes to doctrine, training, education, and material to ensure reserve components can rapidly deploy when needed.[6] Employers have difficulty adjusting work schedules when given less than two weeks prior notice of pending military duty. The Department of Defense strongly encourages advance notice in writing as early as practicable, specifying at least 30 days notice prior to activation, whenever possible.

"The Air Force has restructured its combat elements into 10 Aerospace Expeditionary Air Forces (EAF) that will take turns dealing with the ongoing press of deployments worldwide. Though the new structure can't reduce the workload, it can at least make deployments more predictable, manageable, and less haphazard."[7] Both the Air National Guard and Air Force Reserve are key elements of the EAF and employers will benefit from the predictability of forecasting of future deployments. The Army components in particular need to see if structuring units along similar lines as the Air Force's EAF can provide increased predictability for both active and reserve components.

The frequent restructuring of Guard and Reserve units has resulted in additional training requirements as members vie to stay qualified in their duty positions. It is not uncommon for members of the reserve components to acquire several military skill sets over the course of a career. Many of the military skills require extended periods of active duty at formal, resident schools in order to achieve full duty qualification.

Local commanders must continue to emphasize the need for unit members to provide employers with scheduled training dates as soon as they are officially published. When mission requirements preclude giving a minimum advance notice, then employers should be provided some form of government incentive to reduce the cost associated with a disruption to the workforce.

FAIR LIMITS ON VOLUNTEER DUTY

The protections afforded employees under USERRA do not differentiate between voluntary versus involuntary duty. Consequently, those reserve members who volunteer for multiple tours of active duty are entitled to the same job protections as those who are called up involuntarily, providing they don't exceed the maximum absence period of five years. Furthermore, there is no limit on the number of times a member can volunteer for duty. Currently, there is no means within the reserve components to track the frequency of volunteer active duty by reserve members.

As the active forces seek ways to reduce the operations tempo (OPTEMPO), the rate of military actions or missions, on their forces any subsequent volunteerism from reserve members is certainly welcomed. This is problematic for some employers who find difficulty in scheduling around numerous unforeseen absences from the workplace. The only current recourse for employers is to request a deferment from military duty from the local commander. Local commanders consider the impact on employers but ultimately must place mission requirements at the forefront when considering any such request.

COMMERCIAL AIRLINE CERTIFICATION

Commercial airline pilots must sustain strict certification standards within prescribed timeframes to maintain commercial airline flight status. Extended periods of active duty have resulted in loss of pilot certification and have negatively impacted on the airline industry as a whole. As a result, employers have sustained additional expense in recertifying pilots and loss of flight time.

To resolve this issue, industry and defense leaders worked together in addressing the concerns of employers and military planners. The end result was the establishment of an Air Force policy that limits overseas deployments for Air National Guard and Air Force Reserve pilots to no more than three months, subject to the needs of the service. This was a success story that showed how employers and defense officials could work together to develop a policy that met the needs of both parties.

MULTIPLE DEPLOYMENTS UNDER THE SAME PRC

Multiple tours of short duration within a single PRC operation are not prohibited by law or current Department of Defense policy. The rotation policy among the Services vary, depending on requirements and force management policies. For example, the Air Force generally provides shorter rotations for Reserve personnel and the Army has a policy of limiting the duration of tours for most health care professionals. The Army has recently adopted a policy to limit Guard and Reserve overseas deployments to six months thereby coinciding with normal deployment periods of active component forces.

The increased use of the reserve components combined with a change in the force structure mix between active and reserve components has necessitated the multiple use of reserve units under the same PRC. This is a paramount issue for low-density units in the reserves such as Civil Affairs where all units in the Army's force structure are found in the Army Reserve. Although the total number of days mobilized under a PRC cannot exceed 270 days, there is no limit on the number of shorter duration deployments under the same PRC. This has led to some reserve members being deployed multiple times for the same operation. In these cases, it is not uncommon for employers to question how much is enough.

RIGHTS OF TEMPORARY EMPLOYEES

Employers have expressed concern about temporary employees claiming protection under USERRA when military periods of active duty exceed the original period of temporary employment . Employers hire temporary employees during period of increased demand for products or services. Naturally, they are let go at the end of the period of increased demand or when other considerations dictate. Rarely do temporary employees receive the same benefits and entitlements as full time or permanent employees. While the overall number of cases regarding temporary employees is relatively small, employers none the less don't feel the protections of USERRA should apply to temporary employees if the duration of military service exceeds the original period of temporary employment.

EMPLOYEE CONCERNS

Likewise, employees are concerned with a number of issues affecting their civilian employment as a result of participation in the reserve components. A few issues include: 1) job protection, 2) voluntary versus involuntary duty, 3) employer "harassment", and 4) loss of civilian career advancement opportunities.

JOB PROTECTION

Despite the protections afforded under USERRA, many employees remain concerned about job protection following a period of active duty. USERRA guarantees a member their job providing the period of active duty doesn't exceed 5 years. Employees who do not support military membership in the reserve components get around this by rehiring the member in accordance with the law and then subsequently terminating the employee citing other reasons such as substandard performance. In other instances

employees are given positions that are not comparable in authority and responsibility with the position held prior to going on active duty.

VOLUNTARY VERSUS INVOLUNTARY DUTY

This is one of the most contentious areas for employees. Service in the reserve components has at its epicenter the concept of voluntary service. The majority of reserve members do not serve for the monetary benefits associated with reserve duty but instead serve for other reasons to include patriotism. Financial gain is rarely the motivational reason for service in the reserve components.

When called into active service, reserve components have an excellent record of meeting their personnel requirements through the use of volunteers. This was demonstrated during operation Desert Storm and Desert Shield and again with the Army National Guard's 49th Armored Division's deployment to Bosnia where positions were filled with volunteers only. Consequently, it is very natural for reserve members to volunteer when a call for duty is put out despite the chance of repercussions from employers.

Reserve members understand how important their contribution is to our Nation's defense. They see first hand the negative effects the increased OPTEMPO is having on our active forces and seek opportunities to help reduce the impact when they can. The sense of duty often comes before family and employment considerations. Therefore, reserve members see little differentiation between voluntary versus involuntary duty. When there is a need and they possess the skills required it's natural to volunteer.

Employers, on the other hand, distinguish between voluntary and involuntary duty. While they may, or may not, fully understand the paradigm shift in the utilization of the reserve components, they generally understand that once called involuntarily, they are required to adhere to the provisions of USERRA. However, when an employee volunteers for active duty some employers view this as an act of disloyalty, i.e., given a choice, the employee placed the needs of the company second. It is difficult for an employer to understand why someone would volunteer to put him or herself in harms way. At the very least employers feel they should not have to burden the costs of employee absenteeism as a result of volunteerism.

EMPLOYER HARASSMENT

For the most part, employer harassment is rare and is usually confined to first line supervisors and those responsible for adjusting workforce schedules. This is because it is the first line supervisor and/or scheduler who are directly impacted by an employee's membership in the Guard or reserves. Harassment can take on many forms from despairing remarks to direct threats towards loss of priority status on overtime lists, non-consideration for advancement opportunities, and employment. Often, the best chance for eliminating employer harassment is through effective communication between the parties directly if possible or through the use of an intermediary such as the Ombudsman. Direct confrontation or threats of legal recourse rarely produce long-term positive affects for either party.

LOSS OF CIVILIAN CAREER OPORTUNITIES

One of the major concerns for employees is the effect reserve component participation will have on their civilian career advancement. As discussed above, USERRA provides protection and rights of reinstatement to employees who participate in the National Guard and Reserve. Although direct threats and coercion by employers towards employees are certainly the exception, there is often an underlying tension between employees and employers as supervisors are forced to rearrange work schedules to accommodate reservists. Employees often perceive this tension, whether real or not, as translating into lost career opportunities when they apply, or are considered for, positions of advancement. In today's competitive market place, it is prudent for employers to consider potential lost work-time as a selection criteria when considering applicants for positions of greater responsibility. Additionally, employers are reluctant to hold positions open while employees are serving on extended periods of active duty.

As mentioned above, reserve service is not the primary source of income for traditional reserve members. Therefore, reservists are constantly attempting to balance the competing requirements of military service and civilian career goals.

CURRENT INNITIATIVES

TAX CREDITS/INCENTIVES

Legislation aimed at providing a tax credit to employers of reservists called to active duty has been introduced under H.R. 3915 "Reserve Employer Tax Credit Act of 2000". The bill would provide a tax credit to employers (including self-employed Reservists) of Reservists called to active duty in support of contingency operations. The bill would also restore the full deductibility of travel and other expenses associated with service in the reserve components. The deductibility of these expenses was removed by the Tax Reform Act of 1986. The full deductibility of travel and other service related expenses would be a good faith effort on the part of Congress.

However, any proposed tax incentive for employers must compete for financial resources with other federally supported programs. Congress has shown reluctance to support such proposals when they have recurring fiscal year budget impact.

While any measure designed to lessen the burden on employers and reservists is viewed as welcomed relief, the tax credit bill alone does not meet the needs of all employers. A significant number of reservists are employed by federal, state and local governments, which would not see any tangible benefit from the proposed bill. Federal, state and local governments need other tangible measures to ensure their continued support.

SHORTENING OVERSEAS TOURS

The Army recently decided to limit overseas deployments of Army National Guard and Army Reserve units in peacekeeping and other operations other than war to a maximum of six months. The maximum period allowed by law of 270 days can still be used in the event of conventional conflict. The

intent of the new policy is to establish fair limits on deployments between active and reserve Army units. The Army's policy will align it closer to the current Air Force policy which generally deploys Air Force Reserve and Air National Guard units to no more than three months, though some individuals serve as long as six months.

While shortening the periods of overseas tours is a positive step, it is unclear whether this policy change will have any real, long-term value in maintaining employer support. The change in policy may have the unintended consequence of increasing the number of reserve component units called for service or increasing the frequency of short-duration tours for individual members.

FEDERAL MODEL EMPLOYER INITIATIVE

Since July 1998, the Department of Defense and Department of Labor have been promoting better accommodation of federal employees/reserve component members requiring military leave. This initiative includes all Cabinet level and independent Federal agencies. This initiative was undertaken due to employee's complaints that the Federal agencies were generally some of the most unsupportive employers towards reserve component participation.

DOD-U.S. CHAMBER OF COMMERCE INITIATIVE

This initiative is a national effort to obtain Statements of Support for employees who participate in the National Guard and Reserves from all 6,900 local Chambers. These chambers are also encouraged to get their members to sign similar Statements of Support. The support received from the national U.S. Chamber of Commerce has been paramount towards enhancing employer support.

DOD SURVEY TO EMPLOYERS

The Department of Defense sent out an extensive survey to employers across the country during the fall of 1999 to capture the concerns associated with reserve military service. Although the results of the survey have not been released, it is anticipated they will drive future initiatives since the results are direct feedback from those affected by an increase in reserve component utilization. The survey addresses the degree of employer concern associated with MOOTW, USERRA, and increased reliance on the reserve components.

IMPACT ON STRENGTH MANAGEMENT

The propensity for military recruitment has steadily declined over the past several years for a number of reasons. There are a smaller number of 18-21 year old males and a greater percent of high school graduates who are going on to pursue a college education then at any other time in our history. While the military is generally held in high esteem by the American public at large, the majority of those in the targeted recruiting market do not view the military as a viable career option for a host of reasons. Despite recent increases to military pay and entitlement programs, the disparity in pay between the military and civilian sectors coupled with the much-publicized increase in military deployments has added

to this view. Furthermore, the sustained economic growth over the past decade has provided an increase in entry level civilian jobs at competitive wages.

As a consequence, the effect of employer support on the Guard and Reserves is not limited solely to meeting operational requirements. With all services and components (active and reserve) struggling to achieve their respective endstrength objectives, the retention piece of the endstrength equation (recruiting + retention – attrition = endstrength) takes on added importance. Despite the passage of USERRA and all the associated employee protections, reserve component exit surveys reveal that one third of reserve members cite employer conflict as the reason for leaving the military services. Resolving conflicts between employers and employees, therefore, helps keep qualified reserve members motivated to serve and contributes directly towards ensuring acceptable levels of readiness are achieved.

The perception of reserve duty being one weekend a month with a two-week annual training period does not take into consideration the realities encountered in today's reserve components. Current recruitment advertising for the reserve component needs to more accurately reflect the true requirements associated with reserve service. There needs to be a balance between an honest portrayal of reserve service obligations and being careful not to exaggerate the increased role of the reserves thereby diminishing employer support.

Retaining fully qualified personnel in the reserve components has the added benefit of reducing initial entry and subsequent training costs associated with recruiting new members. The inherent issues impacting on retention are complex and when taken collectively influences whether a member will remain in the military. The majority of retention issues are emerging as a result of combined economic and quality of life issues. Military members are most concerned with pay, housing, health care, retirement compensation, and the pace of deployments. However, Guard and Reserve members are equally concerned about civilian job protection and loss of career opportunities as a result of an increased probability of deployment.

CONCLUSIONS AND RECOMMENDATIONS

Employer support is being strained given the increased frequency in the use of the reserve components. Passing laws that mandate protections for Guard and Reserve members are certainly necessary but do little by themselves to generate the level of employer support needed to sustain the current and forecasted OPTEMPO of reserve members. Reserve members serving on active duty cannot perform their military duties well if they are burdened simultaneously with concerns for both family and civilian employment.

Garnering employer support takes on added importance given the difficulty the military services are experiencing in attracting new recruits and dealing with higher attrition rates. Every reserve member who separates from reserve service due to conflicts with an employer means the need for one more new enlistment. Retaining qualified members has the obvious benefit of reducing training costs and enhances unit readiness.

It is difficult to regain the support of employers who have had bad experiences dealing with reserve members and/or their reserve units. Honest, candid, and straightforward communication must be the standard when addressing employer concerns. The time has past when we can hide behind cliches such as "military requirements dictate" without considering the impact on employers.

Some of the following recommendations are self-evident and require little explanation. Others are suggested for follow-on study and require deeper analysis. No attempt is made to prioritize the list.

- Clearly articulate the threat to the nation's vital interest prior to committing active and reserve military forces.
- Continue NCESGR's aggressive communication outreach plan to inform employers of the provisions of USERRA.
- Expand the current employer awards/recognition program and emphasize the positive aspects in the local media.
- Appropriate the necessary resources to provide tax breaks/incentives to employers who can demonstrate a financial burden due to an employee's absenteeism for reserve duty.
- Provide reimbursement for temporary employees when reservists are called into federal active status other than for training.
- Develop incentives for federal, state and local government.
- Continue to emphasize the positive aspects reservists bring to the workplace through the Society for Human Resource Management.
- Expand the availability of web-based information.
- Develop deployment "bands" for the Army reserve components similar to the Air Force's EAF to allow employers and reserve members better predictability.
- Stabilize reserve component force structure to prevent additional training requirements associated with changing duty positions.
- Involve family care planning with employer support to build a community based support network.
- Energize the various Military Associations/Service Organizations to make employer support a higher priority.
- Develop realistic recruiting advertising for the reserve components.
- Provide the volunteer Ombudsman the tools to capture accurate data on the number of reported employer and employee cases.
- Develop new initiatives with the U.S. Chamber of Commerce, thereby maximizing the Chamber's significant influence base.
- Through Executive proclamation, solicit support from government and private business for membership in the reserve components.

WORD COUNT = 8,668

ENDNOTES

[1] Joseph J. Collins, "American Military Culture in the Twenty-First Century," (Washington, D.C.: CSIS, February 2000), 2.

[2] "DoD 101," 23 August 1999; available from <http://www.defenselink.mil/pubs/dod101.html>; Internet; accessed 16 March 2000.

[3] William S. Cohen, Annual Report to the President and Congress (Washington, D.C.: U.S. Department of Defense, 1999), 95.

[4] "The Fiscal Year 2000 Defense Budget – Path to Unprepardness", AUSA's Tochbearer Issue (March 1999): 2.

[5] James C. Cyrulik, "Asymmetric Warfare and the Threat to the American Homeland,"AUSA's Landpower Essay Series 99-8 (November 1999): 9.

[6] Ibid.

[7] "An Expeditionary Force", Air Force Magazine (April 2000): 32.

BLIOGRAPHY

"An Expeditionary Force." Air Force Magazine (April 2000): 32-41.

"DoD 101." 23 August 1999. Available from <http://www.defenselink.mil/pubs/dod101/html>. Accessed 16 March 2000.

"Employer support for the Guard and Reserve research and findings." The Officer 74 (September 1998): 36. Database on-line. Available from NDU ProQuest Direct, Bell & Howell, NDU publication no. 126274931.

"Misuse of Citizen Soldiers." Charleston (SC) Post and Courier, 7 March 2000.

"National Guard on Bosnia List." Stafford (VA) Star Advertiser, 1 November 1999, p. 3.

"Tax Deductibility for Reservists and Employers. HR 3915." Linked from Reserve Officer Association at "ROA Homepage." Available from http://.roa.org/. Internet. Accessed 27 March 2000.

"U.S. Chamber of Commerce, DoD sign pledge for employer support of Guard and Reserve." National Guard 52 (July 1998): 15. Database on-line. Available from NDU ProQuest Direct, Bell & Howell, NDU publication no.126286417.

Association of the United States Army. Army Budget, Fiscal Year 2000. Washington, D.C.: Institute of Land Warfare, August 1999.

_____. The Fiscal Year 2000 Defense Budget – Path to Unprepardness. Washington, D.C.: AUSA's Torcbearer Issue, March 1999.

Caldera, Louis, and Dennis J. Reimer, America's Army – Assuring Readiness for Today and for the 21st Century: A Statement of the Posture of the United States Army, Fiscal Year 2000. Posture Statement presented to the 106th Cong., 1st sess. Washington, D.C.: U.S. Department of the Army, 1999.

Castro, Carl A. and Amy B. Adler. "OPTEMPO: Effects on Soldier and Unit Readiness." Parameters 29 (Autumn 1999): 86-95.

Clinton, William J. A National Security Strategy for a New Century. Washington, D.C.: The White House, December 1999.

Cohen, William S. Annual Report to the President and the Congress. Washington, D.C.: U.S. Department of Defense, 1999.

Collins, Joseph J. "American Military Culture in the Twenty-First Century." Washington, D.C.: CSIS, February 2000.

Cyrulik, James C. "Asymmetric Warfare and the Threat to the American Homeland." Landpower Essay Series 99-8 (November 1999): 1-13.

Cyrulik, James C. and Wolf Kutter. "Army Endstrength and the National Military Strategy." National Security Watch, 8 July 1999.

_____. "Strategic Responsiveness: The Army's 21st Century Requirement." National Security Watch, 16 July 1999.

_____. "The Golan Heights: Implications for U.S. Involvement in Peacekeeping Operations." National Security Watch, 24 September 1999.

_____. "The Return of Nuclear Weapons: Threats, Proliferation and the United States." National Security Watch, 29 July 1999.Dubik, James M. "Building a Strategy-based Force Structure." Landpower Essay Series 99-10 (December 1999): 1-10.

Epley, William W. "America's First Cold War Army 1945-1950." The Land Warfare Papers 32 (August 1999): 1-29.

Fautua, David T. "How the Guard and Reserve Will Fight in 2025." Parameters 29 (Spring 1999): 127-149.

Keane, John M. Untitled speech to NGAUS 121st General Conference, Atlanta, GA. 6 September 1999. Available from <http://www.ngaus.org/library/keanespeech9699.htm>. Internet. Accessed 5 November 1999.

Lee, Deborah R. "Employers' Support Vital to Reserve Contingency Operations." 26 July 1996; available from <http://www.defenselink.mil.speeches/1996/s19960726-lee.html>. Internet. Accessed 9 February 2000.

Leford, Tranette. "Total Integration Could Hurt Reservists' Careers," Army Times, 29 June 1998, p. 18.

Maddaloni, Chris. "Army Announces More Guard Combat Units Going to Bosnia." National Guard Magazine, November 1999, xx-xx.

Myers, Steven Lee. "Army to Shorten Tours of Reserves Serving Overseas." New York Times, 5 March 2000, sec. 1A. p. 1.

_____. "Duty Calls The Guard, But Some Bosses Resist." New York Times, 16 February 2000, sec. 1A, p. 1.

Naylor, Sean D. "Not Ready for Combat," Army Times, 22 November 1999, p. 8.

Rosamond, John B. "QDR, Employer Support: Challenges for Guard and Reserve." 22 October 1997; available from <http://www.defenselink.mil.speeches/1997/s19971022-rosamond.html>. Internet. Accessed 9 February 2000.

Schwartz, Thomas A. Untitled speech to NGAUS 121st General Conference, Atlanta, GA. 6 September 1999. Available from <http://www.ngaus.org/library/keanespeech9699.htm>. Internet. Accessed 5 November 1999.

Shalikashvili, John M. National Military Strategy. Washington, D.C.: Chairman of the Joint Chiefs of Staff, September 1997.

Shrader, Charles R. "A New Century of Power Projection Begins." Landpower Essay Series 99-9 (December 1999): 1-5.

Stevens, Ted. "Money Well-Spent on Guard." National Guard Magazine, December 1999, 17-18.

U.S. Department of Labor Veterans' Employment and Training Service. A Non-Technical Resource Guide to the Unifromed Services Employment and Reemployment Rights Act (USERRA). Labor Pamphlet. Washington, D.C.: U.S. Department of Labor, January 1998.

Youngman, D. Allen. "Citizen-soldiers, Combat, and the Future." American Defense Coalition.