

**STATEMENT OF  
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VETERANS' EMPLOYMENT AND TRAINING SERVICE  
U.S. DEPARTMENT OF LABOR  
BEFORE THE  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY  
COMMITTEE ON VETERANS' AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES**

**November 2, 2023**

**Introduction**

Chairman Van Orden, Ranking Member Levin, and distinguished Members of the Subcommittee, thank you for the opportunity to testify at today's legislative hearing.

The mission of the Department of Labor (DOL or Department), Veterans' Employment and Training Service (VETS), is to prepare America's veterans, service members, and military spouses for meaningful careers, provide them with employment resources and expertise, protect their employment rights, and promote their employment opportunities. It is my honor to serve as Deputy Assistant Secretary for Operations and Management of DOL VETS.

**H.R. 5913, the Consolidating Veteran Employment Services  
for Improved Performance Act of 2023**

This bill would transfer the VETS agency from DOL to the Department of Veterans Affairs (VA), and would likewise transfer the administration of Jobs for Veterans State Grants<sup>1</sup> (JVSG), the Homeless Veterans' Reintegration Program<sup>2</sup> (HVRP), the employment-related portions of the Transition Assistance Program<sup>3</sup> (TAP), and DOL's Uniformed Services Employment and Reemployment Rights Act<sup>4</sup> (USERRA) enforcement responsibilities, and other related responsibilities and obligations provided under the authorizing legislation for those programs.

DOL strongly opposes this bill. DOL is the lead Federal Department for employment, training, and worker protection programs, with extensive resources and institutional expertise in those services, which cannot be replicated elsewhere. With that in mind, VETS can best accomplish its mission housed within the Department that oversees the American workforce system. In fact, the current structure has enabled VETS' programs to be highly successful, with positive performance outcomes that support employment services for transitioning servicemembers, veterans, and military spouses. There is no evidence that moving VETS to VA would improve the efficiency or effectiveness of our programs. On the contrary, it would be extremely disruptive to our programs and the people we serve.

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<sup>1</sup> Authorized under 38 U.S.C. Chapter 41.

<sup>2</sup> Authorized under 38 U.S.C. 2021, 2021A and 2023.

<sup>3</sup> Authorized under 10 U.S.C. 1144.

<sup>4</sup> Authorized under 38 U.S.C. Chapter 43.

## **DOL is the Federal Lead for Employment, Training, and Worker Protection**

For over 100 years, the charter mission of the DOL has been to “foster, promote and develop the welfare of working people, to improve their working conditions, and to enhance their opportunities for profitable employment.” DOL’s [Good Jobs Initiative](#) promotes family-sustaining wages, jobs with benefits, safe and inclusive workplaces, worker growth and empowerment. Following these guidelines, VETS prepares veterans and military spouses for careers that they deserve and promotes employers that recognize the value that veterans and military spouses bring to the workplace. The Department’s collective resources and expertise are integrated with state workforce agencies and local communities to meet the employment and training needs of service members, veterans, and their families. By collaborating with our DOL sister agencies, across our programs, VETS successfully serves over 440,000 veterans, service members, and military spouses each year.

DOL’s Employment and Training Administration (ETA) administers the public workforce system, which includes nearly 2,300 American Job Centers across the country. These one-stop locations offer a broad range of career and wrap-around supportive services to the public, such as job training programs, employment services, adult basic education and literacy, vocational rehabilitation for individuals with disabilities, Registered Apprenticeships, childcare, transportation assistance, housing assistance, legal aid services, unemployment compensation (including the Unemployment Compensation for ex-service members (UCX) program), and other services. In most states, American Job Centers also host eligibility determination services for the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families (TANF), and other partner programs.

The VETS-administered JVSG program provides funding for dedicated staff who work in the American Job Centers to provide individualized career and training-related services to veterans and eligible persons with significant barriers to employment and to assist employers to fill their workforce needs with job-seeking veterans. As part of TAP, transitioning service members who are unable to meet employment-related Career Readiness Standards are provided a “warm handover” to an American Job Center, a person-to-person connection between the transitioning service member and an American Job Center, which connects them with services and follow-up resources as needed. Veterans and their eligible spouses receive priority of service for all workforce training programs funded in whole or in part by DOL, including the comprehensive wrap-around services listed above, as established by the Jobs for Veterans Act of 2002 (38 U.S.C. 4215).

VETS also strongly relies on the expertise of DOL staff employed throughout the Department. DOL is one of the largest and most experienced grant-making departments within the Federal government, and our Grant Officers are a part of ETA’s Office of Grants Management (OGM). VETS also utilizes OGM to manage the grant application process and staff for HVRP. DOL has specialized expertise in workforce development, job placement, and employment programs for veterans and non-veterans alike. We also have established relationships with employers, workforce development agencies, and educational institutions that are crucial for effective employment services. Moving these functions to VA could disrupt these relationships and the institutional knowledge that has been developed over years. VA also has

no experience providing grants to the public workforce system, and lacks the expertise needed to properly monitor and collaborate with stakeholders on those grants. Similarly, removing JVSG and TAP employment services from DOL would create new and unnecessary administrative and logistical barriers for the programs, which are currently an integrated part of the public workforce system.

Our highly specialized USERRA compliance staff similarly work hand-in-hand with staff from DOL's Office of the Solicitor (SOL). They have a collective, extensive expertise in the nuances of USERRA law and a broad range of other worker protection and employment laws that exists nowhere else within the Federal government.

VETS also collaborates with several other agencies within DOL in support of veterans' employment. For example, DOL's Office of Disability Employment Policy (ODEP) focuses on disability policy and employment services and has a long history of working with VETS and with our military and civilian partners on issues affecting disabled veterans.

DOL's Office of Federal Contract Compliance Programs (OFCCP) is responsible for administering provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA). This law prohibits employment discrimination against protected veterans by covered Federal contractors and subcontractors. VEVRAA also requires contractors and their subcontractors to take affirmative action to employ these veterans. As required by 38 U.S.C. 4212, covered Federal contractors and subcontractors are required to report annually on their affirmative action efforts in employing veterans. Working in close collaboration, VETS and OFCCP developed a unique dedicated electronic filing mechanism for receiving the VETS-4212 Reports from Federal contractors, which cannot be removed or transferred as it is part of DOL's integrated IT system.

DOL's Wage and Hour Division (WHD) enforces important leave entitlements for veterans and their families through the Military Family Leave provisions of the Family and Medical Leave Act (FMLA). The Military Family Leave provisions were first added to the FMLA in 2008, and revised in 2010, to provide protections specific to the needs of military families.

DOL's Bureau of Labor Statistics (BLS) publishes monthly, quarterly, and annual employment data on veterans and, each March, publishes an annual supplemental report called the "Employment Situation of Veterans." These data points and reports, and our ongoing consultation with the BLS subject-matter experts who produce them, are critical to understanding the veteran employment situation. VETS works with Veterans Service Organizations (VSOs), unions, the Advisory Committee for Veteran Employment, Training and Employer Outreach, and other external stakeholders to refine the metrics that BLS utilizes for its surveys of the veteran population. In addition to BLS, the Department's Chief Evaluation Office sponsors research on the effectiveness and efficiency of veteran employment programs.

DOL's Women's Bureau (WB), the only agency of its kind in the federal government, has a longstanding partnership with VETS to provide tailored support to women veterans and military spouses who are women. Approximately 92% of military spouses are women, and they

have an unemployment rate of 21%<sup>5</sup> and a 31% underemployment rate. Among many other collaborations, the Women's Bureau coordinated with VETS to jointly convene a series of listening sessions across the country to hear directly from the military spouse community and better understand the employment challenges facing them. Following those sessions, WB and VETS worked together to launch a dedicated online portal for military spouses, featuring a range of employment resources including information on transferring occupational licenses.

VETS programs cannot properly function without all of the staff, collaboration, resources, and other support provided by and situated throughout DOL, which cannot be replicated at VA. And, if VETS is moved to VA, then veterans will lose a significant voice within the public workforce system, as there would no longer be an agency within DOL that prioritizes and has the expertise needed to speak on behalf of this community.

### **VETS Programs Have Highly Successful Performance**

I have testified twice<sup>6</sup> before this Subcommittee about the successes of VETS administration of USERRA. USERRA prohibits discrimination in employment based on an individual's prior service in the uniformed services; current service in the uniformed services; or intent to join the uniformed services. USERRA also guarantees an employee returning from military service or training the right to be reemployed at their former job (or as nearly comparable a job as possible) with the same benefits. There were more than 2 million service members eligible for USERRA protections at the end of July 2023.<sup>7</sup> This sum included 766,069 members of the Reserve Components (RC) that are comprised of Reserve and National Guard troops and 1,317,051 members of the Active Components of the U.S. Armed Forces, including the Coast Guard.

On average over the past three years, VETS has closed 943 USERRA cases for investigation per year. When VETS investigators find a violation of USERRA, the investigator works diligently with both the claimant and the employer to resolve the case to the satisfaction of both parties. Of cases in which VETS found a violation of USERRA in fiscal year (FY) 2021, VETS resolved 87% of those cases, which is the highest resolution rate in the history of the program. VETS does not have a backlog of cases and resolves its cases in a timely fashion. This success speaks to the high level of expertise of the Department's SOL and VETS staff. VETS also conducts a robust public outreach campaign to educate service members, employers, and others on their rights and responsibilities under USERRA. In FY 2023, VETS conducted over 1,327 compliance assistance events nationwide, informing employees and employers alike of their rights and responsibilities under USERRA. The relatively small number of investigations needed each year compared to the large number of service members being protected provide strong evidence that the overwhelming majority of employers voluntarily comply with USERRA

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<sup>5</sup> <https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>

<sup>6</sup> <https://docs.house.gov/meetings/VR/VR10/20230309/115444/HHRG-118-VR10-Wstate-RodriguezJ-20230309.pdf> and <https://docs.house.gov/meetings/VR/VR10/20230614/116100/HHRG-118-VR10-Wstate-RodriguezJ-20230614.pdf>

<sup>7</sup> Total number of U.S. Armed Forces and Selected Reserves for July, 2023, reported by Department of Defense, Defense Manpower Data Center, in Armed Forces Strength Figures (including Coast Guard) for July 31, 2023, and Selected Reserves by Rank/Grade (including Coast Guard) for July 31, 2023, accessible at <https://dwp.dmdc.osd.mil/dwp/app/dod-data-reports/workforce-reports>

when they aware of the law’s requirements, and that our outreach and education efforts have been highlight successful.

VETS Deputy Assistant Secretary Margarita Devlin testified before this Subcommittee<sup>8</sup> about the successes of the VETS TAP employment efforts. VETS has always been an integral member of the TAP interagency partnership, being responsible for the majority of the core TAP curriculum. The TAP interagency partners consist of the Departments of Labor, Defense, Veterans Affairs, Homeland Security, and Education, as well as the military service branches, the Small Business Administration, and the Office of Personnel Management. During the pandemic, VETS was able to pivot within a month to provide instructor-led virtual workshops, making this transition faster than its TAP interagency partners. VETS supported instructor-led DOL TAP workshops for all military service branches across multiple platforms. This speaks to a flexibility that has been a hallmark of VETS’ contribution to TAP. In FY 2022, service members and military spouses attended our TAP employment workshops in record-breaking numbers. TAP employment workshops provided instruction to 266,127 total participants,<sup>9</sup> which is an over 40% increase from the previous workshop record of 188,924 total participants in FY 2021. VETS workshops are highly rated by attendees. The FY 2023 Transition Assistance Participant Assessment results through the second quarter indicated that 97% of participants would use what they learned in their own transition planning, and 95% reported that our Employment Fundamentals of Career Transition enhanced their confidence in transition planning.

VETS also has a number of innovative TAP pilot initiatives, including the Employment Navigator and Partnership Pilot (ENPP), which provides one-on-one career assistance to interested transitioning service members, and their spouses, at select military installations worldwide. ENPP represents a high-touch, customer-centric approach to career transition assistance in which the Employment Navigators guide clients through career exploration and planning. The Employment Navigators provide direct connection to the program’s 46 non-governmental partners for continued assistance. These non-governmental partners provide a wide variety of services that include placement services, apprenticeship opportunities, career transition mentorship, and networking opportunities, to name a few. Each of these partners has a Memorandum of Understanding with VETS to ensure a responsive and positive connection with each client referred. ENPP also provides customers who need assistance with a “warm handover” to an American Job Center, which connects them with services and follow-up resources as needed. According to participant surveys, the ENPP has been a great success. As of July 31, 2023, 96% of ENPP survey respondents reported positive feelings after meeting with their Employment Navigator and would recommend ENPP to a friend or colleague. And, 98% felt ENPP partners met or exceeded their employment-related expectations.

In addition, the Off-Base Transition Training (OBTT) pilot program offers TAP to veterans and the spouses of veterans at locations other than active military installations, to help improve employment-related outcomes in areas with high veteran unemployment. VETS state staff leverage our relationships with local communities to establish classroom locations and

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<sup>8</sup> <https://docs.house.gov/meetings/VR/VR10/20230517/115740/HHRG-118-VR10-Wstate-DevlinM-20230517.pdf>

<sup>9</sup> Note that an individual service member may attend more than one workshop. References to the total number of TAP workshop participants do not track individual unique participants.

reach veterans in need of this service in the pilot states. As of July 31, 2023, 6,170 veterans or spouses of veterans were provided support through 3,304 virtual and in-person workshops through OBTT.

HVRP has also been successful. In FY 2022, HVRP awarded more than \$57 million, funding 159 grantees. More than 61% of the over 16,900 veterans experiencing homelessness served in Program Year 2021 were employed when they completed the program with an average hourly wage of \$17.45 at placement. VETS provided grant funding and services to more than 2,100 additional veterans experiencing homelessness from Program Year 2020 to 2021.

Success stories like that of U.S. Marine Corps veteran Chuck Ondo are not uncommon. Ondo, a former state trooper, lost his career to a substance abuse disorder (SUD). After becoming homeless, Ondo enrolled in VETS' HVRP. HVRP helped him obtain his cosmetology license, purchased a set of clippers for him, helped him prepare his resumé, and performed mock interviews. Ondo was soon hired as a Barber/Stylist at \$15 per hour plus commissions and bonuses. Since then, Ondo has opened up his own shop and freely shares his story in hopes of inspiring others. He even helped his church create a support group for veterans and consults with state and local law enforcement agencies about how to effectively combat SUD. This is the power of the Homeless Veterans' Reintegration Program.

As noted above, JVSG is a critical and integrated component of the public workforce system. In Program Year 2022, nearly 43,000 veterans worked with JVSG staff, and each of them faced significant barriers to employment, such as the 19,000 who identified being low income as one of their barriers. Nearly 475 Local Veterans' Employment Representative (LVER) specialists served almost 147,000 veterans by providing employer outreach activities. Nearly 1,025 Disabled Veterans' Outreach Program (DVOP) specialists served over 43,500 veterans with significant barriers to employment (43,500 veterans served during FY 2022 was a subset of the 147,000). And our most recent data shows that over three quarters of states have met or exceeded their goals for the number of participants served, participants employed, and post-program wages earned.

All newly hired DVOP specialists and LVER staff are required to satisfactorily complete expert training delivered by the VETS-administered National Veterans' Training Institute (NVTI)<sup>10</sup> within 18 months after the date of employment. This helps ensure the quality and consistency of service delivery across the country. VETS has worked closely with DOL's ODEP to include training components in the NVTI curriculum to ensure that employment and accommodations for veterans with disabilities are being properly provided.

### **Moving VETS to VA Would Greatly Disrupt VETS Services**

If the "Consolidating Veteran Employment Services for Improved Performance Act of 2023" were enacted, it would cause tremendous and costly disruption to our programs and people we serve. The veteran unemployment rate continues to be historically low, at just 3.6%

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<sup>10</sup> <https://www.nvti.org/>

as of August 2023.<sup>11</sup> In addition, the data show that all VETS employment and compliance programs are achieving historically high performance outcomes, and those outcomes are a direct result of the knowledge and hard work of DOL employees, and of the processes, IT systems, and relationships that we've built within the Department.

But if this legislation were enacted, the focus and time of DOL leaders and staff, and the resources of our agency, would immediately shift away from our successful institution and towards the herculean task of implementing the transition to VA. Existing IT systems would need to go through costly studies and transfers to new systems at VA. VETS leadership would be tasked with studying and planning how to implement the transfer, developing and implementing an elaborate Memorandum of Understanding (MOU) with VA to accomplish it, and addressing all of the other numerous and costly logistical complications that would accompany the actual transfer of activities. Every staff member would need to be re-trained to use VA's internal systems and procedures. And every state and HVRP grantee would likewise need to go through a similar process, as they re-establish receipt and compliance of their grants through VA. I do not see how any of this will improve the performance of our programs or help our nation's service members, veterans, and military spouses.

Other work conducted by VETS would also be disrupted. For example, we have robust outreach and engagement activities that are helping to connect service members and veterans to employment and training opportunities. VETS has hosted employer, industry sector, and union round tables that highlighted the value of in-service credentials and their importance to civilian employers, and shared DOL resources that help facilitate civilian employment. In FY 2023, VETS' Veteran Employment Outreach program conducted over 2,000 documented employer engagement activities in support of employers to find, hire, and retain veterans. We have also partnered with ETA and the Department of Defense to develop pathways to employment for service members who have completed, or partially completed, the United Services Military Apprenticeship Program (USMAP). We have supported industry sector initiatives to facilitate public-private partnerships that are helping to establish career pathways into high demand careers in trucking, cybersecurity manufacturing, clean energy, defense industrial base, and healthcare industries. VETS has also supported this effort by enhancing its TAP curriculum, creating a new Military Lifecycle apprenticeship training and an Occupational Licensing Guide to help service members and veterans leverage the credentials and licenses earned while in-service.

I'd also like to note that Congress has recently moved functions out of the VA to more specialized agencies to improve the efficiency and effectiveness of programs. On January 1, 2021, Congress passed the William H. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283). Section 862 of that law directed the Small Business Administration (SBA) to create a government-wide certification program for Service Disabled Veteran Owned Small Businesses. SBA will also conduct certifications for Veteran Owned Small Businesses for VA's use. I strongly believe we should continue to build efficiencies in the government by continuing to align resources and staff by functionality instead of by theme.

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<sup>11</sup> <https://www.dol.gov/agencies/vets/latest-numbers>

Further, our programs have been studied by the Government Accountability Office (GAO), DOL's Office of the Inspector General (OIG), and our Chief Evaluation Office. I am not aware of any report or other published evidence that suggests moving VETS or our programs to VA would improve the performance of any of our programs.

Our record of performance speaks for itself. Our achievements are in large part due to our organizational alignment within DOL, and our close partnerships with VA, the Department of Defense, and others. Changes to this approach could have devastating consequences.

### **VETS Position on Other Legislation before the Subcommittee**

VETS is supportive of the concept of H.R. 3816, the "Veterans' Entry to Apprenticeship Act," which is intended "to ensure that veterans may attend pre-apprenticeship programs using certain educational assistance provided by the Secretary of Veterans Affairs," and welcomes the opportunity to provide technical assistance should this bill move forward.

On all other bills being considered by the Subcommittee today, VETS defers to VA.

### **Conclusion**

Chairman Van Orden, Ranking Member Levin, distinguished members of the subcommittee, thank you for the opportunity to highlight the important work VETS is doing in support of those who have served our country, and how important it is that VETS remain part of DOL. I am committed to working with you and your dedicated staff in any way that I can to improve our programs.

I am happy to answer any questions you may have.