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Understanding and Improving Civilian Employer Experiences with Guard and Reserve Duty



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Published by the RAND Corporation, Santa Monica, Calif.

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Library of Congress Cataloging-in-Publication Data is available for this publication.

ISBN: 978-1-9774-1199-0

Cover: Maryland National Guard.

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About This Report

Since the end of the Cold War, and especially after September 11, 2001, the members of the U.S. reserve component (RC) have been involved in operational missions worldwide—whether abroad in Iraq and Afghanistan or at home helping with the coronavirus disease 2019 pandemic response or natural disasters. Because most members of the RC also hold civilian jobs, the U.S. military remains concerned about the impact of RC operations on employers and about maintaining employer support for its RC members. In 2011, researchers at the RAND Corporation examined civilian employer support for RC members and the protections afforded by the Uniformed Services Employment and Reemployment Rights Act, which included fielding the 2011 U.S. Department of Defense (DoD) National Survey of Employers (Gates et al., 2013a).

In 2019, DoD asked RAND to reexamine these topics to document current views of employers and reevaluate DoD policy, federal legislation, and state legislation protecting National Guard service under state orders. As part of this effort, RAND researchers fielded an updated version of the DoD National Survey of Employers and analyzed the results, interviewed RC members and employers of different sizes and from different sectors, and analyzed data from the Status of Forces Survey of Reserve Component Members and DoD administrative personnel files. The results of these analyses, which are presented in this report, provide an updated snapshot of employer and RC member views. This report will be of interest to DoD policymakers and resource providers and their counterparts in the U.S. Department of Labor and Small Business Administration, human resource officials in government agencies and other organizations, military commanders, and RC members.

The research reported here was completed in July 2023 and underwent security review with the sponsor and the Defense Office of Prepublication and Security Review before public release.

RAND National Security Research Division

This research was sponsored by the Deputy Assistant Secretary of Defense for Reserve Integration and conducted within the Personnel, Readiness, and Health Program of the RAND National Security Research Division (NSRD), which operates the National Defense Research Institute (NDRI), a federally funded research and development center sponsored by the Office of the Secretary of Defense, the Joint Staff, the Unified Combatant Commands, the Navy, the Marine Corps, the defense agencies, and the defense intelligence enterprise.

For more information on the RAND Personnel, Readiness, and Health Program, see www.rand.org/nsrd/prh or contact the director (contact information is provided on the webpage).

Acknowledgments

We thank Judd Lyons, Deputy Assistant Secretary of Defense for Reserve Integration (DASD [RI]), for his sponsorship of this effort. We also acknowledge LtCol Colette Ching, Employer Support of the Guard and Reserve (ESGR), and CAPT Rick Howell, DASD (RI), who served as action officers for our study. In addition, we appreciate the guidance and support provided by CAPT Daryl Schaffer, DASD (RI); Nathan Ainspan, Transition to Veterans Program Office of the Office of the Secretary of Defense; and Marie Obiekwe and Lonnie Lawrence, ESGR, at key points in our study.

In addition, we are grateful for the RC members who volunteered to participate in interviews and for the employers who supported our study by completing our survey or participating in an interview. Because we assured our interviewees and survey respondents that we would keep their participation confidential, we cannot acknowledge them by name, but the study benefited greatly from their time and candid input. We also thank them for their ongoing support of the RC's mission.

A team at the National Opinion Research Center (NORC) at the University of Chicago—led by Melissa Newberry and including Heidi Whitmore, Vince Welch, Karen Davis, and Nicolas Fernandez—fielded the employer survey on behalf of the RAND research team. The NORC team developed a web-based survey platform based on an instrument that we developed, tested the survey, and administered the survey to a sample that we provided. NORC engaged in survey follow-up, tracked responses, compiled responses, and provided us with both a dataset for analysis and a methodological summary. We benefited from the depth of expertise that the NORC team brought to this challenging survey effort.

Finally, our study was strengthened by the contributions of many RAND colleagues. Irineo Cabrereros contributed significantly to the employer survey methodology, including the sampling approach. Geoffrey McGovern provided input into the document reviews that helped to orient the project. Nathan Thompson helped with conducting and analyzing interviews. Stephanie Williamson supported the team in securing approvals to access administrative personnel and Status of Forces Survey data from the Defense Manpower Data Center. Christine DiMartini provided programming support for the analysis of administrative personnel data. Martha Timmer reviewed the analytical code used by the research team. James Gazis developed the RAND websites used to help promote the survey and interviews. Barbara Bicksler provided invaluable assistance by helping our team integrate its work and clearly communicate its findings. Greg Schumacher and Jeffrey Wenger provided formal peer reviews that ensured our work met RAND's high quality assurance standards. Ninna Guggell, Kim Schwartz, and Rosa Maria Torres provided administrative support.

We thank them all but retain full responsibility for the objectivity, accuracy, and analytic integrity of the work presented here.

Summary

Since the end of the Cold War, U.S. reserve component (RC) members have served in operational missions worldwide—whether abroad in Iraq and Afghanistan or at home helping with the coronavirus disease 2019 pandemic response or natural disasters. Duty-related absences from their civilian jobs can create frustration and challenges for both the RC members and their employers. The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects RC members against employment discrimination and provides them with reemployment rights after a duty-related absence. In a 2013 study, researchers at the RAND Corporation concluded that there was no need for major revisions to USERRA, that its provisions were clear and generally consistent with other employment laws, and that the challenges reported by employers stemmed largely from RC activation and utilization policy as opposed to the law’s employment and reemployment protections (Gates et al., 2013a).

At the request of the Deputy Assistant Secretary of Defense for Reserve Integration, we update and extend that earlier study in this report to document current views of employers and reevaluate U.S. Department of Defense (DoD) policy, federal legislation, and state legislation protecting National Guard service under state orders. For this study, we integrated the results of a multimethod approach that consisted of a review of research and policy; interviews with subject-matter experts, RC members, and RC employers; analysis of data from the Status of Forces Survey of Reserve Component Members (SOFS-R) and DoD administrative personnel data; and the 2022 DoD National Survey of Employers that we fielded for this study.

Findings

What Is Going Well

We found that employer support for RC members and their military duty remains strong. Employers are satisfied with their RC employees overall and agree that the advantages of employing RC members outweigh the disadvantages. We found no evidence that employer support has waned over the past decade. Employers also reported minimal difficulties with implementing USERRA provisions.

RC members are not experiencing systemic challenges in balancing the demands of a dual career. The majority of RC members felt that their principal civilian employer, supervisor, and coworkers were supportive of their National Guard or reserve career.

Friction Points Between RC Employers and Employees

Although much is going well, our findings point to some friction points—specific sources or locations of stress on the RC employment relationship. Employers expressed concerns

about insufficient advance notice of the timing and duration of upcoming duty and insufficient information about when an activation will end. Employers also described challenges with identifying DoD points of contact who can answer duty-related questions when an RC member is activated.

Small private firms and local government employers and RC members in more senior ranks might face greater absence-related challenges. Local government employers described how hiring and budget constraints can limit their flexibility to respond to duty-related absences by shifting workload to other employees—limitations that might be especially serious for smaller local agencies and first-responder organizations.

Other Relevant Topics

We were asked to explore the usefulness of financial incentives to support RC members' civilian employers. However, there was no consensus among employers as to policy changes or incentives that would best help them address challenges stemming from military duty.

We also found critical awareness and information gaps. Many employers do not know which of their employees are serving in the RC. Some employers were not aware of Employer Support of the Guard and Reserve (ESGR) and the supports it offers.

On the DoD side, the ability to identify and interact with employers of RC members is questionable given the status of the civilian employment information (CEI) database. Despite mandates to report data, compliance is low across the components and declining. Also, DoD administrative data on activations have limited information on reasons for activations and none on state activations. In sum, communication among employers, RC members, and DoD hinges on the RC member. When communication is insufficient, it can leave employers frustrated, with little idea of where to turn.

Recommendations

We were asked to consider whether any changes to USERRA were warranted. We do not recommend any changes to USERRA or the development of financial incentives for employers. USERRA is an established law. The law provides RC members with legal rights, but a supportive work environment for RC members involves actions that go beyond the letter of the law. The following recommendations focus on such actions.

Make It Easier for RC Employers to Obtain Information and Communicate with DoD About Duty-Related Issues

We encourage DoD to enhance ESGR and other employer-facing resources to more effectively support the requirements of Department of Defense Instruction (DoDI) 1205.12, *Civil-*

ian Employment and Reemployment Rights for Service Members, Former Service Members and Applicants of the Uniformed Services, as follows:

- Consistent with DoDI 1205.12, establish clear and accessible points of contact at the component level to complement ESGR.
- Facilitate communication and information flow to employers by establishing an information navigator program or portal. This resource could include not only general information related to RC member employment (e.g., rights and responsibilities under USERRA, ESGR resources for employers) but also information about a specific RC member's military duty.
- Reevaluate what information can be provided to employers about military duty after operational security and privacy considerations are considered.
- Create better opportunities for employers to obtain the information they need about duty-related absences when they need it in a way that is consistent with USERRA.

Support RC Members in Managing Their Military and Civilian Careers

Because some RC members find it challenging to balance their military and civilian careers, particularly as they progress in rank, the Office of the Secretary of Defense (OSD), the RCs, and the active components should take the following actions to expand guidance to RC members to help them in this regard:

- Enhance RC member-facing resources so that they not only include USERRA-related rights and resources but also provide support to promote career balance proactively.
- Improve communication between military units and civilian employers about duty-related information.
- The RCs and the active components should work together to plan and prioritize RC member training and education in a way that accounts for potential stress on RC employers.

Improve Data and Data Systems for RC Personnel Management

Our findings also suggest a need for improvements to the data and data systems used for RC personnel management that could be supported by action from the RCs and OSD, as follows:

- The RCs should better position themselves to meet the requirements enumerated in Department of Defense Manual 7730.54, *Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures*, thereby reinvigorating the Defense Manpower Data Center's CEI database. OSD should explore ways to facilitate RC compliance with these reporting requirements or develop an alternative approach to collecting and maintaining CEI data.

- OSD should engage DoD's Office of People Analytics to ensure that the SOFS-R captures the data that DoD needs to understand and monitor RC civilian employment issues.
- OSD should complement the fielding of the National Survey of Employers with more-frequent pulse surveys that cover a few topics or questions or are targeted to specific types of employers to help DoD understand civilian employer perspectives closer to real time.

Periodically Reevaluate Factors Affecting the Nature and Extent of Civilian Employer Support

Our last recommendations pertain to areas that OSD should consider for future study:

- Characterize the types of civilian employment that RC members hold, and monitor the relationship between RC and active component operation, employer support, and friction points.
- Examine more deeply RC members' perspectives on their dual careers to better support career balance.
- Evaluate any changes made as a result of these recommendations to ensure that they are yielding the desired results and worth the investment.
- Keep tabs on how remote work might affect the boundaries of civilian work and military work and its ensuing implications (positive and negative) for career balance.

Final Thoughts

If DoD formalizes the operational reserve as a distinct workforce, our findings suggest that DoD might need to institute major changes to the infrastructure that supports the dual employment relationship. Formalization of the operational reserve and its utilization in targeted skill areas would benefit from a more collaborative approach between DoD and civilian employers that views the civilian and military careers as complementary rather than separate. Such a change might require different personnel management and compensation structures on the military side, enhanced planning and flexibilities to accommodate employer needs, and a consideration of how USERRA would apply to a formalized operational reserve.

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Introduction

Since the end of the Cold War, the reserve component (RC) has evolved to become both an operational and a strategic reserve force. This evolution has raised broader philosophical questions about RC utilization and has posed legal, resource, and policy challenges for U.S. Department of Defense (DoD) components when leveraging the RCs for operational missions (Schaefer et al., 2022). During what has come to be known as the *operational reserve era*, RC members have been involved in operational missions worldwide—whether abroad in Iraq and Afghanistan or at home helping with the coronavirus disease 2019 (COVID-19) pandemic response or natural disasters. Activations and training requirements associated with such operational missions have waxed and waned over time, raising concerns about challenges that RC members and their civilian employers face stemming from service-related absences. Such absences could lead to frustration and employer reluctance to hire, promote, and retain RC members and could make it difficult for the members to manage the dual career that is a defining feature of RC service.

The Secretary of Defense recommended to the Deputy Under Secretary of Defense for Personnel and Readiness, through the Reserve Forces Policy Board, that DoD update and extend a 2013 RAND Corporation study (Gates et al., 2013a) to document the views of employers and reevaluate DoD policy, federal legislation, and state legislation protecting National Guard service under state orders.

Prior work by RAND researchers examined the context for civilian employer support for RC members and considered whether protections afforded by the Uniformed Services Employment and Reemployment Rights Act (USERRA) (Pub. L. 103-353, 1994), which predates the operational reserve era, were well-suited to RC utilization as a strategic and operational force (Gates et al., 2013a). That study found that duty-related absences are the key driver of costs to employers and RC members. The employment and reemployment protections provided by USERRA are similar to protections provided by other employment laws, such as the Family and Medical Leave Act (FMLA). USERRA's impact on employers stems from duty-related leave and varies based on characteristics of the absence, the position held by the RC member, characteristics of the employer, and overall economic conditions. Specifically, the study found that longer or more-frequent absences and absences of a key personnel member have a greater impact on employers. The study also found evidence that smaller employers are more likely to experience negative impacts in the event of a duty-related leave. Despite these

challenges, the study found no evidence that any one change to policy or employer support programs would address the concerns of all employers.

Scope and Approach

To address the key project objective, we focused on four broad research questions:

- How has the context for employer support for RC members changed over the past decade?
- What are employers' perspectives on the benefits and costs of employing RC members?
- What are RC members' perspectives on balancing civilian and military careers?
- How could DoD better support both employers in fulfilling their obligations under USERRA and RC members in balancing military and civilian careers?

We integrated the results of a multimethod approach to inform our answers to these questions. Our information sources consisted of the following:

- *Research and policy review.* Building on the comprehensive review described in Gates et al. (2013a), we reviewed DoD policies and instructions related to RC utilization and USERRA, appellate court decisions related to USERRA provision, legislative proposals related to USERRA, research literature on employment law generally and employment protections for military duty-related absences specifically, and research on the employment context in the United States.
- *Subject-matter expert interviews.* At the outset of our study, we conducted 23 semi-structured orienting interviews with key stakeholders and DoD subject-matter experts designed to surface key considerations influencing civilian employers' support of RC member employment. Interviewees included all seven RC chiefs or their designees, state-level Employer Support of the Guard and Reserve (ESGR) ombudsmen, and other stakeholders, such as Reserve Forces Policy Board staff.
- *Status of Forces Survey of Reserve Component Members (SOFS-R) data.* SOFS-R is a representative random sample survey of RC members conducted by DoD since 2000 that is designed to take the pulse of the RC on a wide range of issues, from attitudes toward and experiences with military service to financial well-being and health status. We analyzed individual-level survey data from the SOFS-R administrations from 2011 to 2020 and reviewed tabulation volumes published by the Defense Manpower Data Center (DMDC) and Office of People Analytics (OPA) based on these surveys. The individual-level data allowed us to explore relationships between survey responses and RC member employer characteristics. In the 2020 survey, employer support is one of 23 topic areas covered (OPA, 2021c, pp. 1–5). The 2020 survey does not include questions about USERRA rights or problems faced by RC members when returning to work after an activation, which were included in the 2011 survey.

- *DoD administrative personnel data.* We analyzed individual-level data from the DMDC military and civilian personnel data files. We used activation and deployment status indicators in these files to examine the share of RC members who were activated and deployed in a given fiscal year (FY). We looked at variation in such activations by years of service, military occupation, and component. We calculated the amount of time that RC members had been activated over the course of their careers. We also linked the military and civilian personnel files to identify those RC members who are working as DoD civilians and examined activation patterns for this subset of the workforce.
- *2022 DoD National Survey of Employers.* We developed, administered, and analyzed data from the 2022 employer survey, modifying the approach used by DoD in designing and administering the 2011 DoD National Survey of Employers. We updated and modified the 2011 survey instrument with input from DoD to streamline and modernize the survey. We developed a sampling approach for the 2022 survey that was focused on employers defined as organizations rather than as establishments (as they were in the 2011 employer survey) and that included the full range of public-sector employers. We combined probabilistic random sampling from a database of private-sector employers with nonprobability convenience sampling from databases identifying RC employers (provided to us by DoD) and data on public-sector organizations to develop a stratified sample that included both private-sector employers of varying sizes and public-sector employers at the local, state, and federal levels. We contracted with the National Opinion Research Center (NORC) at the University of Chicago to administer a web-based survey from February 16, 2022, to June 6, 2022. We contacted 26,861 employers and received 1,886 responses for a 7-percent overall response rate that varied by survey stratum, from a low of 3.2 percent for large, private firms to a high of 23.3 percent for DoD agencies.¹
- *Interviews with employers of RC members.* We conducted 97 semistructured interviews with RC members' civilian employers from April 2022 through October 2022. Topics covered during these interviews included practices related to hiring and employing RC members, perceived advantages of employing RC members, experiences with RC member activations and deployments, strategies for adapting to RC member military-related absences, familiarity with USERRA, support resources, and recommendations for better employer support. Interviewees were randomly selected from employer records provided by ESGR. These records included a combination of ESGR employer

¹ The 2011 survey was administered by DoD to nearly 80,000 establishments and had a response rate of 17 percent for RC employers (identified through DoD's Civilian Employment Information [CEI] database) and 5 percent for non-RC employers. Many employer surveys rely on convenience samples that do not allow for response rate calculations. A long-standing, annual survey of employers on health benefits conducted by the Kaiser Family Foundation since 1998 that targets private and nonfederal government employers had an overall response rate of 15 percent in 2021 (8 percent among firms that were not part of the survey panel) (Claxton et al., 2021, Figure M.2, p. 22). The overall response rate for the foundation's 2011 survey was 47 percent (Claxton et al., 2011, p. 8).

award nominees and winners, employers that contacted ESGR with an inquiry, and employers that were cited by RC members who contacted ESGR with employment questions or concerns. The final sample of interviewees included a wide variety of employers in terms of size, type, and experiences with RC members.

- *RC member interviews.* From December 2021 through June 2022, we conducted 70 semi-structured interviews with a subset of RC members who volunteered for an interview by completing a short web-based questionnaire that included questions about basic demographics (e.g., RC, paygrade), their civilian employment, and their recent military activations. The interviews were designed to elicit RC members' perspectives on civilian employer support and balancing military and civilian careers. We used a purposive sampling frame intended to ensure variation across the six RCs from which we had volunteers,² as well as to ensure variation by personnel type (officer, enlisted, warrant officer) and, to the extent possible, variation by employer type.
- *Analytical deep dives into employer or RC member characteristics of interest.* The data described above were collected and analyzed with an eye to examining relationships between observable characteristics of employers and RC members and key outcomes of interest. We looked for variation by employer size, employer sector, employer first responder status, military occupation of the RC member, RC member years of service, and RC member component.

A key aim in documenting employer perspectives was to capture a variety of perspectives about RC employment from key segments of employers of RC members, defined in terms of sector and size within the private sector. The employer landscape is complex, and it was not feasible within the scope of the project to capture perspectives that were fully representative of all U.S. employers based on industry, size, sector, and geography, especially given that RC members represent less than 1 percent of the U.S. labor force.³ We focused our data-gathering on employers most likely to employ RC members by combining probabilistic random sampling approaches and nonprobabilistic sampling approaches, leveraging data on known RC employers and supplementing survey data collection with more in-depth interviews. This research was reviewed and approved by RAND's Human Subjects Protection Committee, DoD (Report Control Symbol P&R-2713), and the Office of Management and Budget under the terms of the Paperwork Reduction Act (Control Number 0704-0618).

Table 1.1 describes how the information sources informed our answers to each question.

² Despite a major outreach effort to more than 17,000 RC members (see Appendix A for details), we were unable to interview any Marine Corps reservists.

³ There are roughly 1 million members of the Ready Reserve (Kapp, 2023) and about 166 million people in the civilian labor force (U.S. Bureau of Labor Statistics [BLS], 2023c).

TABLE 1.1

Information Sources Used to Address Research Questions

Question	Information Sources
How has the context for employer support changed over the past decade?	Literature review, expert interviews, administrative data, SOFS-R data
What are employers' perspectives on the benefits and costs of employing RC members?	2022 DoD National Survey of Employers, employer interviews, expert interviews
What are RC members' perspectives on balancing civilian and military careers?	SOFS-R data, RC member interviews
How could DoD better support both employers in fulfilling their obligations under USERRA and RC members in balancing military and civilian careers?	2022 DoD National Survey of Employers; employer, RC member, and expert interviews; deep dives

Limitations

The data sources on which we drew have limitations that have implications for the interpretation of our findings. We highlight the key limitations here.

The administrative data we relied on to analyze activations and deployments does not capture activations of guard members for state duty, nor does it capture activations and deployments for members of the Coast Guard Reserve. Therefore, our analysis of that data does not capture demands on employers that stem from state guard duty, Coast Guard activations, or duty-related absences for drilling or training activities while remaining in inactive status (even those absences in excess of the expected one weekend per month and two weeks per year).

Regarding the 2022 DoD National Survey of Employers, there are three main limitations to keep in mind when reading this report. The first relates to the generalizability of our findings to a larger population of employers. Estimates from the 2022 employer survey are generalizable to other employer organizations within each employer-type stratum for those strata that used probabilistic sampling (e.g., large private firms). For strata that used nonprobability sampling methods and leveraged DoD data identifying RC employers (e.g., small private firms), results are considered representative of the convenience sample itself rather than the employer population.

Another limitation relates to comparisons between the 2011 and 2022 employer survey findings. The 2022 survey targeted employer *organizations*, whereas the 2011 survey targeted employer *establishments*. Although we can glean insights about changes over time by comparing the 2011 results to the 2022 results in an overarching or thematic way, readers should not interpret differences between surveys on an item-by-item basis as signifying actual shifts in employer perspectives, given the differences in approaches between the two surveys.

Finally, both the 2022 employer survey and the 2020 SOFS-R had low response rates relative to prior surveys of employers and RC members, respectively. Both surveys used statistical methods to account for nonresponse, which reduces concerns that results might be biased. However, in the case of the 2022 employer survey, we could only account for factors known for both responding and nonresponding employers, which does not include whether

they employ RC members. To the extent that employers of RC members were more likely to respond to the survey, results might not be reflective of the underlying population of employers even in the strata that used probability sampling methods (e.g., random sampling). Nonetheless, we expect that the survey results still provide insights about the employer support landscape from those employers who have strong views on these topics.

With respect to the interviews, we recruited interviewees with an eye to securing as much variation as possible on key characteristics of interest, such as employer sector and RC member component. Therefore, the responses help us better understand the nuances related to insights from the representative data sources—specifically, the SOFS-R and employer survey—but are not themselves representative of the population of either employers or RC members. In other words, interview results provide context and details not available within the surveys and are robust across a wide variety of service members and employers, but the prevalence of interview-based findings, such as the use of specific strategies or types of challenges experienced, cannot be generalized to the entire population.

Organization of This Report

In this report, we present the results of this multimethod approach and recommendations derived from our findings. We combine insights from the analysis of employer and RC members perspectives to inform our findings and recommendations.

In Chapter 2, we provide an overview of the context for employer support. We provide updated information on key findings presented in the 2013 report (Gates et al., 2013a) and emphasize changes over the past decade in economic and labor market conditions, the DoD and USERRA policy context, and activation and deployment patterns. In Chapter 3, we describe what appears to be going well in terms of RC member civilian employment from the perspective of employers and employees. We discuss high rates of employer satisfaction with their employees who serve in the RC and the fact that a vast majority of RC members report that their employers are supportive of their military duty. In Chapter 4, we discuss possible friction points between RC employers and their employees or DoD (or both), which stem from duty-related absences. Although many of the friction points that surfaced are idiosyncratic in nature, we find evidence that small employers and local government employers are more likely to experience challenges with managing duty-related absences, as are senior RC members. In Chapter 5, we highlight some other policy-relevant findings that emerged in our analysis related to employer support programs, level of employer awareness about employees serving in the RC generally, and limitations of data to track and understand employer support. In Chapter 6, we offer conclusions and recommendations.

The report also includes three appendixes. In Appendix A, we provide additional methodological details about our interview and survey methodologies. In Appendix B, we present the survey instrument used in the 2022 DoD National Survey of Employers. In Appendix C, we provide tabulations for leading indicators from that survey.

Current Context for Employer Support

Employer support for RC member employees is influenced by how employers perceive the trade-offs between the costs and benefits of employing RC members. The conceptual framework developed by Gates et al. (2013a) outlines key factors influencing these trade-offs.¹ These key factors are characteristics of the employer, the duty-related absence, the RC member, and the overall economy, along with DoD policies and programs. Benefits may stem from the fact that RC members are just better employees or from a sense of fairness or patriotism on the part of the employer. Costs stem primarily from duty-related absences. In this chapter, we consider important dimensions of the context influencing employer support. We explore labor market conditions, societal attitudes toward the military and military service, the USERRA policy context, DoD policy and programs, and what the operational reserve looks like in terms of activations and deployments.

USERRA Policy Context

USERRA was passed by Congress in 1994.² The law protects service members from discrimination and provides them with the right to reemployment in the event of a duty-related absence. Those reemployment rights require the employer to account for whatever promotion and job advancement opportunities the RC member would have expected during the absence—a feature of the law that is commonly referred to as the *escalator principle*. To qualify for these reemployment rights, the service member must meet certain legal requirements, including notifying the employer of a pending duty-related absence and notifying the employer of their intent to seek reemployment within a specified time frame after the end of duty. The law does *not* require the service member to provide notice in writing or to indicate whether they intend to return to work at the end of the absence. The law requires the service member to provide employers with documentation about duty-related absences longer than 30 days only if requested by the employer.

¹ See Figure 3.1 and related text in Gates et al. (2013a) for a description of these factors.

² See Gates et al. (2013a, Chapter 2) for a detailed overview of the law's provisions and a description of how it is implemented and enforced, including the points summarized in this paragraph.

USERRA protections do not cover absences that exceed five years with a single employer, although some types of military duty are exempt from that five-year total. The time frame for reemployment varies based on the length of the duty-related absence. These reemployment rights have the potential to directly or indirectly impose costs on employers. The magnitude of these costs is influenced by characteristics of the absence itself, the position of the employee who is absent, the employer, and the state of the overall economy (see Gates et al., 2013a, Chapter 3). The USERRA policy context—including how courts have interpreted the law—influences the obligations that employers face in the event of a duty-related absence. DoD policy and programs can influence the characteristics of the absences and the RC members who experience a duty-related absence.

Passed nearly 40 years ago, USERRA is now an established law that is administered by the U.S. Department of Labor (DoL) Veteran's Employment and Training Service.³ Courts have had ample opportunity to weigh in on areas in need of clarification. Gates et al. (2013a) summarizes the key features of the law and areas of controversy. Since that 2013 study, there have been only two notable changes to the USERRA context with potential implications for the employer relationship, which we summarize here.⁴ One is the expansion of the law to cover certain types of state duty. The other is a Supreme Court decision clarifying that state employers are subject to the provisions of USERRA (*Torres v. Texas Department of Public Safety*, 2022).

Historically, members of the National Guard serving on state active duty (as opposed to federal active duty) did not have reemployment rights under USERRA. That changed in January 2021, when an amendment to section 4303 of the law extended rights to “members of the National Guard serving on State Active Duty: a) for 14 days or more, b) in support of a national emergency declared by the President under the National Emergencies Act, or c) in support of a major disaster declared by the President under Section 401 of the Stafford Act” (DoL, undated).

In *Torres v. Texas Department of Public Safety*, the Supreme Court considered whether a state employer can be sued under USERRA. Although the law clearly states that suits can be filed against state employers, the state of Texas argued that the provision was in violation of the sovereign immunity clause of the U.S. constitution, which prevents courts from addressing disputes between private individuals and a state. The 2022 5-4 decision clarified that state employers cannot invoke sovereign immunity when faced with USERRA claims (*Torres v. Texas Department of Public Safety*, 2022).

³ The Veteran's Employment and Training Service offers online resources with up-to-date information on USERRA provisions targeted to RC members and employers, including a guide for employers (DoL, undated).

⁴ During this time frame, there were also changes to USERRA that codified commonly understood but ambiguous aspects of the law or altered some specific administrative parameters of the law, such as time limits for filing complaints or allowing the Department of Justice to file civil complaints on behalf of service members. There was also rulemaking by the DoL related to USERRA that clarified administrative points.

One issue that was described in Gates et al. (2013a, p. 24) but that remains unresolved is whether USERRA should be revised to explicitly end the use of mandatory arbitration for USERRA claims. Mandatory arbitration clauses are common in employment contracts (U.S. Government Accountability Office, 2021, pp. 3–4). Such clauses require the parties to contract to resolve disputes through an agreed-upon arbitrator rather than in court. Court decisions on this issue have been mixed but have generally upheld the application of such clauses to USERRA claims. Although some service members have pursued claims arguing that service members cannot be compelled to pursue their USERRA claims through arbitration, courts have generally upheld the use of arbitration clauses and argued that USERRA does not explicitly prohibit mandatory arbitration. In making these decisions, courts have noted that Congress could pass legislation to clarify the law’s intent. Draft legislation that would explicitly prohibit the use of mandatory arbitration of USERRA claims has circulated but has not been written into law (Wright, 2020). For example, the Justice for Servicemembers Act (H.R. 2196) was introduced by the 117th Congress but did not receive a vote. Language from that law was included in the House version of the 2023 National Defense Authorization Act but not in the final version of that act (Borland, 2022).

More-sweeping legislation that would limit mandatory arbitration agreements in a wide range of contexts—the Forced Arbitration Injustice Repeal (FAIR) Act (H.R. 963, 2022)—was passed by the U.S. House of Representatives in 2022 but has not been approved by the U.S. Senate. DoL has called on Congress to either pass the FAIR Act or make specific changes to USERRA that would explicitly prohibit mandatory arbitration of claims under that law (DoL, 2022, pp. 26–27).

Our RC member interviews did not surface any concerns among RC members about arbitration agreements interfering with their ability to exercise their USERRA rights. The 2022 employer survey asked employers whether they “require [their] employees to sign agreements to engage in mediation, arbitration, or other forms of alternative dispute resolution in lieu of legal action?” Response options were *yes*, *no*, and *don’t know*. Roughly one-third of federal employers fell into each response category. Among nonfederal employers, a majority reported that they do not require such agreements, while 14 percent to 19 percent reported they did, and 21 percent to 29 percent reported they did not know.⁵

ESGR, a program within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, was established in 1972 to facilitate communication and resolve disagreements between RC members and their civilian employers. With the passage of USERRA, ESGR became the DoD home for USERRA inquiries and cases as part of ESGR’s broader mission to promote “supportive work environments” for RC members (ESGR, undated-a). ESGR pursues this mission largely through a network of volunteers who are organized by state and territory. These state volunteers provide advice and guidance to both employers and RC members and may—at the request of an RC member—help mediate disputes through the ESGR’s Ombudsman program (ESGR, undated-b). ESGR not only addresses such com-

⁵ See Appendix C, Table C.23.

plaints but also works to prevent them in the first place by raising awareness about USERRA and other laws and about employers who actively support RC employees. ESGR's Statement of Support effort raises awareness about USERRA responsibilities among employers and secures their commitment for a supportive work environment. Employer recognition programs as of April 2023 are the Patriot Award, Above and Beyond Award, Freedom Award, Pro Patria Award, and Extraordinary Employer Support Award. Employers may also be nominated for the Seven Seals Award, which recognizes significant contributions by an individual or organization to the ESGR mission. Employers of RC member spouses are eligible for the Spouse Patriot Award.⁶

Labor Market Trends

Just prior to the onset of the COVID-19 pandemic, the unemployment rate was at a historically low level of 3.5 percent, having declined gradually over the preceding decade after an October 2009 peak of 10 percent (Falk et al., 2021, p. 3). It quickly spiked to 14.8 percent in April 2020—a level never before recorded by the BLS since it began collecting data in 1948 (Falk et al., 2021, p. 3). That spike was relatively short-lived; by February 2021, the rate was down to 6.2 percent. Since then, strong job growth has returned the economy to an extended period of low unemployment. As of February 2023, the unemployment has been below 4 percent for more than a year (BLS, 2023a).

During the height of the COVID-19 recession, with many businesses closed and workers collecting unemployment, the cost to employers of duty-related activations may have been particularly low, except for employers in the government, agriculture, education and health services, and manufacturing sectors (Falk et al., 2021, p. 6). By mid-2021, that landscape shifted to one in which duty-related absences would likely impose costs on employers. With workers in high demand, employers might view the possibility of a military absence as less of a concern. They might be more willing to hold a job open during a short duty-related absence because they know it will be difficult to hire a replacement or because they are accustomed to prioritizing workload in the face of worker shortages (or both). In the post-COVID-19 era, customers might be more understanding of delays caused by supply chain or labor shortage issues. At the same time, those very labor shortages could make it more difficult and costly for employers to find a replacement in the event of a duty-related absence when they cannot postpone the work.

Other ongoing labor-market developments are shaping the employer-employee relationship with possible implications for employers of RC personnel. Remote work spiked during the pandemic years: The number of people who primarily work from home tripled from 2019 to 2021 (U.S. Census Bureau, 2022b). Although remote work has since declined as more

⁶ See Gates et al. (2013a, Table 3.2) for a description of ESGR's employer-focused programs. See DoL (2022, pp. 4–6) for information on the level of activity for some programs.

employers have expected workers to return to the office (BLS, 2023b), higher rates of remote work likely will be an enduring feature of the workplace. Generation Z's expectations surrounding work and workplace flexibility could contribute to this trend as this generation continues to enter the workforce (Maurer, 2022).

These changes in the labor market could facilitate some degree of attachment to the employer even while the RC member is physically away for military duties (e.g., periodic check-ins). However, it could make it tougher for employers to get a full picture of the experiences of RC members on their return to work if interactions often are virtual. Meanwhile, “gig work” and other forms of contract work—or “fissuring” in the relationship between work and an individual’s actual employer—can mean that RC members may fall outside the bounds of USERRA (because they perform contract work and are not an employee) (Zipperer et al., 2022), or they may be employed by an entity that is distinct from the place in which they do their day-to-day work and in which people might be more familiar with them and the benefits and challenges of their RC service (Weil, 2019).

Support for the Military

The decline in support for and trust in the military as an institution is also important context for employer perspectives. The views of employers and RC member coworkers are a microcosm of our society as a whole. To the extent that employers view the military favorably, they are more likely to view RC members favorably and consider it a patriotic duty to support military duty. In annual surveys conducted by the Pew Charitable Trusts, trust in the military as an institution has typically been high relative to other institutions. Although that relative statement still holds true, trust in the military has not been able to withstand the erosion of trust in institutions more broadly. Between the 2020 and 2021 annual surveys, “[t]he share of Americans who say they have a great deal of confidence in the military to act in the public’s best interests had fallen 14 points, from 39% . . . to 25%” (Kennedy, Tyson, and Funk, 2022, p. 5). The Ronald Reagan Presidential Foundation and Institute similarly found sharp declines in the percentage of survey respondents reporting a great deal of confidence in the military between 2018 and 2021 (from 70 to 45 percent), although the level increased slightly to 48 percent between 2021 and 2022 (Beacon Research and Shaw & Company Research, 2022, slide 15). Barno and Bensahel (2023) argue that politicians on both sides of the aisle are emphasizing challenges facing DoD—extremism and “wokeness”—spinning them in ways that could diminish support for military service and for those who choose to serve.

DoD Policies

USERRA’s protections potentially have implications for employers in the event of a duty-related absence, and DoD policy and actions influence the frequency and nature of those absences.

In terms of formal policy, there has been little change to the USERRA context. Department of Defense Instruction (DoDI) 1205.12, *Civilian Employment and Reemployment Rights for Service Members, Former Service Members and Applicants of the Uniformed Services*, articulates DoD policy, roles, and responsibilities related to USERRA employment and reemployment rights and obligations (DoD, 2016). The instruction was reissued in 2016. The 2016 version includes a section on employer information and assistance. That section requires the military departments to verify absences and discharge status on request and establish a point of contact in the RC with the “authority to delay, defer, cancel or reschedule military service” who is responsible for making decisions in response to written requests from civilian employers facing hardship because of absences (DoD, 2016, p. 9). That point of contact can change the absence if it will “not negatively affect military operations” or propose other reasonable options in response to such requests (DoD, 2016, p. 10).

Since 1970, DoD has considered the RC an essential part of the Total Force (in addition to the active component), which can be tapped to meet national defense needs. The term *reserve component* is a misleadingly simple way to describe a complex entity.⁷ The RC consists of seven separate components. Two of these components—the Army National Guard (ARNG) and the Air National Guard (ANG)—execute both federal and state missions. Each of the seven components is managed by its military department or, in the case of the Coast Guard Reserve, by the Department of Homeland Security. Each can tap different types of personnel, notably members of the Selected Reserve, as well as individuals filling full-time support roles (Active Guard and Reserve and Military Technicians). The Selected Reserve is what most people have in mind when they think of a guard or reserve member. These individuals normally train for one weekend per month and an additional two weeks per year when in inactive status. They may also be activated to serve longer terms of duty in support of authorized federal operations on a voluntary or involuntary basis. In addition, National Guard members may be activated by their state’s governors to support state operations.

A 2022 RAND report describes the operational use of the RC, which originated after the end of the Cold War and has since assumed a central role in force management despite an “enduring philosophical debate about the purpose and appropriate utilization of the reserve components” (Schaefer et al., 2022, p. 85). The authors of that study describe a continuum of service that includes traditional RC members and active duty members and call out a separate category of RC members between the two “that conducts sustained operational support missions” (Schaefer et al., 2022, p. 6). This sustained operational support category of RC members is not readily distinguished from traditional RC members, and DoD’s resource and personnel policies and systems pose barriers to their utilization and career progression. Indeed, the Reserve Forces Policy Board has called on DoD to formalize the concept of the *operational reserve* (Reserve Forces Policy Board, 2020, p. 9–10)

⁷ Kapp and Torreon (2021) provides a detailed overview of the RC and information on the complexities highlighted in this paragraph.

The implications of the operational reserve are evident in data on RC member activations, as discussed in the next section.

Activation and Deployment

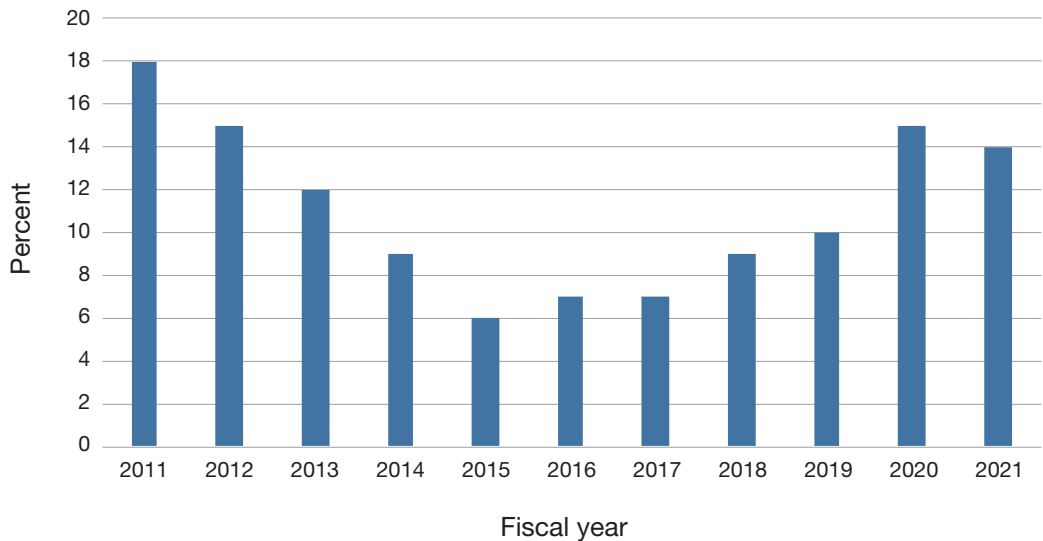
Since 1991, the RC has been leveraged extensively to contribute to international and domestic operations, including combat and peacekeeping efforts, disaster assistance, border control, and the COVID-19 pandemic response (Reserve Forces Policy Board, 2020, pp. 29–31). RC utilization has waxed and waned since that time. The number of active-duty days for RC members spiked briefly to 44.2 million in FY 1991 in support of Operation Desert Shield before dropping back to levels between 5.3 million and 13.5 million during the period between FY 1992 and FY 2001. After the terrorist attacks of September 11, 2001, RC utilization increased dramatically, reaching a peak of 68.3 million duty days in 2005 (Gates et al., 2013a, p. 3). The number of active-duty days for RC members declined to 17.3 million by 2014 (Reserve Forces Policy Board, 2020, p. 31), after which data on active duty days for RC members are not available.

Using administrative data from DMDC, we calculated by fiscal year the percentage of RC members activated under U.S. Code Title 10 orders (both under the control of and paid for by the federal government) or U.S. Code Title 32 orders (under state control but paid for by the federal government). Absent information on RC active-duty days, this metric can serve as a useful indicator of RC utilization, allowing for comparisons over time. Figure 2.1 presents the percentages for FYs 2011 through 2021. The percentage of RC members activated in a given FY was below 10 percent from FYs 2014 through 2019. The activation rate rose above that 10-percent level in FYs 2020 and 2021 to 15 and 14 percent (respectively) but was still nowhere near the levels experienced in the first decade of this century. Not shown on the figure, our calculations reveal that, in FY 2005 (the year the number of active-duty days reached its peak), 27 percent of RC members were activated. This suggests that, in the past decade, RC utilization has varied over time but has not approached the high levels of utilization observed in the latter part of the 2000s.

These overall activation rates might obscure important variation based on characteristics of the RC member. To understand the extent of such variation, we analyzed information on activation patterns by military occupation, RC, and years of service. We also looked at the cumulative time activated over the course of the career—among other things—to understand the extent to which USERRA’s five-year cap might be binding. Here, we highlight some key findings from that in-depth investigation.

Figure 2.2 shows activation rates for each DoD reserve component. ARNG and ANG activations were driving the overall increase in activation rates in 2020 and 2021, which is not surprising given the historic activation levels to address needs stemming from the COVID-19 pandemic, civil unrest, and natural disasters (Horton, 2020). In addition, the increased ARNG activation rate reflected a dramatic increase since 2016; the ANG activation rate

FIGURE 2.1
Percentage of RC Members Activated, by Fiscal Year



SOURCE: Authors' analysis of DoD personnel data from DMDC.

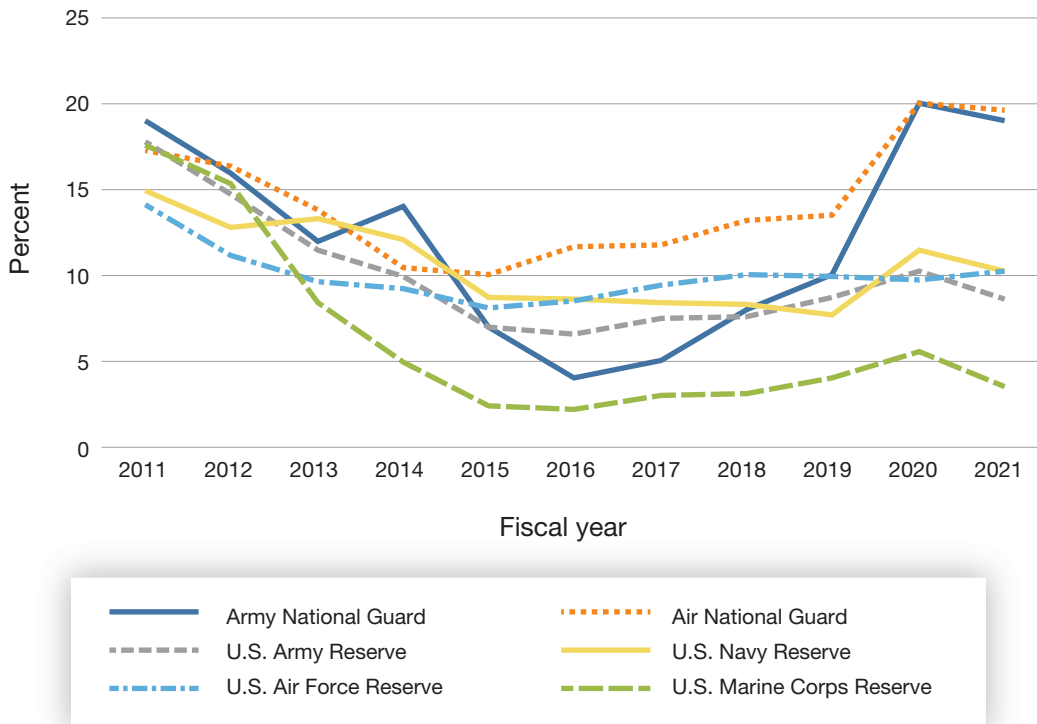
NOTE: DMDC activations data do not include U.S. Coast Guard reserve personnel or state active-duty activations.

has been consistently high relative to other reserve components over this period. It is worth emphasizing that these activation rates reflect only activations for federal duty. Therefore, the activation rates should be viewed as a lower bound from the employers' perspective because it excludes guard members' state active-duty activations.⁸

Our data analysis did not reveal any large differences in activation rates by military occupation code. We analyzed data for the cohort of individuals who were still in the RC as of the end of FY 2021. Of those, 56 percent had never been activated, 22 percent had been activated for up to one year, 13 percent for one to two years, 6 percent for two to three years, 2 percent for three to four years, 1 percent for four to five years, and 1 percent for more than five years. Although longer-serving RC members are more likely to have been activated, 10 percent of those serving for 19 years or more have never been activated.

The 2020 SOFS-R sheds light on other aspects of duty-related absences that might be relevant to employer support. Fifty-seven percent of 2020 survey respondents reported that they have not been activated at all in the past five years (OPA, 2021b, p. 34), which suggests that a majority of RC members are not subject to out of the ordinary duty-related absences. Still, 31 percent of respondents reported having been activated in the past 24 months. Of those 31 percent, 80 percent reported at least one activation of more than 30 days, 50 percent

⁸ DoD does not track state active-duty missions; this is tracked at the state or territory level by 54 distinct National Guard organizations. Guard personnel serving on state active duty are considered by DoD as still in civilian or deactivated status.

FIGURE 2.2**Percentage of RC Members Activated, by Component and Fiscal Year**

SOURCE: Authors' analysis of DoD personnel data from DMDC.

NOTE: DMDC activations data do not include U.S. Coast Guard reserve personnel or state active-duty activations.

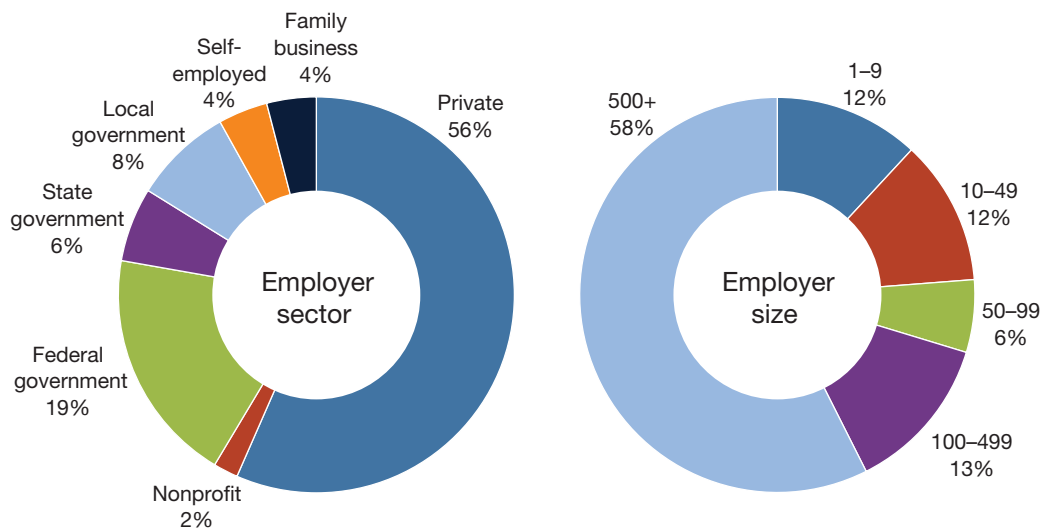
reported at least one involuntary activation, and 60 percent reported that they were deployed at the time of the survey (OPA, 2021b, pp. 20–24). Among those who were deployed, 21 percent reported a deployment in the continental United States (OPA, 2021b, p. 28–30). Survey responses from the 2011 SOFS-R (DMDC, 2011, pp. 42–50) reflected similar rates of activation in the past 24 months (34 percent), with more of those activations being longer than 30 days and associated with a deployment (94 percent and 79 percent, respectively) (OPA, 2021b, pp. 44, 50) and a smaller share of the deployments being in the continental United States (8 percent) (DMDC, 2011, p. 52).

Interestingly, with regard to deployment, our analysis of administrative data suggests that, since the mid-2000s, the share of activations associated with deployments in a given FY hovered around 60 percent—consistent with the survey responses reported earlier. However, that changed for FYs 2020 and 2021, when less than 40 percent of activations were associated with deployments. Because the 2020 survey asked detailed questions about activations that occurred over the past 24 months, those survey responses would not reflect changes observed in administrative data in FYs 2020 and 2021.

Responses to the 2020 SOFS-R reveal that 73 percent of RC members who were not activated were employed in the past week (OPA 2021c, p. 42), which is similar to the percentage (72 percent) who were employed in 2011 (DMDC, 2011, p. 64). Of those RC members who were employed in the week prior to the survey, 79 percent reported working full time at a job with benefits in 2020 (OPA, 2021c, p. 48). This rate was down from 84 percent in 2018 but higher than 76 percent in 2011 (DMDC, 2011, p. 68).

Figure 2.3 reports the employer sector and size for RC members reporting any work in the past week using data from the 2020 SOFS-R (OPA, 2021c, pp. 52–54). A majority of RC members work in the private sector and for large employers. The distribution of employer types is roughly similar to what it was in 2011, although the share of RC members employed by state government employers has dropped from 10 percent in 2011 to 6 percent in 2020, and the percentage employed by the private sector has increased from 52 percent in 2011 to 56 percent in 2020 (DMDC, 2011, pp. 71–72). Figure 2.3 suggests that RC members are far more likely than U.S. workers overall to work for the federal government. Calculations based on data from the BLS indicate that the federal government employs 1.8 percent of all workers, and state and local governments employ another 12.1 percent (BLS, 2022). One notable insight stemming from our in-depth analysis of the 2020 SOFS-R data is that, while 12 percent of RC members who reported working at all in the past week worked for small employers that have between one and nine employees, only 5 percent of those employed full time with benefits are working for such employers. Because of the way the questions are worded, it is not possible to determine whether those working for the smallest employers are working fewer hours, are less likely to receive benefits, or a combination of the two.

FIGURE 2.3
Characteristics of RC Civilian Employment



Percentage distribution of RC members reporting any work in the past week, 2020

SOURCE: Features information from SOFS-R 2020 survey responses, as reported in OPA, 2021c, pp. 52–54.

Reserve Component Civilian Employment: What Is Going Well

The success of the RC relies on a cadre of service members to balance military and civilian careers and their civilian employers to support them in that balancing act. DoD works to foster civilian employer support through programs and policy and by responding to complaints. In this chapter, we review the evidence from both employers and RC members about what is going well with RC civilian employment. We find that employer support remains strong and that RC members are not experiencing systemic challenges in balancing the demands of a dual career. These findings are consistent with data on the number of ombudsman cases filed by RC members with ESGR. In FY 2011, there were 1,576 new cases, and in FY 2021, there were 994 (DoL, 2017, p. 8; DoL, 2022, p. 12).

Employer Perspectives

In this section, we draw on responses from the 2022 DoD National Survey of Employers and our interviews with RC employers to shed light on how employers view RC members as employees.

Employers View Their RC Employees Favorably

Table 3.1 documents the percentage of all employers of RC members responding to the survey who agreed or strongly agreed with different statements about their RC employees. Employers are satisfied with their RC employees overall and agree that the advantages of employing RC members outweigh the disadvantages. These favorable perspectives hold true across categories of employers.

Employer responses to the 2022 employer survey regarding satisfaction with and valuable characteristics of RC employees are closely aligned with the responses from the 2011 employer survey (see Gates et al., 2013b, Table B.24). Similar shares of employer establishments in 2011 reported that they agree or strongly agree with the following statements:

- 71 percent that training and experience make them valuable employees
- 79 percent that RC members are good team players
- 86 percent that their organization is satisfied with RC members as employees.

TABLE 3.1**Employer Perceptions of RC Members as Employees (%)**

Statement	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Their training and experience make them valuable employees	80	84	73	84	73	91
They are good team players	84	83	72	79	73	93
Overall, my organization is satisfied with these employees	86	88	79	83	81	93
Employing them is challenging because of their military obligations	36	22	13	33	22	21
The advantages of employing them outweigh the disadvantages	75	70	63	64	67	68

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "agree" or "strongly agree" for each statement in response to the question, "Please indicate the extent to which you agree or disagree with the following statements about Guard and Reserve employees in your organization?"

Additionally, 40 percent of respondents to the 2011 employer survey agreed or strongly agreed with the statement that employing RC members is challenging because of their military obligation—a figure that is higher than the share of employers in any stratum agreeing with this statement in the 2022 employer survey. Large margins of error in the point estimates and differences in the sampling approach mean that we cannot conclude that perceptions of challenges have declined, but the pattern of responses is suggestive that employer perspectives are not worse than they were in 2011 and might even be better.

Even though employers acknowledge that military obligations can pose challenges, a solid majority of employers in 2022 agreed or strongly agreed that the advantages of employing RC members outweigh the disadvantages.¹ One pattern reflected in the responses presented in Table 3.1 is that consistently smaller proportions of large private employers reported that they agree or strongly agree with the challenges posed compared with medium or small firms. This pattern might be because large private employers were more likely to offer "don't know" as a response to these questions, possibly reflecting a more limited line-of-sight to these workers by the survey respondent. Also worth noting is that one in three small private employers agree or strongly agree that employing RC members is challenging because of their military obligations—the highest of employer types. However, small private firms also have the highest share of agreeing or strongly agreeing that the advantages outweigh the disadvantages.

The 2022 survey asked employers of RC members who experienced a duty-related absence whether any of those employees returned from the military duty with positive or negative characteristics. A large share of employers across sectors responded "don't know" to these

¹ This was a new question in the 2022 employer survey.

questions.² Especially in the case of a negative characteristic, a “don’t know” response might be interpreted favorably because any issues were not significant enough to reach the respondent’s awareness. Reports of RC employees returning from military duties with generally positive characteristics (increased maturity, interpersonal skills, and positive interactions with coworkers) were common—in the 30- to 50-percent range with variation by employer type. The share of small businesses reporting these positive characteristics was typically higher than it was for other types of employers, although the differences are not statistically significant and are associated with lower rates of “don’t know” responses. Except for the federal government, it was less common (in the 8- to 37-percent range) for employers to report that employees returned from military duty with new skills, expertise, or contacts relevant to the employer. Federal employers had the highest rates of reporting these employer-specific benefits.

It was rare for surveyed employers to report that RC employees returned from military duties with negative characteristics or problems, such as tensions with coworkers or supervisors, difficulties interacting with customers, increased risk-taking behaviors, increased stress or emotion problems, or substance abuse. “Yes” rates were between 0 and 16 percent with variation by question and by stratum in the 2022 survey, comparable to the overall rates of 2 to 12 percent observed in the 2011 employer survey (Gates et al., 2013b, Table B.18). Increased stress or emotional problems were the most common issues cited by employers (12 percent overall in the 2011 employer survey and 6 to 16 percent, depending on stratum, in the 2022 survey). Although a larger share of small private employers responded “yes” to several of these questions, they were also less likely to respond “don’t know,” and, again, differences were not statistically significant.

These survey findings were reinforced by the employer interviews, in which the majority of employers expressed positive sentiments about RC members, valuing them for their technical and soft skills. Roughly one-quarter of employers we interviewed referenced technical skills—including specific skills, such as hazardous materials handling, logistics and supply chain expertise, and vehicle maintenance—as an advantage that RC members bring to the table benefiting civilian employers. About three-fourths of the employers we interviewed identified some sort of soft skill as an advantage of RC members. The most frequently mentioned soft skills were discipline (including punctuality and obedience), ability to fit well within the organization’s structure or culture, work ethic, and leadership skills. Some employers mentioned familiarity with DoD as a benefit, either because the organization serves people with a current or prior military affiliation, is a DoD contractor, or is part of DoD. A little more than one-half of the employers we interviewed have targeted recruitment for RC members, which most often relies on leveraging connections at military bases or career fairs.

² As noted in Appendix B, Tables B.8 and B.11, the prevalence of “don’t know” responses varied by individual question and across employer types. Between 10 and 27 percent of small firms answered “don’t know” for these questions, while “don’t know” rates exceeded one-third for nearly all questions for other employer types.

Employers Support RC Members in a Variety of Ways

The 2022 survey asked all employers (both those who do and those who do not know they employ RC members) whether they would provide certain types of supports to RC members. Table 3.2 documents the percentage of employers who responded that they would offer such supports, by employer category. The vast majority of employers across categories said that they would provide flexible hours and continued payments for benefits (both health insurance benefits and non-health insurance benefits) when RC member employees are absent for military duties. Response patterns suggest that small private employers and local government employers (who might also be small) might have a more difficult time than other types of employers with continuing to provide health insurance benefits in the event of an extended absence. The vast majority of public-sector employers and a solid minority of private employers indicated that they would continue paying employees a full, partial, or differential salary during military duty. Far fewer employers reported that they would provide benefits to families, such as childcare or education benefits. Again, results are similar to the 2011 employer survey, with some suggestive indication that the percentage of employers paying salaries when absent is somewhat higher for the 2022 survey (Gates et al., 2013b, Table B.33). The 2011 findings are slightly different in that they distinguish between RC and non-RC employers (who saw the question as a hypothetical) rather than by sector.

Few Employers Report Challenges with USERRA Compliance

The 2022 survey asked employers how easy or difficult it is to comply with certain provisions of USERRA, including prompt reemployment, the escalator principle, accumulation of

TABLE 3.2
Prevalence of Employer Supports to RC Members (%)

Type of Support	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Flexible hours to accommodate military duty	95	89	87	86	78	94
Continued payment of employee salaries (full, part, or differential) when they are absent for military duties	48	42	47	73	83	83
Continued payments for employee benefits (e.g., life insurance, pension)	70	78	76	87	77	85
Support to their families (e.g., continued education, childcare, or housing benefits)	20	16	20	11	7	44
Continued health benefits for employees who are absent for military duties for more than one month, or for their families	60	76	76	79	75	86

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "yes" for each type of support in response to the question, "Assume at least one of your employees is a Guard or Reserve member; would your organization provide any of the following types of support?"

seniority and benefits while absent, reinstatement of health insurance and training, retraining or disability accommodations, and protection from workplace retaliation and discrimination.³ Table 3.3 presents the results by employer type. Reports of difficulties with prompt reemployment are exceedingly rare (8 percent for small private firms was the highest), and small percentages of employers reported difficulties with reinstatement of health insurance, protection from discrimination, and protection from retaliation.

Higher shares of small private firms reported difficulties, and, across all employer types, higher shares across most employer types were reported for the escalator principle, accumulation of seniority, and training and retraining provisions.

Our interviews suggest that employer perspectives about difficulties are related to costs stemming from employee absences. Specifically, some employers we interviewed mentioned aspects of USERRA that were difficult or costly to implement. The primary difficulty and costs were everything associated with deployment absences—costs of continuing to pay for health care, for example, or the effects of lengthy absences and time off from work. During interviews, employers also offered strategies for successful employment of RC members that help mitigate potential difficulties, such as having policies and procedures in place to support service members, educating supervisors about RC service and USERRA, and cultivating a supportive culture.

TABLE 3.3
Employer Perceptions of the Difficulty of Implementing USERRA Provisions (%)

USERRA Provision	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Prompt reemployment of employee (absent unusual circumstances, within two weeks of employee's application for reemployment)	8	1	2	1	0	5
Reemployment in the position that the guard or reserve member would have held or advanced to had the employee been continually employed (i.e., the escalator principle)	12	5	9	5	7	5
Accumulation of seniority, including pension plan benefits, while absent	10	3	7	7	0	5
Reinstatement of health insurance	3	1	2	1	0	13
Training or retraining of job skills, including accommodations for the disabled	9	4	6	7	9	5
Protection from workplace discrimination	0	1	3	0	0	3
Protection from workplace retaliation	0	1	2	0	0	3

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "difficult" or "very difficult" for each USERRA provision in response to the question, "How easy or difficult is it for your organization to implement the following provisions of USERRA?"

³ This question was not asked in the 2011 survey.

RC Member Perspectives

In this section, we draw from the SOFS-R and our interviews with RC members to provide RC members' perspectives on employer support and balancing their military and civilian careers. Overall, their perspective is favorable, and thus, we consider their experiences as part of what is going well. However, there are indicators that at least some RC members are experiencing difficulties, and we report them here so that they can be monitored moving forward to ensure that the prevalence or severity of these difficulties does not increase.

Turning our attention first to RC members' perceptions of employer support, our analysis of the 2020 SOFS-R revealed that positive perceptions of employer support have remained steady. Specifically, in the 2020 SOFS-R, 70 percent of respondents felt that their principal civilian employer was either supportive or very supportive of their National Guard or reserve career (OPA, 2021d), and the comparable figure in the 2011 SOFS-R was 71 percent (Gates et al., 2013b). Looking more closely at the 2020 survey results, a high level of supportiveness was apparent across employers of different sizes and different sectors (private, nonprofit, and government). The share of employers that RC members perceived as either supportive or very supportive of RC service ranged from 66 to 78 percent for employers of different sizes and from 69 to 79 percent for different types of employers.

Respondents to the 2020 survey also tended to express positive sentiments about the supportiveness of their supervisor and coworkers at their principal civilian job. Specifically, 67 percent of RC members indicated that their supervisor viewed their participation in the National Guard or reserve favorably, and 71 percent expressed a similar viewpoint about their coworkers (OPA, 2021a). As with perceptions of overall employer supportiveness, the 2020 figures are higher than comparable measures from the 2011 SOFS-R. In the 2011 survey, 60 percent of RC members indicated their supervisor perceived their RC service favorably, as did 66 percent of RC members about their coworkers (Gates et al., 2013b).

The RC members we interviewed expressed similar views: Overall, most of our interviewees perceived good or very good support for their military career from their civilian employers overall and from their supervisors in particular. Interviewees mentioned that their employers were supportive because they were familiar with the military context, were pro-military or patriotic, or regarded the RC member as a valuable employee. Regarding the last point, as one guard member told us:

Once a civilian employer understands what it entails, they're supportive. They're just glad to have a leader, good worker. Guardsmen take on leadership, and employers just have to deal with that [military-related absences]. (Army National Guard officer, RC member interviews, December 2021 through June 2022)

Some interview participants also discussed how employers or supervisors showed their support. Demonstrated support included being flexible or accommodating with respect to the demands of RC service, conveying support from top leadership, and offering some sort of

pay differential or military leave. For example, an Army Reservist described their supervisor as follows:

I have a new supervisor compared to 2018, so this new supervisor is extremely supportive. She's extremely helpful in identifying ways I can still be valuable to the team and take my military time. She's been amazing. (Army Reserve enlisted soldier, RC member interviews, December 2021 through June 2022)

Although perceived employer support is high overall, some indicators suggest that RC members might be experiencing challenges with balancing their two careers. For example, the 2020 SOFS-R indicates that *tempo*—average nights away from home and days in compensated status—is lower than before, but retention, satisfaction, stress, and readiness indicators are similar to past years. In the 2020 SOFS-R, respondents reported an average of 39 nights away from home, seven days fewer than the comparable number of days for 2019 (OPA, 2021a, slide 24). In addition, in 2020, survey respondents reported an average of 68 days in compensated status, five days fewer than 2019 (OPA, 2021a, slide 20). Despite these reductions in tempo, the percentage of respondents who were likely to stay in the National Guard or reserve was virtually the same in both years: 68 percent of respondents in 2020 and 69 percent in 2019 (OPA, 2021a, slide 10). Similarly, in both the 2019 and 2020 surveys, 68 percent of respondents indicated that they were satisfied with the military way of life (OPA, 2021a, slide 15). Put another way, despite the decrease in tempo, neither retention intentions nor satisfaction indicators improved.

Friction Points Between Reserve Component Employers and Employees

Although employers have generally positive perspectives on RC members in their workforce, and the members themselves have generally positive perspectives on managing dual careers (as both were detailed in the previous chapter), it is inevitable that friction points will sometimes emerge. In this chapter, we describe both the challenges that RC members shared about their civilian employment and career balance and the difficulties that employers experience when RC members are absent from their civilian work because of military obligations. We also discuss friction points—specific sources or locations of stress on the RC employment relationship—related to such absences and other aspects of RC military duty. We found that some friction points were related to the employer or RC member characteristics but that more possible sources of friction were not related to these characteristics, stemming instead from legal concerns and RC operational practices. An understanding of these friction points can inform proactive strategies to avoid them and strategies to minimize their negative impact on employers’ operations when they do emerge.

RC Members’ Perceptions of Challenges

The SOFS-R data and our interviews with RC members offer evidence that some RC members are experiencing challenges related to balancing two careers and challenges related to civilian employment. Looking first at survey results, a sizeable minority of RC members directly expressed concerns about stress and career balance. In the 2020 SOFS-R, 31 percent of RC members reported “more” or “much more” stress than usual in their military life, and 34 percent reported more or much more stress than usual in their personal life (OPA, 2021a, slide 28). In addition, although a majority of RC members reported favorable employer and supervisor views of RC service, about 10 percent of respondents in 2011 and 2020 reported that their supervisor had unfavorable views of their service (OPA, 2021a, slide 11; Gates, 2013b, Table C.12).

Some RC member interviewees also cited problems related to career progression, supervisor or employer tension, and the stress of balancing two workloads. Table 4.1 provides excerpts from the interviews that illustrate these themes. Given that our interviewees were

TABLE 4.1

RC Member Interview Findings: Civilian Employment Challenges

Challenge Type	Illustrative Quotes
Missed opportunities for career progression	“Nothing on the Army, but civilian employer denied me a promotion, in the middle of that, straight up told me it’s because of my service.” (Army National Guard enlisted soldier) “Been a few positions that have opened up at my job that I didn’t feel I could apply for because there was a new supervisor and no one had seen me for two years. Their impression was I’m not qualified. Never even put in. Was discouraged because I felt like they would laugh at me.” (Army Reserve enlisted soldier) “I’ve missed out on opportunities for promotion, special assignments, passed over for much junior and less experienced officers for all of those positions. Although the reasons have nothing to do with military service, to me, it’s pretty obvious they don’t want to give that to someone who’s not around all the time. I’ve missed out on a couple of things. Got to the point where I stopped caring, put all my effort into military, then again which magnifies that revolving door. Here less and less, so going to give you less and less. It’s a vicious cycle.” (Air National Guard enlisted airman)
Supervisor or employer tension	“I got called out on state active duty, and my manager kept making comments I was going on vacation, making up military duty, even though I was handing him the orders. I had to go to HR [human resources].” (Air National Guard officer) “I was sent to HR because I was spending more time on military commitments than before—more training than before. I was trying to finish prerequisites so I could promote. I was missing four days per month, Monday through Friday. After the second month, they brought me in to speak with HR because they were concerned about the time commitment.” (Air Force Reserve enlisted airman) “I had another boss’ boss who didn’t understand why I was not responding to emails while on orders. I explained I was working 12-hour shifts on another continent, so didn’t have time. They didn’t like the explanation but moved on.” (Navy Reserve officer)
Stress of balancing two workloads	“It is a balancing act. I can’t say yes to everything the Army asks me to do and can’t say yes to everything [civilian employer] is asking.” (Army National Guard warrant officer) “[Federal civilian employer] repeatedly asked to me to choose one or the other. You can’t be both—are you a defense civilian or military?” (Air National Guard officer) “Problems are internal to me in terms of managing priorities. Where will I find hours to accomplish this? A few years ago, I get a phone call while at [civilian] work about a soldier who is suicidal. A very serious situation to work with. I needed to make a decision quickly to tell them to go call someone else or pause my civilian job to help soldier get the help he needs. It’s a way that the two worlds collide.” (Air National Guard officer) “If I give 100 percent to one side, [the other] side suffers. During workup for deployment, with all these different training dates and lots of planning, I find myself doing most of this during the workday [civilian job], when I should be focusing on the workday. Can’t give 100 percent to my civilian job. And then vice versa, at times I’m so focused on civilian job, I’m burned out at the end of the day. I should be planning Guard training, but I’m not.” (Army National Guard officer)

SOURCE: RC member interviews, December 2021 through June 2022.

volunteers as opposed to being randomly selected, we cannot estimate the prevalence of these challenges across the entire RC force. However, even if a minority of RC members experience these issues, it could have serious implications for military readiness depending on their military occupation and the role of their RC unit.

Despite these challenges, the majority of RC member interviewees indicated receiving no guidance or only informal guidance from fellow service members or commanders to help with career balance. One of them explained their experience as follows:

Nobody in 13 years has told me anything about managing the two [careers]. The information I do know I've had to learn myself. As a leader, I educated myself on USERRA, so when my soldiers come to me, I can guide them through the process. I don't believe Army considers people as important, all just cogs in the machine. More than happy to replace us with another cog if this one isn't working out. (Army National Guard enlisted soldier, RC member interviews, December 2021 through June 2022)

RC Member Military Duty–Related Absences

In the 2022 DoD National Survey of Employers, we asked employers of RC members whether those members had been absent from work for military duties at any point over the past 36 months. Rates of reporting any absences of any length ranged from 80 percent (state governments) to 100 percent (federal government). However, when excluding responses from employers who reported they “don't know” whether their RC member employees were absent for military duties (15 percent of state government and 10 percent of large private respondents), reported absence rates were 93 percent or higher across all employer types.

With respect to absence duration, reports of employing RC members who were absent for shorter durations (either “up to 30 days” or “31 days to seven months”) were more common than having employees absent for longer periods. Between 73 and 100 percent of respondents with any recent RC member employee absences reported at least one RC member being away for up to 30 days. Although less common, some employers reported having employees in the RC who were absent for long durations: 28 to 60 percent reported that at least one of their RC member employees was absent for eight months to a year, and 22 to 65 percent reported having an employee absent for more than a year. Reports of cumulative absences (recent and prior) exceeding five years were very rare among private employers (no more than 2 percent) and only somewhat more common among government employers (6 to 23 percent of respondents, by employer type).

We also asked employers about the different types of challenges to which an RC member's military-related absence could contribute. Table 4.2 lists those challenges and the share by employer type of respondents that indicated an absence contributes to a specific challenge to a large or very large extent. As shown in the table, none of the challenges were cited by more than one-third of employers. Increased workload of coworkers was the most common implication of a military-related absence: 12 percent (state government) to 31 percent (small

TABLE 4.2**Employer Perceptions of Challenges Due to RC Member Military Duty–Related Absence (%)**

Type of Absence-Related Challenge	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Disruptions in work scheduling or workflow	19	11	11	23	14	13
Increased workload of coworkers	31	21	22	30	12	23
Loss of critical or unique work skills	22	11	12	12	7	13
Increased costs from hiring or training replacements	14	8	10	11	9	3
Increased cost of benefit plans	4	2	0	2	0	0
Loss of existing business or difficulty developing business	8	2	0	1	0	0
Other	16	1	0	4	0	10

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "large extent" or "very large extent" for each type of absence-related challenge in response to the question, "Assume at least one of your employees is a Guard or Reserve Member. To what extent could absences of these employees from the workplace due to military duties contribute to the following for your organization?"

private firms) indicated that an absence contributed to this challenge to a large or very large extent. In contrast, increased cost of benefit plans and loss of business were rarely reported. The highest figures were for small private firms: 4 percent indicated that a military-related absence contributed to benefit plan cost increases to a large or very large extent, and 8 percent expressed a similar sentiment with respect to loss of existing business or difficulty developing business. The focus on establishment-level organizations in the 2011 employer survey makes a direct comparison with these results somewhat difficult, but it does appear that the 2022 results are more favorable overall compared with the 2011 results. For example, in 2011, 49 percent of employers reported that an absence contributed to increased workload of coworkers to a large or very large extent (Gates, 2013b, Table B.11, p. 29), compared with 12 to 31 percent of employers (depending on type of organization) in 2022. In 2011, 36 percent of all employer establishments mentioned that an absence contributed to disruptions in work scheduling to a large or very large extent (Gates, 2013b, Table B.11, p. 29), compared with 11 to 23 percent (depending on type of organization) in 2022.

The employer survey and interviews also provide insights on how employers could adjust for RC members' military-related absences. Table 4.3 presents the responses to the question "Assume at least one of your employees is a Guard or Reserve member. Which of the following tactics might you use to handle a military absence?" Across employer types, the vast majority of employers would reassign work to other employees, which helps explain why the most highly cited challenge of a RC member absence is coworkers' increased workload. Hiring a temporary replacement was a distant second in terms of frequency of selection, and very few

TABLE 4.3**Tactics for Handling a RC Member's Military Duty–Related Absence (%)**

Possible Tactic for Handling an RC Member Absence	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Postpone workload to be completed when the absence ends	24	15	18	15	13	26
Reassign workload to other current employee(s)	86	82	77	84	83	89
Hire an additional permanent employee	12	14	13	5	15	9
Hire a temporary replacement	31	40	43	29	30	44

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected each tactic in response to the question, "Assume at least one of your employees is a Guard or Reserve member. Which of the following tactics might you use to handle a military absence?"

employers reported that they would hire an additional permanent employee. The interviews were very similar with respect to strategy; most interviewees who discussed a tactic for handling an RC member's absence reported that they absorb the RC member's work internally.

Employer and Service Member Characteristics

We used multiple data sources to look for friction points, including close looks at specific types of employers (e.g., small private firms, first responders), specific occupations (military and civilian), and RC member characteristics (e.g., component, rank). Overall, our research indicates that friction points do not tend to be related to observable characteristics of employers or RC members, with a few exceptions. First, survey and interview responses suggest smaller employers are more likely to report challenges with RC member absences. As shown in Table 4.1, small private firms often reported at the highest rates that RC member absences contribute to challenges to a large or very large extent. For example, 22 percent of respondents representing small private firms indicated that loss of critical or unique work skills was an absence-related challenge to a large or very large extent. Two employers described the situation as follows:

In the last ten years, the demand signal on the Guard and reserves just keeps going up. Most units are asking people for three or four weeks or more. That's challenging as a small business owner, even though I have some flexibility. (Small private firm)

One benefit of having a large company is we can flex. We can pull other people and resources quickly . . . But if we were a small company, having a very important person on your team pulled out for active duty can be pretty disruptive. They don't have the same

resources to support. It's a challenge for us too, but we have many tools in place. (Large private employer)¹

Similarly, local governments, which typically provide law enforcement and emergency medical services and might also be small employers themselves, experience some absence-related challenges at relatively high rates. Twenty-three percent of local government employers reported that RC member absences contribute to disruptions in work scheduling or workflow to a large or very large extent, and 30 percent reported that such absences contributed to increased workload or coworkers to a large or very large extent. These percentages are similar to those for small private firms and higher than for other employer types. Open-ended survey and interview responses summarized in Table 4.4 highlight challenges that these public sector organizations face as a result of the inability to shift workload in the event of a duty-related absence (because of the nature of the organization's work or the size of the agency), hiring barriers, and budget restrictions.

A third observable characteristic that might be a source of friction is RC member senior rank. Some of the RC members we interviewed suggested that balancing their civilian and military careers increases in difficulty as they moved up in rank. One senior noncommissioned officer told us, "The more rank you achieve, the more responsibility you achieve, the more time you're required to take away from civilian life, without compensation." Since our interview results are not generalizable, additional research is needed to determine how pervasive this source of friction might be in the RC force. Our analysis of administrative data indicates that, as of the end of FY 2021, about half of RC members (50 percent) had six or fewer years of service, about two-thirds (68 percent) had ten or fewer years of service, and only 11 percent had 19 or more years of service.

USERRA-Related Concerns

As discussed in Gates et al. (2013a) and summarized in Chapter 2, USERRA provisions are generally clear and well-aligned with other U.S. employment laws. Still, the requirements for and limitations of USERRA protections are complicated and can be opaque to employers. The employers' need to understand the details about employer notification, whether duty is covered by USERRA, and whether it counts against the five-year cap (which change over time based on legislative or DoD policy efforts) typically surfaces when faced with a duty-related absence. Rather than maintaining expertise on an ongoing basis, many employers expressed a desire for a resource they could tap when they had questions or could provide information when needed, especially given the fact that the law does not require RC members to provide extensive information to employers about their duty.

¹ In addition to challenges shared by small private firms, other types of employers commented on the challenges that small businesses faced with military absences.

TABLE 4.4

Military Duty–Related Absence Challenges Expressed by Local Government Employers

Challenge Type	Illustrative Quotes
Essential nature of the work or size of the organization	• “We are a small department, and when half of patrol division is in the Guard, and they have two-week trainings in the summer, it makes it very difficult to schedule because we need a certain amount of people on schedule. Other employees, including [those in the] Guard, want to take summer family vacations, but we need to fill those shifts.” (Local government employer, interview) • “During COVID, someone was deployed for a year. We had to cover all his shifts and then having to cover sick shifts and quarantine, in addition to all the other military trainings. The military guys were still going on training on the weekends during the pandemic. I would have officers come back saying they have to work with 500 soldiers and be potentially exposed to COVID and then come back to work. That was hard on our organization just because of size.” (Local government employer, interview) • “Employee would get activated for floods or wildfires in [state] and it seemed very short notice and caused issues covering open shifts in the schedule with no planning ahead. We have to provide 24-hour emergency services for a town and that is difficult enough with a small staff, then add little advance notice that an officer will be gone for two weeks.” (Local government employer, survey)
Difficulty hiring replacements	• “When employee is out due to a military absence, our Office does not hire additional positions due to budget constraints. We would also not hire a temporary replacement due to the timeline of hiring within the [city] (average time of 2–4 months for candidate to go through the hiring process from application submission to start date).” (Local government employer, survey) • “Some employees such as Police Officers and Police Administrators are in critical jobs that cannot be replaced by a temporary hire or would take more than 1 year to vet, hire, and train to do the job as required by state laws.” (Local government employer, survey) • “The majority of our employees are in Competitive Civil Service positions, so there are laws and rules that dictate how we can hire permanent employees. Additionally there are budgetary requirements through our County Legislature, so we generally are not able to hire another permanent employee to perform these duties.” (Local government employer, survey)
Budgetary constraints	• “It depends on the budget if a temporary replacement can be hired. The employees who serve as soldiers are often in the public safety sector and hiring a permanent Police officer or Firefighter is not always feasible if there is no permanent position to hire or sufficient funds to overhire.” (Local government employer, survey) • “We are a local government and our personnel numbers are part of an annual budget process. We cannot hire more employees permanently to replace an absent employee.” (Local government employer, survey) • “We are the fire department—we are unable to postpone or reassign work loads. We are forced to use mandatory overtime to fill the absence.” (Local government employer, survey)

SOURCES: Employer interviews, April 2022 through October 2022; 2022 DoD National Survey of Employers.

The 2022 DoD National Survey of Employers asked employers whether they felt their organization knew everything they needed to know to comply with USERRA and whether they felt they knew where to go to get information. A majority—but by no means all—of employers responded yes to these questions. Federal employers had the highest reported rates

of agreeing or strongly agreeing that the organization knows “everything we need to remain in compliance with USERRA” and knowing where to go when help is needed about USERRA (89 and 85 percent, respectively), followed by state employers (61 and 69 percent, respectively). Large private employers agreed or strongly agreed with knowing everything they need to know to remain in compliance at higher rates than medium or smaller private employers (50 percent compared with about 40 percent), although the differences are not statistically significant. These survey responses were echoed in our interviews, which revealed that most employers were at best “somewhat familiar” with USERRA.

As the law pertains to reemployment rights, USERRA provisions are similar to the FMLA in providing employees with the right to take an unpaid leave and return to work. One issue noted by a survey respondent is that, whereas there are provisions that allow employees to take intermittent leave under FMLA, that is not the case for USERRA. This difference has implications for employers of salaried (exempt) workers taking leave for military duty that covers part (but not all) of a pay period. In such circumstances, employers are not able to adjust the RC member’s salary for that pay period other than to account for payments received from DoD. Effectively, the combination of the Fair Labor Standards Act and USERRA (given the lack of an intermittent leave provision) requires employers to offer differential pay for military duty for salaried workers but not hourly workers.

RC Operational Practices

In this section, we describe two friction points stemming from RC operational practices: length of RC members’ absences for military duty and the notice and timing for training and education-related activation.

Length of Absence for Military Duty

Results from the 2022 DoD National Survey of Employers and our interviews with RC employers together indicate that longer absences and a lack of clarity about the length of an absence can create friction for employers. Table 4.5 shows how different aspects of a military absence contribute to problems to a large or very large extent for employers. Absences being perceived as “too long” was one of the top problems based on frequency of mention for most types of employers, as was unclear length of military assignments. For example, 18 percent of small private firms felt that absences that were too long contributed to problems to a large or very large extent, as did 20 percent of federal government employers. In addition, the percentage of employers that reported unclear military assignment length as a basis for problems was 15 percent for small private firms and 11 percent for federal employers. Compared with the 2011 employer survey, these results are similar or somewhat better. For example, in 2011, 26 percent of employers indicated that absences that were too long were especially problematic.

TABLE 4.5**Employer Perceptions of How Military Duty-Related Absences Contribute to Problems for Their Organization (%)**

Military-Related Absence Characteristic	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
The absences were too frequent	11	3	3	10	0	10
The absences were too long	18	6	5	15	19	20
The lengths of military assignments were unclear	15	6	7	9	6	11
It was unclear when, or if, employees were going to return to work	16	9	11	12	6	13
The organization owner or other senior leader was activated	7	1	4	2	0	3
Other	6	1	0	1	0	0

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "large extent" or "very large extent" for each absence characteristic in response to the question, "To what extent have the following aspects of Guard or Reserve employee absences for military duties in the past 36 months contributed to problems for your organization?"

The employers that we interviewed expressed similar sentiments, describing challenges with either the length of an absence or the amount of notice they received for it. Among those that struggled with such absences, the length of the absence was perceived as the key issue that their organization faced. One local government employer described its experience as follows:

At times when they get called for active duty, I wouldn't say it creates a hardship. I would say we have to work around it, being short-staffed or backfilling. We see it as a part of our duty for them to serve the country. But if there's any negative part of it, there's the portion where you have a 14-month vacancy that needs to be filled. (Local government employer, employer interviews, April 2022 through October 2022)

These findings raised the question of how long is too long. A precise estimate is difficult to provide, especially given observations in the survey and interviews that factors such as the amount of notice and the nature of the RC member's job or skill affect the challenges an employer faces. One employer told us,

One of ours is a highway maintenance supervisor, so he supervises a large garage. . . . Making sure the roads are public, one of them, it was kind of tough to do without him during the winter when he was called up for duty. Long-term, extended absence. And it depends on the role. If we had a snowplow driver missing, it would be easier to pick up those. (State government employer, employer interviews, April 2022 through October 2022)

When interviewees did discuss specific absence lengths, they tended to be referring to periods of one month or longer. The following remarks convey this perspective:

One of my senior guys had opportunity to go to [specific military command]. . . . I anticipated him coming back [after one year], but he had the tour extended again and again. I wanted to honor the commitment for when he left but leaving a position open for two and a half years or longer is really challenging. . . . I've never encountered impact from the weekend duty, but yes if for extended periods of time. (Small private firm employer, employer interviews, April 2022 through October 2022)

We have two employees currently gone for nine-month tours. It is a struggle. (Medium private firm employer, employer interviews, April 2022 through October 2022)

Once in a while, you get deployment weariness. A person is gone this year and they will be gone again. Particularly with Army Guard being gone for a year or 15 months, there is a weariness with some supervisors. I've seen some things that have helped that, but another obstacle. (State government employer, employer interviews, April 2022 through October 2022)

Notice and Timing of Military Training and Education-Related Activations

Employer survey write-in responses and interviews suggest that employers might perceive absences because of military training and education differently than other types of activations, particularly when the absences occur on perceived short notice or when their timing is highly variable. The comments that follow illustrate this viewpoint:

What I have found with the folks is that orders can be atrocious for other than the weekend and two weeks. Leave/return dates can change a lot. For one reservist, needing to be gone for schooling too and the dates kept changing on her. There was a downtime they couldn't get her into schooling. If I had known she was going to be gone for four months, I probably would have hired a temp. She was gone an entire month after we expected her back. (Small private firm employer, employer interviews, April 2022 through October 2022)

At times, we were given only one to three days' notice when it was preplanned training. (Medium private firm employer, open-ended survey response, 2022 DoD National Survey of Employers)

Absolutely no issue with regular drill/military. What gets tough is employees out for extended time for voluntary assignments. Coworkers are left to work additional time and too often, the military member does not seem to care. They brag about the time away and the benefits they will gain from the training/duty assignment. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

The last comment indicates that when an RC member volunteers for a training assignment, that might be an additional source of friction. However, our RC member interviews reveal this might not always be the case. For example, one guard member described a situation in which they not only did not want to attend a military schoolhouse assignment but also felt that it led to a missed civilian career opportunity:

I lose out on a lot of opportunities. Right now, I'm on two and a half month orders for a school I didn't ask for. As a result, I can't interview for an open supervisor position. They aren't willing to budge on that. I'm out that opportunity. (Guard warrant officer, RC member interviews, December 2021 through June 2022)

Challenges Obtaining Information About Duty-Related Absences

Employers pointed to challenges they face obtaining the information they need about duty-related absences to determine their legal or contractual obligations to the employee or to effectively plan for the absence. The information needs expressed by employers extend well beyond the information that RC members are required to share with employers under USERRA. USERRA only requires RC members to notify their employer of military duty and then return to work within a specified time after the duty ends. Employees are only required to provide documentation of duty (military orders) if the period of duty is longer than 30 days and if the employer requests the documentation. As one open-ended survey response indicated, some employers need duty-related information to administer benefits properly:

The notices were not specific and confusing for the upcoming military duties. We cover a member's time if it is mandatory, and we do the differential pay for the weekend trainings. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

Even when an RC member upholds their reporting obligations under USERRA, employers might lack information about when and even whether that RC member will return to work. Once activated, employers might have no way to get updated information unless an RC member remains in touch with their civilian employer during their military duty or has provided the employer with contact information for their chain of command. Open-ended survey and interview responses highlight the variety of challenges that employers might face. Some employers expressed frustration about RC members who fail to keep them updated. Examples of such sentiments include the following survey comments:

The employee who comes out of the reserves and doesn't contact the employer at all. A position has been held for him and he doesn't have the courtesy to let us know he is not coming back. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

There are many unknowns when a guard/reservist leaves for military duty. We had one employee state he would be gone for one year. We just heard from him 2.5 years later that he wanted to return. He had been on active duty the whole time. (Small private firm employer, open-ended survey response, 2022 DoD National Survey of Employers)

The employees tend to forget to turn in copies of their orders and when they return they forget to tell anyone they are returning. We also have a hard time getting the employees to turn in their return to duty orders. They just show up to work sometimes . . . are confused as to why they have upset the HR/SI shop. (Federal government employer, open-ended survey response, 2022 DoD National Survey of Employers)

Other employers complained about difficulties in getting information about duty status from DoD. Although the 2016 revision to DoDI 1205.12 requires RCs to establish a point of contact and provide information about duty-related absences and consider modifications to duty on request, employer awareness of this seems to be limited, and public information about who those points of contact are or how reach to them is not readily available. The following employer comments exemplify this theme:

The most frustrating situation has been getting anyone to respond when questions came up regarding an employee coming up on five years of active duty away from work. I received no calls back after leaving several messages with the number provided on the military website. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

Not sure on where the communication short fall is. We have one active member of the Guard currently and were told he would have a month-long training coming up in June, though [there] have been given very little details or even communication in regard to it. (Small private firm employer, open-ended survey response, 2022 DoD National Survey of Employers)

Although some employers are familiar with ESGR and reach out to it for assistance, ESGR might not have access to or, for privacy reasons, might not be allowed to provide employers with the information they are seeking.

We also found that there can be a disconnect between an employer's HR function and the supervisor, so that one party is aware of the RC member's impending absence, but the other is not. Also, the RC member might be the information bottleneck. When employers shared their experiences with different RC members over the years, some compared more proactively communicative ones with others who were perceived as tight-lipped or not timely with information about upcoming absences or returns from military leave. A comment from

one survey respondent suggests that they think the RC members should be the conduit for information:

It is a real mystery as to when, where, and how any official communication is provided to the employee. We repeatedly ask for orders and rarely receive them prior to the employee's departure. In some cases, we never do receive supporting documentation for their duty. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

In the remark that follows, one employer survey respondent acknowledged the RC member as a source of communication breakdowns and recommended greater involvement from the RC itself as a solution:

As mentioned before, the communication between the employee and their supervisor is the reason for any issues. It would be great if the Command could send copies of Memorandums to the employer of record. This could assist with planning the time off and incorporating a more positive response. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

Finally, we note that insufficient communication is not always the case. As the comments that follow illustrate, good communication between the military and civilian employers not only happens but goes a long way in avoiding friction and employer costs:

With the good communication, we have not seen any lost revenue. The remainder of staff here is very supportive. Everybody chips in to pick up the pieces. (Medium private firm employer, employer interviews, April 2022 through October 2022)

If they are going to do something longer, then we just work around it, like move this person over here. There's nothing major with it. Open communications between the Guard and us. Need to make sure there are not any spur of the moment things. (Federal government employer, employer interviews, April 2022 through October 2022)

Our current AF [Air Force] reservists take an iPad with them to the deployment (when possible) and are able to respond after hours to questions and needed items. If that happens, they will certainly be paid for that time but with our cross training efforts in place, it is not something typically needed. (Small private employer, open-ended survey response, 2022 DoD National Survey of Employers)

Other Policy-Relevant Findings

In this chapter, we present additional findings that are important for understanding and supporting RC members and their civilian employers. These findings include results from the 2022 DoD National Survey of Employers and our interviews with RC employers about incentives and policies intended to support employers, insights from the survey and interviews about employers' lack of awareness of both their employees' RC service and ESGR as a resource, and observations about data limitations that hinder DoD's ability to understand RC members' civilian employment and support their employers effectively.

Incentives and Policies to Support Employers

The 2022 employer survey asked employers about potential measures that would support RC employers in the event of a duty-related absence: financial support to cover employer expenses, reimbursement for employee benefits costs, an opportunity to reschedule duty to a more manageable time, a cap on employer responsibility for absences beyond five years, and a change to how voluntary duty is considered under USERRA. Table 5.1 summarizes the share of employers, by sector, reporting that different options would be “moderately helpful” or “very helpful.”

In most categories, a majority of employers responded that the measures would be helpful. A key exception was that less than half of respondents reported that adjustments to USERRA provisions related to voluntary activations (the last row in Table 5.1) would be useful. Although differences across sector are not statistically significant, state and federal employers were less enthusiastic about financial incentives, and local and state employers were less likely to report that replacement assistance would be helpful. Except for state employers, a majority of employers in all categories indicated that they would find it helpful to have the opportunity to reschedule the military duty to a more manageable time, in spite of the fact that DoDI 1205.12 (as updated in 2016) requires each military department to have a point of contact with the authority to modify military duty at the request of the employer.

A separate question asked employers about their views on the usefulness of materials describing how military skills and training align with civilian skills and training or assistance with the following: identifying whom to talk to within the military regarding your employee-related concerns; understanding military service, status, or terminology; under-

TABLE 5.1**Employer Perceptions of Value of Measures to Support Employers in the Event of a Duty-Related Absence (%)**

Measure	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Financial support to cover employer expenses related to an employee's military absence	72	64	55	51	29	42
Government reimbursement for employee benefits costs accrued during military absence	74	75	63	69	48	46
Providing replacement assistance for job vacancies	55	56	57	40	44	68
Opportunity to reschedule military duty to a more manageable time	62	58	61	55	40	64
A cap on employer responsibility for absences beyond five years	58	57	61	56	46	66
Adjustment of USERRA protections/benefits for voluntary activations	50	47	42	47	26	46

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of employers that selected "moderately" or "very helpful" for each measure in response to the question, "Assume at least one of your employees is a Guard or Reserve member who needs to be absent for military duties. How helpful would the following measure be to your organization?"

standing military personnel records and documents; verifying a service member's service dates and status; or understanding what service counts against USERRA's five-year limit. With limited exception, a majority of employers reported that all these supports would be "moderately" or "very helpful" to their organization.¹

Employer Awareness of Employee Status or ESGR

Although DoD is keenly interested in how employers perceive the demands of military duty for RC members, our study provides some evidence that, for many employers, this is not a pressing issue. Anecdotes, along with disputes that reach the courts, garner a lot of attention. But our study suggests that these issues are not top of mind for many employers. The first observation supporting this premise is that employers are not always aware of the RC status of their employees. Our sampling approach included both large employers who are very likely to have employed at least one RC member within the past three years and small and medium employers from ESGR databases of known employers. So, we were very surprised by the survey responses suggesting that only about half of large private employers and

¹ Only 46 percent of federal and 43 percent of large, private employers report that assistance understanding military records would be helpful.

about three-quarters of medium private and small private employers from the convenience sample reported that they employed a RC member.

We surmise that several of these employers did in fact employ RC members but were just not aware of it; in fact, one-third of large private employers reported that they did not know whether they had employed RC members. Relatedly, among employers reporting that they did employ RC members, a fair number of those did not know the component affiliation of at least one employee, and many employers reported that they do not collect information on the component affiliation of the employees at all. Awareness of component affiliation was highest among small private employers—with only 10 percent reporting “don’t know” and 9 percent reporting that they do not collect the information—but was in the 20-percent range for most other employer categories.

In open-ended survey responses, many employers emphasized that they do not systematically collect data on the RC status of their employees. One employer wrote,

Much of this data is not collected as we do not identify Reserve or National Guard members in our HR system. All conclusions were reach[ed] by looking at employees who took leave related to military duties. (Large private employer, open-ended survey response, 2022 DoD National Survey of Employers)

Responses also raised questions about whether employers are fully aware of when absences stem from military duty. As another employer wrote,

If the individual has not worked directly with HR in the past, we have no way of knowing who is participating in military duties (i.e., weekend duty). Employee may put in for vacation and we don’t know if it’s duty related or not (Medium private employer, open-ended survey response, 2022 DoD National Survey of Employers).

In the survey, we also asked employers whether they viewed ESGR as a valuable information resource related to USERRA. About 40 to 50 percent of respondents across employer types agreed or strongly agreed that ESGR is a valuable resource for finding the best way to comply with USERRA. Small private employers had the highest rates of agreement (50 percent), possibly because of the fact that the convenience sample targeted businesses on ESGR lists. Compared with the 2011 employer survey responses (see Gates et al., 2013b, Table B.27), awareness of the law’s parameters and where to go for more information appears to be slightly higher in 2022 than it was in 2011. The 2022 survey also included a question about employers’ awareness of the ESGR statement of support. As was true in 2011, most employers (between 61 and 74 percent, depending on employer type) are not aware of the statement. Small private employers are more likely than large or medium employers to be aware of the statement (again because of the convenience sampling approach for small private employers that targeted businesses in ESGR data sources). In open-ended survey responses, some employers

noted that they had never heard of ESGR before and appreciated knowing about the resource. One employer shared the following:

Thank you for the information on the ESGR. This organization’s resources are new to us, and we are pleased to add another resource for military leave questions. (Local government employer, open-ended survey response, 2022 DoD National Survey of Employers)

Instead of ESGR, the survey responses suggest that many employers seek guidance from a variety of intermediary organizations, including DoL and the Society for Human Resource Management (as shown in Table 5.2). Still, large shares of employers reported that they did not look to any of these resources for guidance on hiring or employing RC members.

DoD Data Limitations

During our study, we learned about several data limitations that make it difficult for DoD to systematically track employer support challenges and opportunities. The first limitation relates to DoD’s lack of awareness of RC members’ civilian employers and civilian occupations. Our perspective is that DoD policy and the approach to its implementation do not enable DoD to track RC members’ civilian employment as extensively as needed. DoDI 7730.54, *Reserve Components Common Personnel Data System (RCCPDS)*,² as authorized by Depart-

TABLE 5.2
Resources Employers Used for Guidance on RC Employment Questions (%)

Resource	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
ESGR	17	14	12	18	30	25
National or State Guard Bureau	4	3	3	5	18	6
DoL	23	28	35	30	40	19
Society for Human Resource Management	17	31	40	26	32	4
Chamber of Commerce	8	7	14	4	0	13
Lawyer or attorney	7	8	14	17	13	2
None	52	48	41	46	30	44

SOURCE: Authors’ analysis of data from the 2022 DoD National Survey of Employers.
NOTE: Percentages are the share of organizations that selected each resource in response to the question, “Which of the following resources has your organization looked to for guidance on hiring or employing Guard and Reserve personnel? Mark all that apply.”

² DoD, *Reserve Components Common Personnel Data System (RCCPDS)*, Department of Defense Instruction 7730.54, May 20, 2011.

ment of Defense Directive 5124.02, *Under Secretary of Defense for Personnel and Readiness (USD[P&R])*, supports the requirements under U.S. Code Title 10, Section 10204 that DoD maintain adequate and current personnel records for members of the RCs that include civilian employment and skills information. Department of Defense Manual (DoDM) 7730.54, *Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures*,³ specifies reporting requirements related to CEI and restrictions on the use of that information. Each RC is responsible for preparing a CEI program data file that includes CEI for each current RC member and routinely submitting that file to DMDC. To achieve this aim, the DoDM states that the RCs will require their personnel to review, verify, and update their CEI data on an annual basis and calls for a 95-percent compliance rate. The CEI data are intended to be used to inform the RC members' employers of their rights and responsibilities under USERRA; for strategic planning, policy planning, and development; and to inform decision-making and research within DoD. The data may not be used to contact an employer in a way that would identify an individual RC member without the RC member's consent.

Despite these mandates, compliance is low across the RCs and declining. According to DMDC records provided by ESGR in March 2023, in 2020, DMDC's CEI database contained information for 17 percent of RC members. In 2022, that number dipped to 2.5 percent. Although it is possible that the components are complying with the U.S. Code mandate by collecting this information in a different way, the requirements enumerated in DoDI 7730.54—specifically, to submit this information to DMDC—are not being met, to the detriment of possible outreach to employers, greater awareness of how activating a unit might affect an employer of many RC members, and research on RC members' civilian employment. In addition, the CEI required inputs about civilian employment—physical addresses rather than email addresses or telephone numbers—are limited and outdated, so they are not as useful as they could be.

Although it is a useful resource in many ways, the SOFS-R also has its limitations. Specifically, the 2020 instrument includes fewer questions about civilian employment-related issues than older versions. For example, the 2011 instrument included questions about USERRA-related problems, but the 2020 version does not. Given the lack of compliance with CEI database requirements, the SOFS-R is the leading (if not only) source of information about RC members' civilian employment. Given the shift of the RC from a strategic to an operational reserve and the increased emphasis on the Total Force construct, information about the nature of RC members' civilian employment and their perceptions of challenges and stressors seems especially critical for effective Total Force management.

Finally, DoD administrative data on activations do not fully capture nuances associated with activations and how they are implemented on the ground. For example, although the data capture whether the activation fell under an involuntary authorization, it is still possible that an RC member volunteered for duty (e.g., to avoid an activation at a less convenient time).

³ DoD, *Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures*, Department of Defense Manual 7730.54, Volume 1, May 25, 2011, change 1, October 17, 2013.

Although such nuances are relevant to employers, it would be difficult for DoD to capture such distinctions in the data. In addition, as noted earlier, these data do not include information about guard activations from state-funded missions. That information is collected by 54 separate National Guard organizations, not DoD. In Chapter 2, we reported that high ARNG and ANG activations were behind the overall increase in activation rates in 2020 and 2021, and it is likely that, if state active duty activations were also included, the difference between guard and RC activation rates would be even greater.

Conclusions and Recommendations

Conclusions

We found that employer support for RC members and their military duty remains strong. Although employers point to challenges that they face in the event of duty-related absences, they also have strategies for addressing such absences. The most common strategy, by far, is to shift workload to other employees. Employers report that the advantages of employing an RC member—both the technical skills and the soft skills that they bring to the job—outweigh the challenges. We found no evidence that employer support has waned over the past decade.

Employers expressed that they need information about military duty to effectively plan for and respond to an employee's duty-related absence. The most common pain points expressed by employers were insufficient advance notice about upcoming duty and insufficient information about the duration of the absence, especially when it comes to updates about RC members who have been activated. Although USERRA does not demand much from RC members in terms of communicating with their employer about the absence, our findings reveal that such communication is the foundation for supportive employer relationships. We identified a few friction points based on broad employer and RC member characteristics and issue areas. Notably, small private firms and local government employers and RC members in more senior ranks might face greater challenges from RC absences. In particular, local government employers can face challenges in responding to duty-related absences by having to shift workload to other employees because of hiring barriers and budget limitations, which might be amplified for smaller local agencies and first-responder organizations.

There is no consensus among employers as to which policy changes or incentives would best help them address challenges stemming from military duty. And although a majority of employers indicated that a range of financial and nonfinancial options would be helpful to their organization in the event of a duty-related absence, employer responses suggest that the costs associated with duty-related absences were manageable. Additionally, one option that received substantial support—an opportunity to reschedule duty to a more manageable time—already exists (at least in principle) in cases in which the duty poses a hardship to employers.

We also found critical awareness and information gaps related to RC members' dual careers. Specifically, on the employer side, many do not know which of their employees are serving in the RC, and they face challenges identifying DoD points of contact who can answer

practical, duty-related questions when an RC member is activated. On the DoD side, the ability to identify and interact with employers of RC members is questionable, given the status of the CEI database. In sum, communication among employers, RC members, and DoD hinges on the RC member. When communication is insufficient, it can leave employers frustrated, with little idea of where to turn.

Recommendations

We do not recommend any changes to USERRA or the development of financial incentives for employers. USERRA is an established law that is well aligned with other employment laws. Our review surfaced only two notable changes to the USERRA context between 2013 and 2023. One is the expansion of the law to cover some state duty. The other is a Supreme Court decision clarifying that state employers are subject to the provisions of USERRA.

One issue that continues to surface is whether USERRA should be revised to explicitly end the use of mandatory arbitration for USERRA claims. Courts have generally upheld the use of arbitration clauses, finding that USERRA does not explicitly prohibit mandatory arbitration and noting that Congress could pass legislation to clarify the law's intent. Two House resolutions—the Justice for Servicemembers Act and the FAIR Act—would provide such clarification but have not been passed by the Senate. DoL advocates for clarification that would prohibit mandatory arbitration. However, RC members we interviewed did not raise the arbitration issue as a concern, and most employers responding to the 2022 survey reported that they do not require employees to sign arbitration agreements.

Regarding financial incentives for employers, although majorities of employers reported that they would find such incentives helpful, employers did not indicate that the costs associated with duty-related absences were unmanageable.

USERRA provides RC members with legal rights and requires little of RC members in the way of employer notification. Although some employers were critical of aspects of USERRA—especially protections for voluntary duty and weak employer notification requirements—we emphasize that a supportive work environment for RC members involves actions on the part of employers, RC members, and DoD that go beyond the letter of the law. Therefore, we recommend that DoD focus on the following items under its control with the potential to enhance the employer relationship beyond the floor established by USERRA and address some common critiques.

In the sections that follow, we offer four sets of recommendations for DoD to consider. These recommendations pertain to (1) better information-sharing and communication with RC employers, (2) improved supports for RC members, (3) data and data system improvements for RC personnel management, and (4) topics for future study on RC civilian employment.

Make It Easier for RC Employers to Obtain Information and Communicate with DoD About Duty-Related Issues

We encourage DoD to enhance ESGR and other employer-facing resources to more effectively support the requirements of DoDI 1205.12. First, consistent with the DoDI, we recommend establishing clear and accessible points of contact at the component level to complement ESGR.

DoD could also facilitate communication and information flow to employers by establishing an information navigator program or portal. This resource could include not only general information related to RC member employment (e.g., rights and responsibilities under USERRA, ESGR resources for employers) but also information about a specific RC member's military duty. This portal could be developed in partnership with one of the intermediary organizations that employers mentioned that they already turn to for guidance, such as DoL or the Society for Human Resource Management, or with another organization focused on a specific employer type, such as the Small Business Administration or the Public Sector HR Association.

In conjunction with such initiatives, DoD should reevaluate what information can be provided to employers about military duty after operational security and privacy considerations are considered. For example, perhaps there could be an option for an RC member to authorize DoD to provide information about their military service beyond what is permitted under DoD 5400.11-R, *Department of Defense Privacy Program* (DoD, 2007). DoD should also consider other ways that DoD policy could be used to create better opportunities for employers to obtain the information about duty-related absences they need, when they need it, and in a way that is consistent with USERRA.

Support RC Members in Managing Their Military and Civilian Careers

This overarching recommendation is a response to our findings about challenges with career balance that RC members experience at times and the limited guidance that RC members report is available to help them in this regard.

First, we suggest that the Office of the Secretary of Defense (OSD) and the RCs consider enhancing RC member-facing resources so that they are not only about USERRA-related rights and resources but that they also provide support to promote career balance proactively. These enhancements could include guidance on complementary military and civilian occupation combinations, tips for when and how to communicate with employers about military-related absences, and strategies to avoid burnout. Given some RC member views that career balance becomes more challenging as they gain rank and responsibility, perhaps career balance-related guidance could be incorporated into intermediate or senior leader development courses. There might be some instances of such guidance already being in place within the RCs, and if so, they could be models for more extensive use.

In addition, the communications problems we discussed in Chapter 4 as friction points are at times something that RC members contribute to, but, at other times, RC members bear the brunt of communication disconnects between other parties. More regular or otherwise improved communication between military units and civilian employers likely would also help with RC member career balance. Implementing this recommendation seems to be something for the RCs to take the lead on.

Finally, in another suggestion for the RCs, we fully recognize that, to have an operational reserve, training RC members is a vital, continuous process. However, we encourage the components to identify alternative strategies for achieving their training and education-related goals in a way that accounts for potential stress on RC employers. For example, perhaps there is more flexibility with the timing and amount of notice for schoolhouse-based training versus operational exercises. Implementing this recommendation will require some coordination with the active components, which run many of the schoolhouses and other training activities in which RC members partake.

Improve Data and Data Systems for RC Personnel Management

Our findings also suggest a need for improvements to data and data systems used for RC personnel management. As this report was being finalized, we learned that DMDC is overhauling CEI data collection procedures, which is a positive step toward closing the civilian employer data gap we described in Chapter 4. Either improving CEI-related data systems so that the RCs can readily meet the requirements enumerated in DoDM 7730.54 or developing an alternate is an important next step. Understanding whom RC members work for is critical to developing and targeting solutions and making the best use of limited resources. For example, relative to the U.S. labor force overall, a disproportionately large share of RC members work for the federal government. These RC members' employers might benefit from different supports than would private firms.

In addition, it is also worthwhile for OSD to engage OPA to ensure that the SOFS-R includes what DoD needs to understand and monitor RC civilian employment. Especially without a robust CEI database, the SOFS-R results are the best (if not only) large-scale source of information on RC member civilian employment.

In Chapter 2, we noted that DMDC administrative personnel data do not include important information about federal activations, such as which are voluntary and which are for training or education, nor do they include any information about state active duty–related missions for guard personnel. Because employers do not always understand the distinction between federal and state active duty and view both as a source of military duty–related absences that have protections under USERRA, better visibility about all types of duty-related absences would be useful for supporting employers. Accordingly, we recommend OSD explore ways to codify additional characteristics of federal activations and to quantify the impact of state missions. Given the large number of National Guard organizations that separately retain this information, the latter might be challenging and would likely require coordination with the

National Guard Bureau. Perhaps OSD could first coordinate with the National Guard Bureau to pursue a proof-of-concept example by collecting and analyzing state mission data—either at the individual or aggregate level—from a single state.

Finally, turning our attention to data about civilian employers, we developed our employer survey instrument and methodology with the understanding that OSD plans to field periodically a large, national survey of employers. This survey would be very beneficial but would also be a considerable undertaking for both DoD and the employers taking the survey. We suggest that OSD consider complementing such efforts with *pulse surveys*—surveys that cover just a few topics or even just a few questions, or those targeted just to specific types of employers—to help DoD understand civilian employer perspectives closer to real time. One obvious candidate for such an effort is local government employers, which include many law-enforcement and first-responder organizations and, as we noted in Chapter 4, can constitute a friction point in the RC civilian employment relationship.

Periodically Reevaluate Factors Affecting the Nature and Extent of Civilian Employer Support

Our last recommendations focus on areas that OSD should consider for future study. Once DoD has more information about RC members' civilian employment, be it via the CEI database or other means, it can use those data to characterize the types of civilian employment that RC members hold and to monitor the relationship between RC operation, employer support, and friction points. For example, information about and from employers could be used to delve more deeply into the small private firm and local government friction points described in Chapter 4.

It would also be helpful for OSD to examine more deeply RC members' perspective on their dual careers. Building on our efforts to understand what makes it challenging to balance dual careers, what strategies are most promising to achieve balance, and what sources of guidance would be most helpful could inform the development of the RC member-facing resources we recommended earlier in this chapter. In addition, with more information about their employers, OSD could pinpoint military occupation and civilian employment combinations that are especially complementary and identify those that seem to be a friction point.

Should DoD make some changes based on the results of our work, it is also important to develop plans to evaluate the impact of those changes to ensure that they are yielding the desired results and are worth the investment.

Finally, as part of our earlier discussions about some changes to the context for RC civilian employment, we mentioned the rise of remote work. We suggest keeping tabs on how remote work might affect the boundaries of civilian work and military work and its ensuing implications, positive and negative, for career balance.

Final Thoughts

At the time of this writing in early 2023, the military services are facing an unprecedented recruiting crisis driven at least in part by demographic and societal trends that are unlikely to resolve in the short term (Barno and Bensahel, 2023). In this environment, the RC might be called on to fill a different or expanded role, despite the fact that the RC itself faces recruiting challenges (Myers, 2022). The Total Force perspective has long required the services to effectively leverage the RC. For the past 20 years, such an approach has resulted in an *operational reserve*, which is commonly understood in terms of higher rates of RC activation and a higher number of duty days than was normal during the Cold War. As the operational reserve construct has become the rule rather than the exception, there are increasing calls for a formalization of the operational reserve as a distinct segment of the U.S. military with greater service expectations and tighter alignment with active units.

Our analysis of RC activation data reinforces the view that RC members have different career patterns: Some experience activation infrequently (if at all) and for short durations, whereas others are activated (including on a voluntary basis) more frequently. Concurrently, there is a recognition that, in some areas (such as cyber areas), DoD might be able to leverage through the RC “skillsets from their civilian careers which can boost innovation” (U.S. Cyber Command Public Affairs, 2022). If DoD formalizes the operational reserve as a distinct workforce, our findings suggest that DoD might need to institute major changes to infrastructure that support the dual employment relationship and that Congress might need to consider changes to USERRA for members of the operational reserve. Currently, DoD largely views civilian and military careers as separate. USERRA protections are consistent with that worldview: They entitle the RC member to take a leave of absence from their civilian employer to perform military duty and later return to the civilian job.

In the current environment, there is limited communication directly between DoD and employers. CEI reporting, which is technically required but not faithfully implemented, tracks limited information about an RC member’s civilian employer and job. As a result, military commanders are likely unaware of the capabilities they have within their ranks. Formalization of the operational reserve and its utilization in targeted skill areas would require a more collaborative approach between DoD and civilian employers that views the civilian and military careers as complementary rather than separate. Such an arrangement might require different personnel management and compensation structures on the military side and could be a space in which DoD considers financial incentives for employers. Without such a formalization, DoD, civilian employers, and RC members would benefit from three-way dialogues that tackle current and future work expectations and development needs. When friction points do arise, ideally there will be ways that all three partners—DoD, employers, and RC members—can work together to improve support for the mission, employers, and RC members.

Additional Methodological Details

This appendix provides additional methodological details about the three major data collections we undertook for this study: RC member interviews, employer interviews, and employer survey. We cover such details as the sampling frame, recruitment approach, response rates, and analyses approach.

RC Member Interviews

To enrich our understanding of RC members' experiences balancing their civilian employment and military obligations, we conducted telephone interviews with RC members who volunteered to participate in our study. Initially, we planned to recruit RC members at post-activation Yellow Ribbon Reintegration Program (YRRP) events, but the COVID-19 pandemic resulted in a cessation of those in-person events. After considering possible alternatives, we agreed with the sponsor that the most viable, cost-effective approach was to have YRRP staff send an interview invitation on our behalf to RC members who had attended a YRRP event. Ultimately, DoD determined that it could not send interview invitations to RC members' personal email addresses, so the invitation went only to individuals who (1) were in YRRP's database as RC members who attended a YRRP event over the past two years and (2) had provided an official DoD email address (i.e., the address ended in .mil).

The email language included a short description of our request, what the participation entailed, and human subject protection-related information, such as the voluntary, confidential nature of participation and how the data provided would be safeguarded and analyzed for the report. The email also included a link to a short, web-based form that volunteers were asked to fill out to facilitate their participation. This volunteer information form included fields not only for name, contact information, and preferred interview times but also for basic military information and CEI. To learn more about military experience, we included questions about RC, pay grade, years of service, and recent activation-related experience. Questions about civilian employment included the RC member's employment status and characteristics of their employer, such as size and type.

Using this email invitation and web-based volunteer form approach, initially more than 17,000 RC members were contacted by YRRP, and thousands more were contacted in smaller follow-up waves intended to increase our sample of volunteers. We cannot provide more pre-

cise information because we learned later that some individuals had been incorrectly coded as RC members (they had attended a YRRP for other reasons) and some email addresses were invalid (e.g., in the first round of 17,433 emails, we were advised that roughly 1,000 bounced back as undeliverable). In total, 176 RC members volunteered for an interview. Unfortunately, we did not obtain any volunteers from the Marine Corps Reserve and obtained very few volunteers from the Air Force Reserve, ANG, and Coast Guard Reserve. We reached out to a subset of volunteers via email to schedule their telephone interviews. We used a purposive sampling frame intended to ensure variation across the six RCs from which we had volunteers, variation by personnel type (officer, enlisted, warrant officer), and, to the extent possible, variation by employer type. In total, we reached out to 101 RC members to complete the 70 interviews planned at the outset of this effort. Not all members contacted for an interview replied (sometimes because of invalid emails in the web form), and some of those who replied were no longer interested in participating. Table A.1 provides key demographic characteristics of the 176 RC members who volunteered for an interview, the 101 RC members we contacted for an interview, and the 70 RC members who were ultimately interviewed.

The interviews were conducted from December 2021 through June 2022 by four members of the study team. Interviews covered the following topics:

- RC members' experience seeking civilian employment
- details about their current civilian employment
- observations about balancing their military and civilian careers, including challenges and balance strategies
- perception of support from DoD, their commanders, and their civilian employers
- familiarity with USERRA and perceptions of its helpfulness
- familiarity with ESGR programs and perceptions of their helpfulness
- recommendations for better support from DoD for RC civilian employment.

During each interview, the interviewer filled in responses using a data collection template that we created to facilitate analysis. Each interview was audio recorded, which enabled the interviewer to review interview content after the session to ensure information was accurately captured in the template.

The interview notes were analyzed using Dedoose, a software application that allows users to review, categorize, and analyze qualitative data, such as text, visual images, and audio recordings. Analysts use Dedoose to assign codes to sections of text and can then use these codes to identify similar sections across documents. The interview team developed a coding tree to ensure that relevant interview excerpts were tagged consistently. A *coding tree* is a set of labels for assigning units of meaning to information compiled during a study. Codes are used in the data-reduction process to retrieve and organize qualitative data by topic and other characteristics. We employed a *structural* coding approach for this study, with codes based on our study objectives and interview questions. These codes helped us identify major topics and themes (DeCuir-Gunby, Marshall, and McCulloch, 2011; Saldaña, 2016).

TABLE A.1
Service Member Interview Demographics (%)

	Volunteers (n = 176)	Invited (n= 101)	Interviewed (n= 70)
RC			
Air Force Reserve	5	8	7
ANG	3	4	4
ARNG	43	36	36
Army Reserve	26	33	31
Coast Guard Reserve	2	3	4
Marine Corps Reserve	0	0	0
Navy Reserve	22	17	17
Not serving in a reserve or guard component	1	0	0
Missing	1	0	0
Length of service in component			
1 to 4 years	6	6	7
5 to 8 years	13	12	13
9 to 12 years	14	14	17
13 to 16 years	23	28	24
17 to 20 years	14	11	7
More than 20 years	30	30	31
Missing	1	N/A	N/A
Personnel Type			
Enlisted	30	39	37
Officer	62	51	54
Warrant officer	8	10	9
Missing	1	N/A	N/A
Activated within past two years			
Yes	81	86	90
No	18	14	10
Missing	1	N/A	N/A
Civilian employment status			
Employed	88	94	93
Not employed	12	6	7

Table A.1—Continued

	Volunteers (<i>n</i> = 176)	Invited (<i>n</i> = 101)	Interviewed (<i>n</i> = 70)
Civilian employer type			
Private/public company, business, or individual	28	31	23
Not-for-profit, tax-exempt, or charitable organization	2	3	3
Federal government	42	44	43
State government	7	6	9
Local government	7	10	14
Self-employed in own business, professional practice, or farm	1	1	1
Not applicable	12	6	7
Missing	1	N/A	N/A
Civilian employer size			
1 to 9	2	3	4
10 to 24	1	2	1
25 to 49	6	10	10
50 to 99	2	3	3
100 to 499	10	13	16
500 to 999	6	4	3
1,000 or more	60	59	56
Not applicable	12	6	7
Missing	1	N/A	N/A

SOURCE: RC member interviews, December 2021 through June 2022.

It is important to note that the purpose of our coding was not to count responses and generate population parameter estimates; that would be an inappropriate use of these data, in part because the interviewees were not randomly selected and in part because of the skewed nature of our sample (e.g., some RCs had little to no representation in the interviews). Instead, in this context, we used qualitative data analysis to demonstrate the range of experiences across different types of RC members and to identify salient themes. Rough estimates of prevalence provide insights about salience, but salience is also a function of the richness of the data and its ubiquity across different contexts. For example, when examining the results of our coding, we considered whether findings cut across RC members serving in different RCs and working for different types of employers. We viewed themes that cut across components, employer types, or different types of RC members (officer, enlisted, and warrant

officer) as higher in ubiquity. Finally, we considered themes emerging from the interviews in conjunction with other data sources, such as SOFS-R responses and the employer interviews.

Employer Interviews

To complement the insights gained from the 2022 employer survey, we also conducted semi-structured telephone interviews with a random sample of employers that attended ESGR events (Bosslift, Breakfast with the Boss, and various employer recognition events) in the FY 2019–2021 time frame. Initially, we planned to randomly sample employers that were nominated for employer awards and those that were involved in ESGR mediation efforts, but those records did not include employer contact information, and efforts to obtain that information for thousands of records proved to be both resource intensive and only moderately successful. Accordingly, we opted to rely on ESGR records of event attendees, which typically had the contact information that we needed. Unfortunately, with these records, we were unable to sample on such characteristics as employer size or sector, and we do not know whether these employers had largely positive experiences with employing RC members or whether they had more challenging ones.

Using the contact information in the records that ESGR provided to us, we sent randomly selected employers an email invitation to request their participation in a confidential telephone interview. The invitation included a short description of our request, what participation entailed, and human subject protection–related information, such as the voluntary nature of participation, the approvals obtained, and how the information that employers shared would be safeguarded and presented in our report. The email also included a link to a website housed on RAND’s main website. This website provided additional information about the study, including links to DoD’s and OMB’s formal approvals of the data collection effort and to RAND’s earlier work on this topic, to help prospective interviewees verify the authenticity of the participation request and make an informed decision to participate.

The study team sent out 2,832 email invitations to obtain the 97 interviews. Of the 2,832 emails, 901 of them bounced because of an invalid email address, and 195 of them turned out to be a second contact for the same employer. This meant the team reached out to a valid sample of 1,736 employers over a period of six months. Those 1,736 employers can be further broken down as follows:

- 1,523 did not respond even after multiple invitations were sent
- 49 responded to decline to participate
- 42 responded to let the study team know they did not employ an RC member

- 25 agreed to participate but ultimately were never interviewed
- 97 participated in an interview.¹

Table A.2 provides key demographic characteristics of the 97 employers that ultimately participated in an interview. Because this information was collected as part of the interview, we do not have comparable information for the larger sample of employers from which these interviewees were selected.

The interviews were conducted from April 2022 through October 2022 by four members of the study team. Interviews covered the following topics:

- basic employer characteristics, such as total number of employees, number of locations, and the interviewee's role in the organization
- recruiting or hiring practices intended to target RC members
- benefits of employing RC members (i.e., the business case for employing them)
- disadvantages of employing RC members
- experiences with RC member absences because of military duty, including related communication, strategies to accommodate the absences, and any related costs
- disputes or problems related to RC member military duty
- familiarity with USERRA and views on any difficulties it poses to employers
- familiarity with ESGR awards and other programs and perceptions of their helpfulness
- views on incentives and other ways for DoD to support RC civilian employment.

During each interview, the interviewer took notes using a data collection template. Each interview was audio recorded, which enabled the interviewer to conduct a post-interview review to ensure information was accurately documented in the template.

To analyze the interviews, we followed an approach very similar to the one we used for the RC member interviews. Specifically, we (1) developed a coding tree based on the interview topics and emerging areas of interest, (2) used Dedoose software to code interview notes and generate coding reports, and (3) synthesized the coding reports to identify key themes for inclusion in the report. As was the case with the RC member interviews, we focus on the range of experiences across different types of employers rather than report precise counts. We opted for this approach because although employers were randomly selected for interviews, there is some selection bias for attending ESGR events, which we cannot estimate or adjust. Accordingly, we recommend that readers rely on the 2022 employer survey responses for frequency estimates and consider the qualitative insights as additional context for and an explanation of the survey results.

¹ The original goal was 100 interviews, but even after keeping the data collection window open longer than planned, we were unable to achieve that goal without delaying the study.

TABLE A.2
Employer Interview Demographics (%)

Demographic	Interviewed (n = 97)
Interviewee job role	
HR	36
Other	28
President/CEO/owner	18
Supervisor/manager	19
Employer size	
1 to 10 employees	5
11 to 49 employees	11
50 to 99 employees	11
100 to 500 employees	31
501 to 1,000 employers	8
1,001 to 10,000 employees	15
More than 10,000 employees	16
Don't know	1
Number of states located in	
1	69
More than 1	31
Number of work sites	
1	31
1 to 3	26
6 to 10	9
More than 10	34
Number of RC member employees in the past three years	
0	2
1 to 3	41
4 to 9	22
10 or more	27
Don't know	8

SOURCE: Employer interviews, April 2022 through October 2022.

NOTE: CEO = chief executive officer.

Employer Survey

To gather employer perspectives on a variety of topics related to employing RC members, we designed, carried out, and analyzed data from the 2022 DoD National Survey of Employers. This large-scale survey of employers spanning the private and public sectors replicated portions of a 2011 DoD National Survey of Employers that was developed and administered by DMDC and analyzed by RAND researchers as part of a 2013 report (Gates et al., 2013a). However, we updated the survey instrument and survey methods to explore topics that have surfaced in the intervening years and to address limitations of the prior sampling approach.

The following sections describe our sampling approach, the data sources and methods we used for constructing the sample, the fielding of the survey in collaboration with NORC, and our analysis approach. The survey instrument is included in Appendix B. Tabulations for a selection of leading indicators from the survey are presented in Appendix C. Additionally, a companion report on survey lessons learned goes beyond the substantive findings to consider lessons for others within or outside DoD seeking to survey employers in general or employers of RC members (Phillips et al., 2024).

Sampling Approach

We developed a stratified sampling approach designed to yield estimates that are generalizable within each employer-type stratum, with some limitations. These strata were large, medium, and small private firms and local, state, and federal government organizations. In some cases, we further divided these groupings when sampling but then pooled them together for analysis. In the case of the small private firm and local government strata, which drew on nonprobability sampling methods (described below), results can be considered representative of the sample but not necessarily of the full population of organizations. Moreover, to the extent that organizations employing RC members were more likely to respond (which we cannot observe), results might be reflective of the views of these employers to a greater degree.

Unlike the 2011 employer survey, which selected individual establishments to receive the survey (e.g., an individual Home Depot), the 2022 employer survey was designed to survey at the level of the firm (e.g., an individual at the Home Depot corporate office to speak to firmwide experiences with RC member employees). This shift in approach was for two reasons. First, in the prior survey, on some occasions, those contacted at individual establishments passed the surveys up the corporate chain, possibly reflecting a lack of knowledge or lack of authority to answer the questions being posed. Second, the 2011 survey was able to target individual establishments with RC member employees because CEI data were relatively complete, but deteriorating CEI data quality and inconsistent recordkeeping across the reserve components meant that we simply did not have access to a sampling universe of RC member–employing establishments from which to select a sample. Because employing an RC member is a relatively rare event—tabulations from the 2011 survey suggest only about 2 percent of establishments nationwide employed an RC member at that time (Gates et al., 2013b,

Table B.1)—using probability sampling to select establishments at random to gather views on employing RC members would be impractical.

However, when surveying at the level of the firm, we anticipated that employing one or more RC members would be relatively common for large employers (those with 500 or more employees) and not uncommon for medium-sized firms (those with 100 to 499 employees). Specifically, pairing SOFS-R data on the size and sectors of employers where RC members report working (OPA, 2019) with national data on the distribution across size categories of private firms (U.S. Census Bureau, 2016)—and assuming that each RC-employing firm employed five RC members—we estimated that every large private firm and one in five medium private firms would employ an RC member. By contrast, we would need to sample dozens or even hundreds of small firms (depending on whether they employ 50 to 99 or 1 to 49 people) to find one with an RC employee. These numbers are rough estimates and depend on assumptions about how many RC members each firm employs, but the general point stands: A probabilistic random sample of large businesses could be expected to yield an appreciable number of responses from RC employers, whereas a probabilistic random sample of small businesses would not.

Our sampling approach, therefore, balanced an interest in obtaining a probabilistic random sample where feasible to generate estimates that are representative of the population of firms with leveraging available data from ESGR to identify smaller employers of RC personnel. For large private businesses, we selected a probabilistic random sample from the universe of large, private U.S. firms in the Dun & Bradstreet (D&B) Hoovers database (Dun & Bradstreet, undated), the most comprehensive set of information on individual employers available to researchers that we could identify. D&B data are commonly used by researchers fielding employer surveys (Mattke et al., 2013; Claxton et al., 2021) because U.S. Census Bureau Business Register data (which D&B uses for conducting its regular surveys of businesses) are confidential (U.S. Census Bureau, undated-a). For small private firms with fewer than 100 employees, we relied on a nonprobability sample of firms included in ESGR data files (described below) that we were able to match to the D&B data to determine firm size and gather contact information. We deliberately split the small private employer sample into small (50 to 99 employees) and very small (49 employees or fewer) to ensure we gathered perspectives from the smallest of firms.

For medium-sized private employers, we paired a probabilistic random sample of firms from D&B with a sample culled from ESGR lists that matched to the D&B data. This approach allowed us to gather perspectives from a larger number of RC-employing firms (identified through the ESGR data), while enabling a weighting approach combining probability and nonprobability samples such that estimates are representative of the broader population of medium-sized firms from which we selected the probability sample (Robbins, Ghosh-Dastidar, and Ramchand, 2021). For all private-sector employer strata, we operationalized *private sector* as all North American Industry Classification System (NAICS) codes except for 92 (public administration) because of limitations parsing data for other sectors that con-

tain private and public entities into those two categories (e.g., public and private educational institutions).

For public-sector employers, a key challenge was determining an appropriate public-sector analog of a private-sector firm. We took the following approaches to identify the samples of federal, state, and local employers:

- **Federal government.** Within the federal portion of the public sector, we define a firm by the “Level 1” subagency codes used for stratification purposes for the Office of Personnel Management’s Federal Employee Viewpoint Survey (FEVS) (U.S. Office of Personnel Management, undated). We sought to sample the entire universe of 211 unique Level 1 subagencies, consisting of 208 from the 2019 FEVS plus three Level 1 subagencies from the Department of Veterans Affairs from the 2017 administration of the FEVS (the Department of Veterans Affairs did not participate in the FEVS in 2019). Of the 211 unique Level 1 subagencies, 60 of them were in DoD (including the military services). Smaller organizations that were not separately itemized at the Level 1 subagency level but that fall under the umbrella of All Other organizations within federal agencies were not surveyed. Survey findings, therefore, are generalizable to the population of Level 1 subagencies but not to smaller organizations.
- **State governments.** At the state level, we sought to survey a central point of contact for each state overall (e.g., an HR director), as well as a central point of contact for agencies corresponding to each of the following four state-level government functions: corrections, judicial and legal, financial administration, and police protection. These four government functions were chosen because they are among the ten functions that employ the most people at the state level according to Annual Survey of Public Employment and Payroll (ASPEP) data (among government functions supported by all states) (U.S. Census Bureau, 2022a), and they fall predominantly within NAICS 92 (public administration). In addition to the 50 states, we included in the sample three U.S. territories with National Guard units (Puerto Rico, Guam, and the U.S. Virgin Islands) and the District of Columbia. With four agencies per state or territory, in addition to the central state point of contact for each state, the universe of state-level employers consists of 270 entities. We sampled this entire universe of state-level employers, with results generalizable to these agency types but not across all types of state government functions and agencies.
- **Local governments.** Our local government sample was identified through a mix of targeting the largest local governments and those appearing on ESGR lists. For large local governments, we paired 2017 Census of Governments data on township, municipal, and county governments (which included the populations of the areas covered by the local governments) (U.S. Census Bureau, 2019) with 2019 ASPEP data, which included both population and government employment counts for a subset of governments (U.S. Census Bureau, 2022a). We used regression modeling to estimate the relationship between population size and employment size using ASPEP data and then used these

regressions (which adjust for government type) to estimate the number of employees in each of the governments in the Census of Governments. We sampled the top 3,657 by estimated employment that matched to the D&B data (to facilitate identifying a point of contact). We supplemented this with local government employers on ESGR lists that matched to the D&B data (1,756 more organizations). Owing to the mix of sampling methods used to derive the local government sample, results might not be representative of the full array of local government types and sizes; we expect that large local governments and local governments employing RC members will be overrepresented.

Constructing the Sample

The process of selecting the sample in line with the sampling approach described above involved three main types of data:

- *D&B Hoovers data on employers of all sizes and sectors nationwide.* We used this information to select probabilistic random samples of large and medium-sized private firms; to verify size and sector for employers in the medium-sized firm, small firm, and local government nonprobability samples; and to identify mail and email contact information for all strata outside federal and state government organizations.
- *ESGR data indicating employers that likely have or recently employed RC members.* We used these sources to compile our nonprobability samples of medium-sized firms, small firms, and local governments for merging against the D&B data. We prioritized data from FY 2019 forward and only drew on earlier data when more-recent data did not include enough employers that matched to the D&B data to fill the employer-sector stratum. We considered CEI data as the lowest priority given anticipated reliability and only drew on it to fill out a portion of the medium-sized firm and local government samples. Specific files and years included in them are listed below:
 - Patriot Award-winning employers (FY 2016 through FY 2021)
 - Freedom Award nominees (FY 2017 through FY 2021)
 - Employer registrations for ESGR events (FY 2019 through FY 2021)
 - Employers signing the ESGR Statement of Support (FY 2019 through FY 2021)
 - Employers involved in ESGR mediation cases (FY 2019 through FY 2021)
 - CEI data (third quarter of FY 2019 through FY 2020).
- *Datasets supplemented by internet searches to identify sample members for the federal, state, and large local government samples.* FEVS provided us the universe for the federal government sample, and the Census of Governments (paired with ASPEP data) allowed us to estimate the largest local governments. We manually explored state government websites to identify a central employment office for the state and agencies associated with the four state government functions of focus for the study.

Private-Sector Probability Samples

For the large and medium-sized private firm probability samples, we filtered the D&B data to restrict to firms within the employer-size buckets of interest based on employment size across all locations of the business. We included both parent and subsidiary firms in our universe: For example, Whole Foods is a subsidiary of Amazon, but we would consider Whole Foods a distinct entity for the purposes of the survey. We excluded branch entities from the universe, meaning we were not sampling from among a list of individual Whole Foods stores. We tabulated the number of firms within each two-digit NAICS code and included all codes other than 92 (public administration) in the sample. We allocated the target sample size (6,000 for large businesses and 6,250 for medium-sized businesses) proportionally across two-digit NAICS codes. We randomly selected entries within each two-digit NAICS code until we filled the sample. A caveat is that limitations of the D&B platform made it impractical to randomize at the firm level; rather, we selected randomly from among pages of results (with 20 results on each randomly selected page). We considered alphabetical order as plausibly random (as opposed to sorting by number of employees or some other feature), although it did result in some obvious duplicates, which we removed and replaced with additional randomly selected firms in the same two-digit NAICS code.

Nonprobability Samples

To construct the nonprobability (or convenience) samples, we first compiled data from ESGR sources from FY 2019 through FY 2021 and created a list of organizations identified in those sources. All sources included employer names and zip codes, which we used as matching variables when attempting to match the ESGR data to the D&B employer database. Other data elements varied by source. Most included employer mailing addresses, phone numbers, and a named point of contact at the employer. Freedom Award nominations and ESGR event records also included email addresses. We used this information to fill in contact information and points of contact when this information was not available in the D&B data. We randomized a list of more than 37,000 organizations (unique to employer name and zip code) and uploaded 1,000 entries at a time to the D&B platform to attempt matching. Matching to D&B data was necessary because the ESGR data did not include the size of each employer, but we could obtain this information through D&B.

As with the large and medium probability samples, we required matches to be parent or subsidiary firms (not branch locations), with one exception: We allowed local government organizations to be deemed branch locations (e.g., a local police or fire agency under the umbrella of a local municipal government). We made this decision based on a review of the D&B data and the difficulties of overlaying private-sector terminology (e.g., parent, subsidiary, branch) onto the public sector. We required that these local government organizations be identified as part of NAICS 92 (public administration) and took steps to screen out results in NAICS 92 that were state or federal government entities as opposed to local government. Matches for the small and medium convenience samples consisted of organizations in indus-

try sectors outside public administration and could include public organizations in sectors with a mix of public- and private-sector types (e.g., hospitals, schools).

We were able to fill the 3,750 very small (1 to 49 employees) employer sample with data from FY 2019 to FY 2021. We filled the 1,250 small (50 to 99 employees) sample using these data, plus Patriot Award winner and Freedom Award nominee data back to FY 2016 and FY 2017, respectively. These pre-FY 2019 ESGR data included about another 27,000 employer names and zip codes. To fill the medium-sized business nonprobability sample (3,750 employers) and local government nonprobability sample (target of 3,000), we also needed to draw on CEI data—specifically, records with update dates from the fourth quarter of FY 2019 through FY 2020. These CEI data included more than 30,000 additional employers. All CEI and ESGR records included large businesses and state and federal employers, as well as many small and medium firms that did not match to the D&B data either because of going out of business or data incompleteness or irregularities in one or both datasets. Ultimately, the nonprobability samples reflect various elements of convenience in identifying the firms, their sizes, and contacts at them. Results might not be representative of the universe of employers in the strata of interest.

Federal, State, and Local Government Samples

For the federal and state government strata, we generated lists of the full set of employers within the universes as we defined them (i.e., Level 1 subagencies within the federal government) and a central office and agencies of four types for each state.

For large local governments identified via the Census of Governments based on our employer size estimates using ASPEP data, we matched on government name and zip code to the D&B data to identify points of contact. We also required that the industry code in the D&B data aligned with public administration. Of the initial 3,000 large local governments we attempted to match, 2,665 matched and were identified as in NAICS 92 for public administration. After removing duplicate records initially in both the large local government and local government convenience samples—and based on challenges identifying additional unique local government employers in the data from which we identified the convenience samples—we opted to add additional governments from the Census of Governments list (of decreasing estimated size), resulting in allocating more of the sample than initially planned to governments from this list and less than initially planned to the local government convenience sample.

Finalizing the Sample

To identify relevant points of contact at employers to send the survey to (for strata other than federal and state governments), we used the D&B data. We aimed first at identifying a contact in an HR role and with an email address included in the D&B data because (1) we viewed HR officials as the most appropriate target audience for the survey and (2) we expected higher rates of response to email contact than to physical mail. If that did not yield a named point of contact, we pulled the name of the most senior contact at the organization, regardless of

email contact information availability, expecting that this person could pass the survey to an appropriate respondent or that, in the case of smaller organizations, the most senior contact would be best positioned to answer the survey questions. When possible, we filled in names and contact information from ESGR data for convenience sample members without an available contact in the D&B data. The firm to which we contracted out the fielding of the survey (NORC at the University of Chicago) took an additional step to try to fill in email addresses for named points of contact at sample firms for which we did not supply email addresses.

For the state government sample, we manually reviewed state agency websites to determine mailing addresses and, when possible, named points of contact and email contact information for an individual in an HR function at the agencies.

For the federal government, the approach to identifying a point of contact and contact information differed for DoD and non-DoD agencies. Outside DoD, we began similarly as for state government agencies, manually reviewing agency websites and seeking the best available mailing address, point of contact, and email contact information. We subsequently worked through the project sponsor to reach out to Veterans Program officials at the U.S. Office of Personnel Management; these officials contacted Veterans Employment Program Offices and HR personnel (including chief human capital officers, HR managers, and HR supervisors) across non-DoD federal agencies to seek relevant points of contact. We used this information when provided. In a few instances, an agency provided one point of contact to respond on behalf of the overall agency as opposed to points of contact for each Level 1 agency; in those cases, we trimmed the sample size to reflect the information received. For Level 1 agencies within DoD, the project sponsor sought names and email contact information for chiefs of staff at each agency.

Table A.3 summarizes the sample construction process by stratum. Columns indicate whether selection was via probabilistic random sampling, nonprobability convenience sampling, or through other means; the initial target sample size for the stratum; and the final number included in the sample after deduplication, the removal of a handful of firms in nonfederal strata that clearly were federal agencies erroneously identified in D&B, and the replacement and accounting for federal agencies that provided one point of contact to answer on behalf of the full agency despite the agency including multiple Level 1 agencies.

The employer survey approach, instrument, and accompanying materials were reviewed by the Office of Management and Budget to ensure compliance with the provisions of the Paperwork Reduction Act for public information collections. This process included the publication of two notices seeking public comment in the Federal Register (DoD, 2021a; DoD, 2021b). The DoD sample portion of the collection was concurrently reviewed and approved as an internal information collection by the DoD Office of Information Management and received a Report Control Symbol authorizing the data collection.

TABLE A.3.
Employer Survey Sample Construction, by Detailed Employer Sector

Employer Sector	Selection Method	Data Sources	Target Sample Size	Final Sample Size
Large private firm (500 or more employees)	Probabilistic random	D&B Hoovers	6,000	6,000
Medium private firm (100 to 499 employees) (probabilistic random sample)	Probabilistic random	D&B Hoovers	6,250	6,250
Medium private firm (100 to 499 employees) (convenience sample)	Nonprobability/ convenience	ESGR lists	3,750	3,747
Small private firm (50 to 99 employees)	Nonprobability/ convenience	ESGR lists	1,250	1,248
Very small private firm (<50 employees)	Nonprobability/ convenience	ESGR lists	3,750	3,736
Local government (large)	Other	Census of Governments	2,500	3,657
Local government (convenience sample)	Nonprobability/ convenience	ESGR lists	3,000	1,756
State government	Other	Various	270	270
Federal government (DoD)	Other	FEVS	60	60
Federal government (other)	Other	FEVS	151	137
Total	N/A	N/A	26,981	26,861

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: The Level 1 agencies used in stratifying this survey formed the basis of our federal employer sample; state government agencies included in the sample included a central point of contact for the state and agencies corresponding to the functions of corrections, judicial and legal, financial administration, and police protection.

Fielding the Survey

RAND contracted with NORC at the University of Chicago to field the employer survey. After receiving the requisite regulatory approvals, we prepared the sample as described in the preceding section and delivered the sample file to NORC. NORC took steps to append additional points of contact and email contact information, when possible, and then administered the survey via a website it hosted and created in collaboration with us. The survey was in the field from February 6, 2022, through June 6, 2022. An initial soft launch sample of 2,973 were sent invitations two weeks prior to the official launch of the survey to the remainder of the sample.

Survey recruitment involved a mix of mail and email invitations and reminders. All sample members received an introductory mailing that included an invitation from the Assistant Secretary of Defense for Manpower and Reserve Affairs, an invitation from RAND with a link to the survey and the employer's unique survey code, and a fact sheet about the survey.

These materials also were emailed to the 58 percent of the sample for which we obtained an email contact. One postcard reminder was mailed to sample members, and up to seven email reminders were sent to those with emails. The survey page allowed respondents to identify the name and email contact information for a more appropriate respondent at their firm, and this occurred on 4,935 occasions throughout the field period. NORC provided survey support throughout the fielding period via a telephone help line.

An exception to this process was the outreach to the DoD agencies in the federal sample. For these agencies, we emailed sample members directly to provide information about the survey, a link to the web survey, and the survey code for the agency. DoD sample members received an initial invitation email and up to two reminder emails.

Table A.4 includes survey response rates by stratum. *Completion rates* reflect respondents who reached the final question of the survey (but who might have skipped questions along the way). *Partial completion rates* are respondents who started the survey but did not reach the final question. Overall, 7 percent of respondents completed the survey, 1 percent partially completed it, 89 percent did not start the survey but did not opt out, and 3 percent of employers asked to be removed for the survey and did not receive reminders after they requested to opt out.

TABLE A.4
Survey Response Rates, by Detailed Employer Sector

Detailed Employer Sector	Sample Size	Completed Surveys	Completion Rate (%)	Partial Completes	Partial Completion Rate (%)
Large private firm (500 or more employees)	6,000	193	3.2	64	1.1
Medium private firm (100 to 499 employees) (probabilistic random sample)	6,250	330	5.3	79	1.3
Medium private firm (100-499 employees) (convenience sample)	3,747	348	9.3	78	2.1
Small private firm (50 to 99 employees)	1,248	146	11.7	20	1.6
Very small private firm (<50 employees)	3,736	273	7.3	49	1.3
Local government (large)	3,657	381	10.4	80	2.2
Local government (convenience sample)	1,756	156	8.9	30	1.7
State government	270	29	10.7	5	1.9
Federal government (DoD)	60	14	23.3	3	5.0
Federal government (other)	137	16	11.7	3	2.2
Total	26,861	1,886	7.0	411	1.5

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

Analysis Approach

Our analysis approach yields estimates that are generalizable within each stratum of employers as we have defined those strata, but, owing to the varied selection methods that mix probability and nonprobability sampling, these estimates cannot be aggregated to form a singular estimate of employer views on issues pertaining to employing RC members. Moreover, comparisons of results across strata (e.g., between large and small private-sector employers) should be interpreted with caution given the diverging selection methods—specifically, although survey results for large private-sector firms can be considered representative of the views of these firms in general given that the firms were selected via a probabilistic random sample, results for small private firms are only representative of the convenience sample of firms that we constructed by matching ESGR data to D&B firm size and directory information. Caution also should be used when comparing results between the 2011 and 2022 employer surveys because the earlier survey was a probabilistic random sample of establishments, whereas the 2022 survey was a firm-level survey with mixed selection methods.

For our analyses, we combined the medium probability and medium nonprobability samples, constructing blended sample weights using an approach that allowed us to leverage the responses from the convenience sample firms (expected to be RC employers) while yielding estimates representative of the full set of medium-sized private firms from which we selected the probability sample (Robbins, Ghosh-Dastidar, and Ramchand, 2021). This approach weights convenience sample members such that they are similar to probability sample firms in terms of the distribution of observable employer characteristics, which, in our case, included the following characteristics drawn from the D&B data: industry (collapsed into NAICS supersectors, as defined in BLS, 2023d), location (one of four U.S. census regions listed in U.S. Census Bureau, undated-b), and number of employees (as reported in the D&B data).

For reporting purposes, we also combined the small and very small strata into one *small private firm* stratum, the large local government and convenience sample strata into one *local government* stratum, and the DoD and non-DoD strata into one *federal government* stratum. None of these samples are probability samples, so a blended weighting approach was not needed. For the small private firm and local government samples, results might not be representative of these types of organizations overall. For the federal government stratum, because we sampled the universe as we defined it (Level 1 agencies), results may be considered representative of that universe of large subagencies in the federal government.

Although we are unable to adjust our results for unobservable nonresponse bias—for example, if RC employers in general or certain types of RC employers (with especially positive or negative experiences) were more likely to respond—we did weight respondents to account for nonresponse bias based on observable employer characteristics. For the private sector strata and local governments, we did so by using the RAND-created Toolkit for Weighting and Analysis of Nonequivalent Groups (Griffin et al., 2014): For the private sector, we used the same employer characteristics used for the medium private sector blended weights, and for local governments, we used number of employees, census region, and flags for whether

initially in the large local government or the local government convenience samples. We achieved balance between responding employers and all surveyed employers within each stratum on these observables.

For the state and federal strata, we used a simple weighting scheme that weights each respondent by the inverse of the response rate within seven groupings: DoD, non-DoD federal, central state office, state corrections, state judicial and legal, state financial administration, and state police protection. Although the state and federal strata are both inclusive of the full population of employers within the universes as we have defined them, those universes are small: just 270 in the state government stratum and 197 in the final federal government stratum. As a result, despite DoD having the highest response rate among detailed employer types, and non-DoD federal agencies and state government agencies having response rates only matched by small employers with between 50 and 99 employees (see Table A.3), estimates for these strata are by far the least precise, as the 95-percent confidence intervals reported in the tables in Appendix C make clear. Therefore, we generally are unable to determine whether survey responses for these groups are statistically distinguishable from results for other employer types.

Survey Instrument

This appendix contains the survey instrument used in the 2022 DoD National Survey of Employers.

Survey Instrument



Understanding Employer Experiences Under Continuing Reserve Component Operations Employer Survey Instrument

SURVEY LANDING PAGE

Welcome to the Department of Defense Employer Experiences Survey! The Department of Defense, RAND, and NORC are working together to gather the experiences of employers who employ Guard and Reserve members and others that have not. Findings from this survey are critical to identify key rewards and challenges faced by civilian employers of Guard and Reserve members and make recommendations for ways DoD could better support employers.

To access the survey or update your contact information, please enter the Personal Identification Number (PIN) from your letter, email, or postcard below.

[INSERT TEXT BOX FOR PIN]

Please contact us at 1-866-681-5106 or email us at DODEmployerExperiencesSurvey@norc.org if you experience an issue accessing the survey. To review the survey questions, or frequently asked questions about the survey, please go to www.norc.org/DODEmployerExperiencesSurvey.

RESPONDENT CONTACT INFORMATION UPDATE

[IF STRATUM_NUMERIC=10, SKIP TO WELCOME]

We have your contact information as:

[OrgName]

[recname]

[recemail]

[address1]

[address2]

[City] [State], [Zip]

S1. Is this correct?

1. Yes. [skip S2]

2. No, my contact information needs updates. [go to S2]

3. Someone else should take the survey. [go to S3 then exit the survey]

[SHOW IF S1=2]

S2. Please fill your updated contact information.

[OrgName]

First Name [text box]

Last Name [text box]

Email address [text box]

Phone number [text box]

Address 1 [text box]

Address 2 [text box]

City [text box]

State [text box]

Zip [text box]

[SHOW IF S1=3]

S3. Please fill in the contact information for the person who should take this survey for your organization. We will send them an invitation to the survey within one week. Please provide an email address if possible.

[OrgName]

First Name [text box]

Last Name [text box]

Email address [text box]

Phone number [text box]

Address 1 [text box]

Address 2 [text box]

City [text box]

State [text box]

Zip [text box]

[STRATUM_NUMERIC=10 ONLY]

WELCOME

[Upon first entry show text:]

Welcome to the DOD Employer Experiences Survey! Please click NEXT to begin the survey.

[Upon re-entry show text:]

Welcome back to the DOD Employer Experiences Survey! Please click NEXT to pick up where you left off.

AGENCY DISCLOSURE NOTICE

The public reporting burden for this collection of information, OMB Control Number 0704-0618, is estimated to average **30 minutes** per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

For Department of Defense agencies: This study has been issued Report Control Symbol DD-P&R-2713, certifying it as a formally reviewed and approved DoD data collection effort.

Consent

[SHOW IF Stratum_numeric = 10 (“DoD employers”)] Your participation in this survey is voluntary. Your organization was selected for participation because it is a “Level one” sub-agency within the Department of Defense (DoD), one of the specific categories of employers of particular interest for the purposes of our study. All “Level one” sub-agencies are being contacted and invited to complete the survey.

[SHOW IF Stratum_numeric = 9 (“other Federal employers”) Your participation in this survey is voluntary. Your organization was selected for participation because it is a “Level one” sub-agency of the federal government, one of the specific categories of employers of particular interest for the purposes of our study. All “Level one” sub-agencies are being contacted and invited to complete the survey.

[SHOW IF Stratum_numeric = 8 (“state government employers”)] Your participation in this survey is voluntary. Your organization was selected for participation because it is among the categories of state or territorial government agencies of particular interest for the purposes of our study. All state central human resources offices and state agencies responsible for corrections, judicial and legal, financial administration, and police protection are being contacted and invited to complete the survey.

[SHOW IF Stratum_numeric = 1-7 (“all other employers”)] Your organization was selected for participation on a random basis within specific categories of employers of particular interest for the purposes of our study.

RAND will not inform the DoD sponsor or anyone not on project staff which organizations of those invited chose to participate.

The survey should take between 15 and 30 minutes to complete. You can stop the survey at any time and for any reason. You can skip any questions you prefer not to answer. If you stop the survey, you can restart the survey where you left off by entering your pin.

RAND will keep your survey responses confidential. Individual participant names will neither be collected nor recorded. RAND will not attribute responses to specific organizations or individuals in any public report or report to DoD. Rather, we will report on general themes that emerge from an analysis of the survey data.

At the end of the survey, you will have an opportunity to opt into the distribution list for our final report and to print out a certificate of participation.

[QUESTIONS CONTACT SCREEN]

Who do you contact if you have questions or concerns about the survey? If you would like to print this information, click on the Informed Consent link below.

- **Questions about computer, technical, or survey problems:** Contact NORC’s Helpdesk’s toll-free number at 1-866-681-5106 or by email at DODEmployerExperiencesSurvey@norc.org.
- **Questions about the overall study or RAND:** Contact the RAND study team by email at ESGR-study@rand.org.
- **Questions about your rights as a participant in this study:** Contact the RAND Human Subjects Protection Committee at (310) 393-0411 x6369 or hspcinfo@rand.org. If possible, reference the study ID #2019-0640.

- **Questions about the licensing of the survey:** Information about authorized federal information collections can be found at <https://www.reginfo.gov/public/do/PRASearch>. This survey's OMB control number # is 0704-0618 and expiration date is 10/31/2024.
- [SHOW IF Stratum_numeric = 10 for DoD employers] **Information about DoD surveys** can be found at https://www.esd.whs.mil/Directives/collections_int/; refer to the "List of Active DoD Internal Collections." This survey's RCS # is DD-P&R-2713 and expiration date is 08/31/2026.]

You may view the study materials by clicking on these links:

- Survey
- Department of Defense Invitation Letter
- RAND Invitation Letter
- Fact Sheet
- Informed Consent: You can print a copy by clicking this link [show if stratum_numeric = 10 InformedConsent_strata10.pdf, show if stratum_numeric = 9 InformedConsent_strata9.pdf, show if stratum_numeric = 8 InformedConsent_strata8.pdf, show if stratum_numeric = 1-7 InformedConsent_strata1thru7.pdf]

Click the Next button if you agree to participate in the survey.

[stratum_numeric = 9,10 (FOR FEDERAL RESPONDENTS)]

In this survey, we seek to learn about the experience of [ORGNAME] employing individuals who serve in the National Guard or Reserve in addition to their civilian employment in your organization. By organization, we mean all [ORGNAME] locations. Each federal level one agency in our study has received one survey invitation for their portion of the entire organization.

[stratum_numeric = 1-8 (FOR ALL OTHER RESPONDENTS)]

In this survey, we seek to learn about the experience of [ORGNAME] employing individuals who serve in the National Guard or Reserve in addition to their civilian employment in your organization. By organization, we mean all [ORGNAME] locations in the United States (U.S). Each company, state or local agency in our study has received one survey invitation for the entire organization.

Please answer each question to the best of your ability. You are free to seek input from others in your organization to provide a more precise or complete answer, but we do not intend for you to undertake extensive research to complete this survey.

Background on Guard or Reserve Employees at Your Organization

Our first questions are about your organization's experiences in general with hiring and employing Guard or Reserve personnel.

1. Within the last 36 months, has your organization employed anyone who also serves in the National Guard or Reserve? Serving in the National Guard or Reserve could mean participating in weekend military drills, completing annual military training, or being called to active duty to support a military mission.
 01. Yes
 02. No
 77. Don't know/Not sure

[Programmer: For non-Guard or Reserve ("non-G&R") employers (Q1 = "No" or "Don't know/Not sure"), skip to Q8]

2. What is your best estimate of the number of employees at your organization who have served in the Guard or Reserve within the past 36 months?

3. In what Service/Reserve Component(s) are your Guard or Reserve employees? *Mark all that apply.*
 01. Air National Guard (ANG)
 02. Army National Guard (ARNG)
 03. U.S. Air Force Reserve (USAFR)
 04. U.S. Army Reserve (USAR)
 05. U.S. Coast Guard Reserve (USCGR)
 06. U.S. Marine Corps Reserve (USMCR)
 07. U.S. Navy Reserve (USNR)
 08. I don't know the Service/Reserve Component of at least one employee
 09. My organization does not routinely collect information about the affiliation of our Guard or Reserve employees.
4. In the past 36 months, have any of the Guard or Reserve employees in your organization been absent from work for military duties (e.g., weekend drills, annual two-week training, or an extended period of active duty service)?
 01. Yes
 02. No
 77. Don't know/Not sure

[Programmer: For G&R employers without recent absences for military duties (Q4 = “No” or “Don’t know/Not sure”), skip Q5 and Q6]

5. Of the Guard or Reserve employees at your organization who were absent for military duties in the past 36 months, were any absent for the following periods of time? *Mark one answer for each item.*

	Yes 01	No 02	Don't Know 77
a. Up to 30 days			
b. 31 days to seven months			
c. Eight months to one year			
d. More than one year			

6. Of the Guard or Reserve employees at your organization who were absent for military duties in the past 36 months, did any of them have cumulative absences exceeding five years when totaling their recent and prior absences?

01. Yes, one or more employees had cumulative absences exceeding five years while employed by our organization.
 02. No, none of our employees had cumulative absences exceeding five years while employed by our organization.
 77. Don't know.

7. Has your organization been nominated for and/or received any of the following awards or media recognition in the past 36 months for the support it provides to Guard and Reserve employees? *Please select all that apply.*

	Nominated 01	Received 02	Neither 03	Don't know 77
a. Secretary of Defense Employer Support Freedom Award (SDESFA)				
b. Employer Above and Beyond Award				
c. Seven Seals Award				
d. Patriot Award				
e. Pro Patria Award				
f. Media coverage or recognition				
g. Some other award(s) (Please specify)				

8. During your organization's hiring process, are job applicants asked if they are . . .

	Yes 01	No 02	Don't know 77
a. Veterans?			
b. Members of the Guard or Reserve?			

9. All other things being equal, compared to civilians with no prior military service, does your organization in some cases have a preference for hiring . . .

	Yes 01	No 02	Don't know 77
a. Veterans?			
b. Members of the Guard or Reserve?			

10. Which of the following resources has your organization looked to for guidance on hiring or employing Guard and Reserve personnel?

01. Employer Support of the Guard and Reserve (ESGR)
02. National or State Guard Bureau
03. Department of Labor
04. Society for Human Resource Management
05. Chamber of Commerce
06. Lawyer or attorney
07. Other internet websites: (Please specify, *please do not provide names of people or other personally identifying information*) [text box]
08. Other professional associations: (Please specify, *please do not provide names of people or other personally identifying information*) [text box]
09. Other: (Please specify, *please do not provide names of people or other personally identifying information*) [text box]
10. None

11. Are you aware of the statement of support for Guard and Reserve members provided by the Employer Support of the Guard and Reserve (ESGR)?

01. Yes, my organization displays a signed statement of support
02. Yes, my organization has signed the statement of support but does not display it
03. Yes, although my organization has not signed the statement of support
04. No, my organization was not aware of the statement of support

[Programmer: For non-G&R employers (Q1 = "No"), skip Q12]

12. Please indicate the extent to which you agree or disagree with the following statements about Guard and Reserve employees in your organization. *Mark one answer for each statement.*

	Strongly disagree 01	Disagree 02	Neither agree nor disagree 03	Agree 04	Strongly agree 05	Don't know 77
a. Their training and experience make them valuable employees						
b. They are good team players						
c. Overall, my organization is satisfied with these employees						
d. Employing them is challenging because of their military obligations						
e. The advantages of employing them outweigh the disadvantages						

Guard or Reserve Employee Absences for Military Duties

The next set of questions are about your organization's experiences with Guard or Reserve personnel being absent from work for military duties. As a reminder, by organization, we mean all [ORGNAME] locations.

[Programmer: For non-G&R employers (Q1 = "No")] Since you indicated that your organization has not employed any Guard or Reserve personnel in the past 36 months, please consider how your organization might act if it did employ these personnel.

13. Assume at least one of your employees is a Guard or Reserve member; would your organization provide any of the following types of support?

	Yes 01	No 02	Does not apply 03
a. Flexible hours to accommodate military duty			
b. Continued payment of employee salaries (full, part, or differential) when they are absent for military duties			
c. Continued payments for employee benefits (e.g., life insurance, pension)			
d. Support to their families (e.g., continued education, childcare, or housing benefits)			
e. Continued health benefits for employees who are absent for military duties for more than one month, or their families			
f. Other (<i>Please specify, but please do not provide names of people or other personally identifying information</i>)			

14. Assume at least one of your employees is a Guard or Reserve member. Which of the following tactics might you use to handle a military absence? *Mark one answer for each item.*

	Yes 01	No 02	It depends 03
a. Postpone workload to be completed when the absence ends			
b. Reassign workload to other current employee(s)			
c. Hire an additional permanent employee			
d. Hire a temporary replacement			

14aa. [Programmer: If any responses to Q14 = “No”] You selected “No” for at least one of the tactics listed above. Please explain why you responded that way. *Please do not provide names of people or other personally identifying information.*

14bb. [Programmer: If any responses to Q14 = “It depends”] You selected “It depends” for at least one of the tactics listed above. Please explain why you responded that way. *Please do not provide names of people or other personally identifying information.*

14cc. Are there other tactics not listed above that your organization might use to handle a military absence of Guard or Reserve member employees? *Please do not provide names of people or other personally identifying information.*

[Programmer: For non-G&R employers (Q1 = “No”), skip to Q18]

15. Do the following employer notification scenarios appropriately account for your organization’s needs?

	Yes 01	No 02
a. Two-day notification for activation during a natural disaster or emergency		
b. Two-week notification for a 30-day deployment or scheduled annual training		
c. One-month notification for a deployment of one year or more		

16. To what extent would the following factors influence the amount of time your organization would need to prepare for a military absence:

	Not applicable 99	Not at all 01	Small extent 02	Moderate extent 03	Large extent 04	Very large extent 05	Don't know 77
a. Duration of the absence							
b. Position held by the employee in your organization							
c. Timing of absence							
d. Other <i>(Please specify, but do not provide names of people or other personally identifying information)</i>							

16aa. [Programmer: If any responses to Q16 = “Large extent” or “Very large extent”] Please describe why you indicated those factors (duration of absence, position held by the employee, timing of absence, or other) would influence planning time.

[Programmer: For G&R employers without recent absences for military duties (Q4 = “No” for all options), skip Q17]

17. Thinking of all the times in the past 36 months when Guard or Reserve employees were absent from work for military duties, how often was the advance notice that your organization received adequate?

- 01. Always adequate
- 02. Usually adequate
- 03. Sometimes adequate and sometimes inadequate
- 04. Usually inadequate
- 05. Always inadequate

17a. [Programmer: If Q17 = C, D, or E] Please describe why you indicated the advance notice that your organization received was [C = sometimes, D = usually, E = always] inadequate. *Please do not provide names of people or other personally identifying information.*

18. [Programmer: For G&R employers with recent absences for military duties (Q4 = “Yes”)]:

In the past 36 months, to what extent have the absences of Guard or Reserve employees for military duties contributed to the following . . . *Mark one answer for each item.*

[Programmer: For non-G&R employers (Q1 = “No”) and G&R employers without recent absences for military duties (Q4 = “No”)]:

Assume at least one of your employees is a Guard or Reserve member. To what extent could absences of these employees from the workplace due to military duties contribute to the following for your organization . . . *Mark one answer for each item.*

	Not at all 01	Small extent 02	Moderate extent 03	Large extent 04	Very large extent 05	Don't know 77
a. Disruptions in work scheduling or workflow?						
b. Increased workload of coworkers?						
c. Loss of critical or unique work skills?						
d. Increased costs from hiring or training replacements?						
e. Increased cost of benefits plans?						
f. Loss of existing business or difficulty developing new business?						
g. Other? <i>(Please specify, but do not provide names of people or other personally identifying information)</i>						

[Programmer: For non-G&R employers (Q1 = “No”) and G&R employers without recent absences for military duties (Q4 = “No”), skip to Q24]

19. In the past 36 months, have any of your Guard or Reserve employees returned from military duties with any of the following? *Mark one answer for each item.*

	Yes 01	No 02	Don't know 77
a. Professional or personal contacts that are or may be helpful to your organization			
b. Additional skills or expertise relevant to your organization			
c. Increased maturity, time management skills, self-discipline, or resilience			
d. Increased interpersonal skills (e.g., better trainers, mentors, leaders)			
e. Increased positive interactions with coworkers			
f. Increased tension with other coworkers			
g. Increased tension with their supervisor			
h. Increased difficulties interacting with customers (e.g., easier to anger, less helpful)			
i. Increased risk-taking behaviors at work (e.g., less likely to follow safety precautions)			
j. Increased stress or emotional problems			
k. Substance abuse issues that interfere with performance (e.g., alcohol, drugs)			
l. Other: <i>(Please specify, but do not provide names of people or other personally identifying information)</i>			

20. To what extent have the following aspects of Guard or Reserve employee absences for military duties in the past 36 months contributed to problems for your organization?
Mark one answer for each item.

	Not at all 01	Small extent 02	Moderate extent 03	Large extent 04	Very large extent 05	Don't Know 77
a. The absences were too frequent						
b. The absences were too long						
c. The lengths of military assignments were unclear						
d. It was unclear when, or if, employees were going to return to work						
e. The organization owner or other senior leader was activated						
f. Other <i>(Please specify, but do not provide names of people or other personally identifying information)</i>						

21. In the past 36 months, has your organization had any disputes connected with Guard or Reserve employee absences for military duties?
01. Yes
 02. No
 03. Don't know/Not sure

[Programmer: If Q21 = "No" or "Don't know/Not sure" skip to Q24]

22. What was the resolution of the dispute(s) with Guard or Reserve employees? *Please check all that apply.*
01. Organization reached an agreement with employee(s)
 02. Employee(s) left the organization
 03. Dispute(s) remain unresolved
 04. Other *[Please specify, but do not provide names of people or other personally identifying information]*

23. If consulted, to what extent were the following resources or supports useful to your organization in helping to resolve its dispute(s) connected with Guard or Reserve employee absences for military duties? *Mark one answer for each item.*

	Did not consult 01	Not at all useful 02	Slightly useful 03	Moderately useful 04	Very useful 05
a. Internal Human Resources and/or Legal Departments					
b. External Human Resources expertise					
c. External lawyer or attorney					
d. Employee's military commander					
e. Employer Support of the Guard and Reserve (ESGR)					
f. Department of Labor (DOL)					
g. Office of Special Counsel or the Department of Justice					

Policy Environment Facing Guard and Reserve Employers

This section includes questions about your organization's understanding of existing policies on employing Guard and Reserve personnel, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), and your views on potential policies to help organizations such as yours with hiring and employing these personnel.

24. If your organization had questions about its rights and responsibilities related to Guard and Reserve employees, which of the following sources would your organization turn to for information? *Mark one answer for each item.*

	Yes 01	No 02	Don't Know 77
a. Military command			
b. Employer Support of the Guard and Reserve (ESGR)			
c. Lawyer or attorney			
d. Department of Labor (DOL)			
e. Other internet Web sites (<i>Please specify, but do not provide names of people or other personally identifying information</i>) [text box]			

25. How much do you agree or disagree with the following statements about your knowledge of the Uniformed Services Employment and Reemployment Rights Act (USERRA)? *Mark one answer for each statement.*

	Strongly disagree 01	Disagree 02	Neither agree nor disagree 03	Agree 04	Strongly Agree 05
a. Our organization knows everything we need to remain in compliance with USERRA					
b. I know where to go when I need help fulfilling my responsibilities under USERRA					
c. Employer Support of the Guard and Reserve (ESGR) is a valuable resource for finding the best way for my organization to comply with USERRA					

[Programmer: For non-G&R employers (Q1 = "No"), skip Q26]

26. How difficult or easy is it for your organization to implement the following provisions of USERRA?

	Very difficult 01	Somewhat difficult 02	Somewhat easy 03	Very easy 04	Don't know/ unsure 77
a. Prompt reemployment of employee (absent unusual circumstances, within two weeks of employee's application for reemployment)					
b. Reemployment in the position the Guard or Reserve member would have held or advanced to had the employee been continually employed (i.e., the escalator principle)					
c. Accumulation of seniority, including pension plan benefits while absent					
d. Reinstatement of health insurance					
e. Training or retraining of job skills, including accommodations for the disabled					
f. Protection from workplace discrimination					
g. Protection from workplace retaliation					

26aa. [If any responses to Q26 = "Very difficult":] Please describe why you indicated that one or more USERRA provisions are very difficult for your organization to implement. Do not provide names of people or other personally identifying information.

27. To what extent would the following services help your organization with hiring or employing Guard and Reserve members?

	Not helpful 01	A little helpful 02	Moderately helpful 03	Very helpful 04	Unsure 77
a. Assistance identifying whom to talk to within the military regarding your employee-related concerns					
b. Materials describing how military skills and training align with civilian skills and training					
c. Assistance understanding military service, status, or terminology					
d. Assistance understanding military personnel records/documents					
e. Assistance verifying a service member's service dates and status					
f. Assistance understanding what service counts against USERRA's five-year limit					

27aa. [If > 1 responses to Q27 = "Very helpful:"] Which of the following measures would be the *most* helpful to your organization? *Mark one.*

[Autofill with Q27a–Q27f for answers = "Very helpful"]

28. Assume at least one of your employees is a Guard or Reserve member who needs to be absent for military duties. How helpful would the following measures be to your organization?

	Not helpful 01	A little helpful 02	Moderately helpful 03	Very helpful 04	Unsure 77
a. Financial support to cover employer expenses related to an employee's military absence, such as a tax incentive, grant, or low-interest loan					
b. Government reimbursement for employee benefits costs accrued during military absences					
c. Providing replacement assistance for job vacancies					
d. Opportunity to reschedule military duty to a more manageable time					
e. A cap on employer responsibility for absences beyond five years					
f. Adjustment of USERRA protections/benefits for voluntary activations					

29. [If > 1 responses to Q28 = “Very helpful”]: Which of the following measures would be the *most* helpful to your organization? *Mark one.*
[Autofill with Q28a–Q28f for answers = “Very helpful”]
30. Assume at least one of your employees is a Guard or Reserve member who needs to be absent for military duties. Are there any other measures that would help your organization adapt to the employee’s absence? Please do not provide names of people or other personally identifying information. [Programmer: FREE TEXT BOX]

Background on Your Organization

This final set of questions pertains to your organization and your role at the organization.

31. Is your organization . . . *Mark one.*
01. Public sector, part of local government with responsibility for a city, county, or other area smaller than a state
 02. Public sector, part of state government
 03. Public sector, part of federal government
 04. A privately owned or publicly traded for-profit organization
 05. A non-profit organization (e.g., a private school, charity, or religious institution)
32. Does your organization provide any of the following services to customers or the public as part of its mission? *Select all that apply.*
01. Aviation related services
 02. Cyber security services
 03. Emergency/first response fire protection
 04. Emergency/first response police protection
 05. Emergency/first response medical services
 06. Law enforcement services (e.g., police, sheriffs, security services)
 07. Non-emergency medical services (e.g., preventive care, physical therapy, support for chronic health conditions)
 08. My organization does not provide any of these services
33. Which of the following best describes how many physical work locations your organization has?
01. One work location
 02. Multiple work locations in the same state
 03. Multiple work locations in multiple states

34. How many employees work for your organization across all work locations?
01. 1–9 employees
 02. 10–49 employees
 03. 50–99 employees
 04. 100–499 employees
 05. 500–999 employees
 06. 1,000–9,999 employees
 07. 10,000+ employees
35. Does your organization have a Human Resources (HR) professional who handles personnel matters? Please select the option that best describes your organization.
01. Yes, our organization has an HR department with one or more HR professionals who spend most of their time on HR matters for employees who serve in the military
 02. Yes, our organization has an HR department with one or more HR professionals but with none spending most of their time on HR matters for employees who serve in the military
 03. Yes, our organization has an HR professional who handles military and civilian HR matters and other responsibilities, but does not have an HR department
 04. Not internally, but our organization contracts out HR services to an HR professional
 05. No
 77. Don't know
36. Do you require your employees to sign agreements to engage in mediation, arbitration, or other forms of alternative dispute resolution in lieu of legal action?
01. Yes
 02. No
 77. Don't know
37. Which of the following best describes the role of individual who took the lead responding to this survey? *Mark one.*
01. CEO/President/Owner
 02. Human Resources/Personnel Manager
 03. Administrator
 04. Worksite Manager
 05. Supervisor
 06. Other (*Please specify, but do not provide names of people or other personally identifying information*) [text box]

[Programmer: For non-G&R employers (Q1 = “No”), skip Q38]

38. Which of the following apply to the individual who took the lead responding to this survey? *Mark all that apply.*
- 01. Supervisor of one or more Guard or Reserve members
 - 02. Coworker or subordinate of one or more Guard or Reserve members
 - 03. I am/was also a Guard or Reserve member
 - 04. Other (*Please specify, but do not provide names of people or other personally identifying information*) [text box]
39. If you have comments or concerns that you were not able to express in answering this survey, please enter them below. Do not provide names or other identifying information. Your feedback is useful and appreciated. [Programmer: FREE TEXT BOX]

Thank you for completing the Understanding Employer Experiences Under Continuing Reserve Component Operations Employer Survey. Your input will help inform DoD efforts to better support employers of Reserve Component members.

If you would like to be added to the distribution list for our final report, please send an email to the following email address with the subject line "Request ESGR report": ESGR-study@rand.org.

If you would like to print out a certificate of participation, please [click here](#). The PDF is fillable, and you may add your organization's name.

Please click submit to complete the survey.

[SUBMIT SURVEY]

[END SURVEY]

[If the survey has been completed and the pin is re-entered.]

This pin has been used to complete the survey. Please email us at DODEmployerExperiencesSurvey@norc.org or call us at 1-866-681-5106 if you have any questions about the survey.

Survey Tabulations

This appendix contains tabulations for a selection of questions from the 2022 DoD National Survey of Employers. Table C.1 provides the rates of employers reporting having employed one or more RC members over the past 36 months. This table is provided by detailed survey stratum: For example, it separately reports results for medium private firms selected at random as part of the probability sample (i.e., probabilistic random sample) and those surveyed from ESGR lists of employers believed to have recently employed RC members (i.e., convenience sample). These results are unweighted because we expect unobservable response bias is most pronounced for the question of whether responding employers have recently employed RC members.

The remainder of the appendix includes tabulations of employer views grouped into six primary reporting strata: large, medium, and small private firm respondents and local, state, and federal government respondents. These results are weighted to account for nonresponse and blending of probability and nonprobability samples, using the approach described in Appendix A. Results are presented along with upper and lower bounds for the estimates, calculated as 95-percent logit confidence intervals to ensure that bounds are plausible values (i.e., between 0 and 100 percent of respondents). Ranges of numbers of respondents are provided by employer type in table notes for each topic and individual question. The following topics are covered in this appendix:

- overview of RC employees and service-related absences (Tables C.2 through C.4)
- benefits of employing RC members and supports provided (Tables C.5 through C.7)
- costs of employing RC members and reports of disputes (Tables C.8 through C.11)
- planning for RC employee absences (Tables C.12 through C.14)
- knowledge of USERRA and ESGR (Tables C.15 through C.17)
- resources consulted to learn about employing RC members (Tables C.18 and C.19)
- views on policy options for supporting employers of RC members (Tables C.20 and C.21)
- structure of HR function at organization and whether employees sign arbitration agreements (Tables C.22 and C.23).

TABLE C.1**Rates of Employing Guard and Reserve Members in the Past 36 Months, by Detailed Employer Sector**

Detailed Employer Sector	Number Answering Question	Number Employing RC Members	Share Employing RC Members (%)	Don't Know/ Not Sure	Don't Know/ Not Sure Rate (%)
Large private firm (500 or more employees)	250	122	48.8	86	34.4
Medium private firm (100 to 499 employees) (probabilistic random sample)	404	152	37.6	105	26.0
Medium private firm (100 to 499 employees) (convenience sample)	424	311	73.3	61	14.4
Small private firm (50 to 99 employees)	166	120	72.3	15	9.0
Very small private firm (<50 employees)	322	234	72.7	14	4.3
Local government (large)	453	318	70.2	87	19.2
Local government (convenience sample)	183	136	74.3	11	6.0
State government	33	26	78.8	7	21.2
Federal government (DoD)	17	15	88.2	2	11.8
Federal government (other)	19	11	57.9	7	36.8
Total	2,271	1,445	63.6	395	17.4

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Counts and percentages are unweighted and reflect the number and share of organizations that responded "yes" or "don't know/not sure" to the question, "Within the last 36 months, has your organization employed anyone who also serves in the National Guard or Reserve? Serving in the National Guard or Reserve could mean participating in weekend military drills, completing annual military training, or being called to active duty to support a military mission." Both portions of the small private firm sample were selected via a convenience sample of firms included on lists of employers provided by ESGR.

TABLE C.2

Service or RC of Guard and Reserve Employees, Guard and Reserve Employers, by Employer Sector (%)

Service or RC	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
ANG	15	14	18	16	30	41
Lower bound	12	11	11	12	15	22
Upper bound	20	18	28	20	50	63
ARNG	55	56	54	59	48	50
Lower bound	49	51	43	54	30	29
Upper bound	61	61	64	64	67	71
U.S. Air Force Reserve	11	8	13	14	12	43
Lower bound	8	6	8	11	4	23
Upper bound	16	12	21	18	31	65
U.S. Army Reserve	23	20	24	31	24	41
Lower bound	18	16	17	27	12	22
Upper bound	28	25	34	36	43	63
U.S. Coast Guard Reserve	4	2	8	7	3	7
Lower bound	2	1	4	5	0	1
Upper bound	8	5	15	10	18	35
U.S. Marine Corps Reserve	10	8	12	10	12	16
Lower bound	7	6	7	7	4	5
Upper bound	14	11	20	14	31	41
U.S. Navy Reserve	11	9	7	10	12	32
Lower bound	8	6	4	8	4	15
Upper bound	16	12	14	14	31	55
Don't know the service or RC of at least one employee	10	20	25	23	13	23
Lower bound	7	16	17	19	4	9
Upper bound	14	24	35	27	33	46
Organization does not routinely collect information on RC affiliation	9	15	20	19	51	39
Lower bound	6	12	13	15	32	20
Upper bound	13	19	30	23	69	61

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that selected each service or RC in response to the question, "In what Service/Reserve Component(s) are your Guard or Reserve employees? Mark all that apply." Unweighted *N*s by employer sector are 349 (small), 448 (medium), 112 (large), 440 (local), 26 (state), and 24 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.3**Rates of Employee Absences for Military Duties in the Past 36 Months, Guard and Reserve Employers, by Employer Sector (%)**

Response	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Yes	96	89	88	95	80	100
Lower bound	93	86	80	92	59	—
Upper bound	98	92	93	97	92	—
No	3	6	2	3	5	0
Lower bound	2	5	1	2	1	—
Upper bound	6	9	6	5	29	—
Don't know/Not sure	1	4	10	2	15	0
Lower bound	0	3	6	1	5	—
Upper bound	2	7	18	4	34	—

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that selected each response to the question, "In the past 36 months, have any of the Guard or Reserve employees in your organization been absent from work for military duties (e.g., weekend drills, annual two-week training, or an extended period of active duty service)?" Unweighted *N*s by employer sector are 350 (small), 453 (medium), 115 (large), 442 (local), 26 (state), and 24 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.4

Duration of Absences for Military Duties in the Past 36 Months, Guard and Reserve Employers, by Period of Time of Absence and Employer Sector (%)

Absence Length	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Up to 30 days	83	75	73	85	86	100
Lower bound	77	69	60	80	64	—
Upper bound	88	80	83	88	96	—
31 days to seven months	52	47	52	63	74	83
Lower bound	45	41	40	57	51	58
Upper bound	60	54	63	69	89	94
Eight months to one year	40	32	28	53	60	59
Lower bound	32	27	18	46	38	35
Upper bound	48	38	40	59	79	80
More than one year	22	27	35	42	60	65
Lower bound	16	21	24	36	38	41
Upper bound	29	33	48	48	79	83
Cumulative absences exceeding five years including prior absences	2	2	0	6	19	23
Lower bound	1	1	—	4	7	9
Upper bound	4	5	—	9	42	46

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that selected "yes" for each absence length in response to the question, "Of the Guard or Reserve employees at your organization who were absent for military duties in the past 36 months, were any absent for the following periods of time? Mark one answer for each item." The cumulative absence question was "Of the Guard or Reserve employees at your organization who were absent for military duties in the past 36 months, did any of them have cumulative absences exceeding five years when totaling their recent and prior absences?" Unweighted *N*s by employer sector range from 196 to 332 (small), 256 to 393 (medium), 70 to 97 (large), 286 to 414 (local), 20 to 21 (state), and 19 to 24 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.5**Views on Guard and Reserve Employees, Guard and Reserve Employers, by Statement and Employer Sector (%)**

Statement	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Their training and experience make them valuable employees	80	84	73	84	73	91
Lower bound	74	80	62	80	53	66
Upper bound	85	87	82	87	87	98
They are good team players	84	83	72	79	73	93
Lower bound	79	79	61	75	53	64
Upper bound	88	87	81	83	87	99
Overall, my organization is satisfied with these employees	86	88	79	83	81	93
Lower bound	80	84	67	79	61	64
Upper bound	90	91	87	87	92	99
Employing them is challenging because of their military obligations	36	22	13	33	22	21
Lower bound	31	18	7	29	9	8
Upper bound	43	26	21	38	43	45
The advantages of employing them outweigh the disadvantages	75	70	63	64	67	68
Lower bound	69	65	51	59	47	43
Upper bound	80	74	73	69	82	85

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that selected "agree" or "strongly agree" for each statement in response to the question, "Please indicate the extent to which you agree or disagree with the following statements about Guard and Reserve employees in your organization. Mark one answer for each statement." Unweighted Ns by employer sector are or range from 335 (small), 418 to 419 (medium), 103 (large), 417 to 420 (local), 25 to 26 (state), and 23 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.6

Employer Supports to Guard and Reserve Employees, by Type of Support and Employer Sector (%)

Type of Support	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Flexible hours to accommodate military duty	95	89	87	86	78	94
Lower bound	92	86	81	82	60	76
Upper bound	97	91	91	89	90	99
Continued payment of employee salaries (full, part, or differential) when they are absent for military duties	48	42	47	73	83	83
Lower bound	43	38	40	69	65	65
Upper bound	53	46	55	77	93	93
Continued payments for employee benefits (e.g., life insurance, pension)	70	78	76	87	77	85
Lower bound	65	74	69	83	57	67
Upper bound	75	81	82	90	89	95
Support to their families (e.g., continued education, childcare, or housing benefits)	20	16	20	11	7	44
Lower bound	16	14	15	9	2	27
Upper bound	24	19	28	15	26	63
Continued health benefits for employees who are absent for military duties for more than one month, or their families	60	76	76	79	75	86
Lower bound	55	73	69	75	55	68
Upper bound	65	80	82	82	88	95

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that indicated they would provide each type of support in response to the question, "Assume at least one of your employees is a Guard or Reserve member; would your organization provide any of the following types of support?" Unweighted Ns by employer sector range from 442 to 452 (small), 697 to 715 (medium), 197 to 202 (large), 543 to 547 (local), 25 to 28 (state), and 30 to 32 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.7

Rates of Employees Returning from Military Duties with Positive Characteristics, Guard and Reserve Employers with Recent Employee Absences, by Characteristic and Employer Sector (%)

Characteristic	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Professional or personal contacts that are or may be helpful to your organization	14	8	8	12	11	43
Lower bound	10	5	3	9	3	23
Upper bound	20	11	19	16	34	66
Additional skills or expertise relevant to your organization	37	24	28	32	17	58
Lower bound	31	20	19	27	6	34
Upper bound	43	29	40	37	43	78
Increased maturity, time management skills, self-discipline, or resilience	53	37	35	40	43	58
Lower bound	46	31	24	34	22	34
Upper bound	59	42	46	45	67	78
Increased interpersonal skills (e.g., better trainers, mentors, leaders)	50	37	30	39	37	50
Lower bound	44	32	20	34	18	28
Upper bound	57	43	41	45	61	72
Increased positive interactions with co-workers	47	35	28	37	33	40
Lower bound	41	30	18	32	15	21
Upper bound	54	41	39	42	57	63

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees and that indicated that at least one of these employees was absent for military duties in the past 36 months that selected "yes" for each characteristic in response to the question, "In the past 36 months, have any of your Guard or Reserve employees returned from military duties with any of the following? Mark one answer for each item." Rates of responding "don't know" varied by employer type, ranging from 17 to 27 percent (small), 46 to 49 percent (medium), 36 to 54 percent (large), 43 to 54 percent (local), 57 to 79 percent (state), and 35 to 45 percent (federal). Unweighted *N*s by employer sector are or range from 81 to 82 (large), 344 to 347 (medium), 298 to 301 (small), 369 to 374 (local), 17 (state), and 22 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.8

Challenges of Guard and Reserve Member Absences, by Challenge and Employer Sector (%)

Challenge	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Disruptions in work scheduling or workflow	19	11	11	23	14	13
Lower bound	15	8	6	19	4	3
Upper bound	25	15	19	28	36	36
Increased workload of coworkers	31	21	22	30	12	23
Lower bound	25	17	15	25	4	9
Upper bound	37	26	32	35	32	47
Loss of critical or unique work skills	22	11	12	12	7	13
Lower bound	17	8	6	9	1	4
Upper bound	28	15	21	16	35	37
Increased costs from hiring or training replacements	14	8	10	11	9	3
Lower bound	10	6	5	9	2	0
Upper bound	19	12	19	15	30	19
Increased cost of benefit plans	4	2	0	2	0	0
Lower bound	2	1	—	1	—	—
Upper bound	8	4	—	4	—	—
Loss of existing business or difficulty developing business	8	2	0	1	0	0
Lower bound	5	1	—	0	—	—
Upper bound	13	4	—	2	—	—

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "agree" or "strongly agree" for each challenge in response to the question, "In the past 36 months, to what extent have the absences of Guard or Reserve employees for military duties contributed to the following" Respondents without RC member employees or without recent RC member employee absences were asked to "assume at least one of your employees is a Guard or Reserve member" and to answer "to what extent could absences of these employees from the workplace due to military duties contribute to the following for your organization" Unweighted *N*s by employer sector are or range from 313 to 320 (small), 392 to 394 (medium), 96 to 99 (large), 393 to 398 (local), 21 (state), and 21 to 22 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.9

Aspects of Guard and Reserve Employee Absences That Contribute to Problems, Guard and Reserve Employers with Recent Employee Absences, by Aspect of Absences and Employer Sector (%)

Aspect of Absences	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
The absences were too frequent	11	3	3	10	0	10
Lower bound	7	2	1	7	—	2
Upper bound	15	5	9	13	—	37
The absences were too long	18	6	5	15	19	20
Lower bound	14	4	2	12	6	7
Upper bound	24	9	12	19	46	46
The lengths of the military assignments were unclear	15	6	7	9	6	11
Lower bound	11	4	3	6	1	2
Upper bound	21	9	17	12	34	39
It was unclear when, or if, employees were going to return to work	16	9	11	12	6	13
Lower bound	12	7	6	9	1	4
Upper bound	22	13	22	16	34	37
The organization owner or other senior leader was activated	7	1	4	2	0	3
Lower bound	4	0	1	1	—	0
Upper bound	11	3	15	5	—	17

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees and that indicated that at least one of these employees was absent for military duties in the past 36 months that selected "large extent" or "very large extent" for each aspect in response to the question, "To what extent have the following aspects of Guard or Reserve employee absences for military duties in the past 36 months contributed to problems for your organization? Mark one answer for each item." Rates of responding "don't know" varied by employer type, ranging from 1 to 6 percent (small), 6 to 9 percent (medium), 14 to 17 percent (large), 5 to 10 percent (local), 19 to 27 percent (state), and 8 to 23 percent (federal). Unweighted Ns by employer sector are or range from 299 to 301 (small), 344 to 347 (medium), 81 to 83 (large), 363 to 369 (local), 16 (state), and 20 to 21 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.10

Rates of Employees Returning from Military Duties with Negative Characteristics, Guard and Reserve Employers with Recent Employee Absences, by Characteristic and Employer Sector (%)

Characteristic	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Increased tension with other coworkers	11	5	7	9	5	10
Lower bound	8	3	3	7	1	2
Upper bound	16	8	17	13	27	36
Increased tension with their supervisor	9	5	10	8	5	7
Lower bound	6	3	5	6	1	1
Upper bound	14	8	20	11	27	38
Increased difficulties interacting with customers (e.g., easier to anger, less helpful)	6	3	6	1	0	7
Lower bound	4	2	2	0	—	1
Upper bound	9	6	16	3	—	38
Increased risk-taking behaviors at work (e.g., less likely to follow safety precautions)	3	2	1	1	0	7
Lower bound	2	1	0	1	—	1
Upper bound	5	4	8	4	—	38
Increased stress or emotional problems	13	7	6	9	16	7
Lower bound	10	5	2	6	5	1
Upper bound	18	11	16	12	41	38
Substance abuse issues that interfere with performance (e.g., alcohol, drugs)	2	2	4	0	0	7
Lower bound	1	1	1	0	—	1
Upper bound	4	4	14	2	—	38

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees and that indicated that at least one of these employees was absent for military duties in the past 36 months that selected "yes" for each characteristic in response to the question, "In the past 36 months, have any of your Guard or Reserve employees returned from military duties with any of the following? Mark one answer for each item." Rates of responding "don't know" varied by employer type, ranging from 10 to 18 percent (small), 30 to 41 percent (medium), 38 to 54 percent (large), 40 to 49 percent (local), 78 to 89 percent (state), and 40 to 57 percent (federal). Unweighted *N*s by employer sector are or range from 299 to 301 (small), 346 to 347 (medium), 82 (large), 371 to 374 (local), 16 to 17 (state), and 22 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.11

Rates of Disputes Connected with Guard and Reserve Employee Absences for Military Duties, Guard and Reserve Employers with Recent Employee Absences, by Employer Sector (%)

Response	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Yes	2	2	4	4	23	18
Lower bound	1	1	1	2	9	6
Upper bound	4	4	9	7	48	46
No	94	94	85	89	55	58
Lower bound	90	91	73	85	32	34
Upper bound	96	96	92	92	76	79
Don't know/not sure	4	5	12	7	22	24
Lower bound	2	3	5	5	8	9
Upper bound	8	7	23	10	47	49

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees and that indicated that at least one of these employees was absent for military duties in the past 36 months that selected each response to the question, "In the past 36 months, has your organization had any disputes connected with Guard or Reserve employee absences for military duties?" Rates of responding "don't know/not sure" varied by employer type. Unweighted *N*s by employer sector are 334 (small), 399 (medium), 98 (large), 416 (local), 19 (state), 23 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.12

Rates of Whether Notification Scenarios Appropriately Account for the Organization's Needs, Guard and Reserve Employers, by Notification Scenario and Employer Sector (%)

Notification Scenario	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Two-day notification for activation during a natural disaster or emergency	73	74	76	75	71	93
Lower bound	67	69	65	70	49	64
Upper bound	78	79	84	79	87	99
Two-week notification for a 30-day deployment or scheduled annual training	77	86	91	79	76	93
Lower bound	72	82	83	75	53	64
Upper bound	82	90	95	84	90	99
One-month notification for a deployment of one year or more	79	87	90	81	76	84
Lower bound	74	83	82	77	53	58
Upper bound	84	90	94	86	90	95

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that responded "yes" for each notification scenario to the question, "Do the following employer notification scenarios appropriately account for your organization's needs?" Unweighted *N*s by employer sector are or range from 319 to 324 (small), 396 to 397 (medium), 95 to 98 (large), 395 to 401 (local), 23 (state), and 23 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.13

Factors Influencing Time Needed to Prepare for a Military Absence, Guard and Reserve Employers, by Factor and Employer Sector (%)

Factor	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Duration of the absence	68	63	68	67	43	58
Lower bound	62	57	57	62	24	34
Upper bound	74	68	77	72	64	78
Position held by the employee in the organization	68	57	71	62	59	53
Lower bound	62	51	61	57	38	30
Upper bound	74	62	80	67	78	74
Timing of absence	55	42	42	48	24	40
Lower bound	49	37	32	43	11	21
Upper bound	61	47	53	54	45	63

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing guard or reserve employees that selected "large extent" or "very large extent" to each factor in response to the question, "To what extent would the following factors influence the amount of time your organization would need to prepare for a military absence?" Unweighted *N*s by employer sector are or range from 319 to 323 (small), 390 to 394 (medium), 96 to 98 (large), 386 to 390 (local), 22 (state), and 22 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.14**Tactics to Handle Military Absences of Guard and Reserve Employees, by Tactic and Employer Sector (%)**

Tactic for Handling Absence	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Postpone workload to be completed when absence ends	24	15	18	15	13	26
Lower bound	20	12	13	12	5	12
Upper bound	29	18	24	19	31	45
Reassign workload to other current employee(s)	86	82	77	84	83	89
Lower bound	81	79	70	81	63	72
Upper bound	89	85	82	87	94	96
Hire an additional permanent employee	12	14	13	5	15	9
Lower bound	9	11	8	4	6	2
Upper bound	16	18	19	8	32	27
Hire a temporary replacement	31	40	43	29	30	44
Lower bound	26	36	36	25	15	26
Upper bound	36	44	51	33	50	63

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "yes" for each tactic in response to the question, "Assume at least one of your employees is a Guard or Reserve member. Which of the following tactics might you use to handle a military absence? Mark one answer for each item." Unweighted Ns by employer sector range from 426 to 444 (small), 674 to 702 (medium), 188 to 200 (large), 522 to 551 (local), 26 to 28 (state), and 29 to 30 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.15**Awareness of Statement of Support for Guard and Reserve Members, by Employer Sector (%)**

Response	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Yes, my organization displays a signed statement of support	22	15	11	12	14	5
Lower bound	18	12	7	9	6	2
Upper bound	27	18	17	15	30	16
Yes, my organization has signed the statement of support but does not display it	6	4	6	6	10	0
Lower bound	4	3	3	5	3	—
Upper bound	9	6	10	9	27	—
Yes, although my organization has not signed the statement of support	11	10	9	8	14	24
Lower bound	8	8	5	6	5	10
Upper bound	14	13	14	11	32	45
No, my organization was not aware of the statement of support	61	72	74	73	62	71
Lower bound	56	68	67	69	44	51
Upper bound	66	75	80	77	77	86

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected each response to the question, "Are you aware of the statement of support for Guard and Reserve members provided by the Employer Support of the Guard and Reserve (ESGR)?" Unweighted *N*s by employer sector are 454 (small), 717 (medium), 199 (large), 551 (local), 31 (state), and 29 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.16

Knowledge of USERRA, Share of Employers Agreeing or Strongly Agreeing, by Statement and Employer Sector (%)

Statement	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Our organization knows everything we need to remain in compliance with USERRA	40	41	50	41	61	89
Lower bound	35	37	42	36	42	71
Upper bound	46	45	58	45	78	96
I know where to go when I need help fulfilling my responsibilities under USERRA	54	64	67	65	69	85
Lower bound	48	60	59	61	49	64
Upper bound	59	68	74	69	84	95
Employer Support of the Guard and Reserve (ESGR) is a valuable resource for finding the best way for my organization to comply with USERRA	50	45	42	46	40	39
Lower bound	45	40	34	42	23	21
Upper bound	56	49	50	51	60	59

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "agree" or "strongly agree" for each statement in response to the question, "How much do you agree or disagree with the following statements about your knowledge of the Uniformed Services Employment and Reemployment Rights Act (USERRA)? Mark one answer for each statement." Unweighted Ns by employer sector are or range from 418 to 420 (small), 672 to 675 (medium), 187 (large), 534 to 539 (local), 26 to 27 (state), and 27 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.17

Difficulty Implementing Provisions of USERRA, Share of Guard and Reserve Employers Finding Provisions Somewhat or Very Difficult to Implement, by Provision and Employer Sector (%)

Provision	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Prompt reemployment of employee (absent unusual circumstances, within two weeks of employee's application for reemployment)	8	1	2	1	0	5
Lower bound	5	1	0	0	—	1
Upper bound	13	3	10	3	—	19
Reemployment in the position the Guard or Reserve member would have held or advanced to had the employee been continually employed (i.e., the escalator principle)	12	5	9	5	7	5
Lower bound	9	3	4	3	1	1
Upper bound	17	8	19	8	36	19
Accumulation of seniority, including pension plan benefits while absent	10	3	7	7	0	5
Lower bound	7	2	3	4	—	1
Upper bound	14	5	16	10	—	19
Reinstatement of health insurance	3	1	2	1	0	13
Lower bound	1	0	1	0	—	3
Upper bound	6	2	8	2	—	36
Training or retraining of job skills, including accommodations for the disabled	9	4	6	7	9	5
Lower bound	6	2	2	5	2	1
Upper bound	14	6	14	11	29	19
Protection from workplace discrimination	0	1	3	0	0	3
Lower bound	0	0	1	0	—	0
Upper bound	3	2	12	1	—	17
Protection from workplace retaliation	0	1	2	0	0	3
Lower bound	0	0	0	0	—	0
Upper bound	3	2	14	1	—	17

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that reported employing Guard or Reserve employees that selected "somewhat difficult" or "very difficult" for each provision in response to the question, "How difficult or easy is it for your organization to implement the following provisions of USERRA?" Rates of responding "don't know/unsure" varied by employer type, ranging from 11 to 23 percent (small), 9 to 18 percent (medium), 9 to 19 percent (large), 9 to 20 percent (local), 11 to 21 percent (state), and 0 to 10 percent (federal). Unweighted Ns by employer sector are or range from 299 to 304 (small), 377 to 380 (medium), 90 to 92 (large), 385 to 388 (local), 20 (state), and 21 to 22 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.18

Resources Consulted for Guidance on Hiring or Employing Guard and Reserve Personnel, by Employer Sector (%)

Resource	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
ESGR	17	14	12	18	30	25
Lower bound	14	12	8	15	17	12
Upper bound	21	17	18	22	48	45
National or State Guard Bureau	4	3	3	5	18	6
Lower bound	3	2	1	4	8	1
Upper bound	7	4	7	8	35	23
DoL	23	28	35	30	40	19
Lower bound	19	25	28	26	24	8
Upper bound	28	32	42	34	58	39
Society for Human Resource Management	17	31	40	26	32	4
Lower bound	14	27	33	22	18	1
Upper bound	21	34	47	30	51	25
Chamber of Commerce	8	7	14	4	0	13
Lower bound	5	6	10	3	—	4
Upper bound	11	10	20	6	—	33
Lawyer or attorney	7	8	14	17	13	2
Lower bound	5	6	10	14	5	0
Upper bound	10	10	19	21	30	10
Other internet websites	6	8	6	3	6	10
Lower bound	4	6	4	2	1	3
Upper bound	9	10	11	6	22	29
Other professional associations	4	6	5	4	0	0
Lower bound	2	5	3	2	—	—
Upper bound	6	8	9	5	—	—

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected each resource in response to the question, "Which of the following resources has your organization looked to for guidance on hiring or employing Guard and Reserve personnel?" Unweighted Ns by employer sector are 464 (small), 747 (medium), 211 (large), 590 (local), 31 (state), and 32 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.19**Resources That Organizations Would Consult with Questions About Rights and Responsibilities Related to Guard and Reserve Employees, by Employer Sector (%)**

Resource	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Military command	24	20	21	27	42	48
Lower bound	20	17	15	23	24	29
Upper bound	30	24	29	32	62	69
ESGR	60	53	49	56	59	52
Lower bound	55	48	41	51	39	32
Upper bound	65	57	57	60	76	72
Lawyer or attorney	44	69	71	76	65	71
Lower bound	38	65	64	72	45	49
Upper bound	49	73	78	80	81	87
DoL	59	76	72	71	68	58
Lower bound	54	72	65	67	47	37
Upper bound	65	79	79	75	83	76
Other internet websites	24	29	25	30	43	68
Lower bound	16	23	16	23	14	39
Upper bound	34	36	38	38	77	87

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "yes" for each resource in response to the question, "If your organization had questions about its rights and responsibilities related to Guard and Reserve employees, which of the following sources would your organization turn to for information? Mark one answer for each item." Unweighted *N*s by employer sector range from 110 to 417 (small), 240 to 671 (medium), 67 to 184 (large), 156 to 525 (local), 7 to 25 (state), and 14 to 27 (federal). *N*s that selected the "other internet websites" option for the question were low-end outliers. Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.20

Services That Would Help with Hiring or Employing Guard and Reserve Members, by Employer Sector (%)

Service	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Assistance identifying whom to talk to within the military regarding your employee-related concerns	66	62	63	64	61	71
Lower bound	61	58	56	59	41	51
Upper bound	71	66	71	68	78	86
Materials describing how military skills and training align with civilian skills and training	62	62	57	52	59	71
Lower bound	57	58	49	48	40	51
Upper bound	67	66	65	57	76	86
Assistance understanding military service, status, or terminology	58	57	53	56	69	53
Lower bound	53	53	45	51	49	33
Upper bound	63	61	61	60	84	71
Assistance understanding military personnel records/documents	55	55	43	58	76	46
Lower bound	49	50	35	53	55	27
Upper bound	60	59	51	62	89	65
Assistance verifying a service member's service dates and status	62	59	52	63	69	64
Lower bound	56	55	44	58	49	44
Upper bound	67	63	60	67	84	81
Assistance understanding what service counts against USERRA's five-year limit	65	64	62	67	60	77
Lower bound	60	60	54	63	40	57
Upper bound	70	68	70	72	77	90

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "moderately helpful" or "very helpful" for each service in response to the question, "To what extent would the following services help your organization with hiring or employing Guard and Reserve members?" Unweighted *N*s by employer sector are or range from 411 to 412 (small), 666 to 670 (medium), 183 to 187 (large), 523 to 527 (local), 26 (state), and 28 to 29 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.21**Measures That Would Help If an Employee Who Is a Guard and Reserve Member Needs to Be Absent for Military Duties, by Employer Sector (%)**

Service	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Financial support to cover employer expenses related to an employee's military absence, such as a tax incentive, grant, or low-interest loan	72	64	55	51	29	42
Lower bound	66	60	47	46	15	24
Upper bound	76	68	62	55	49	62
Government reimbursement for employee benefits costs accrued during military absences	74	75	63	69	48	46
Lower bound	69	71	55	65	29	27
Upper bound	79	79	70	73	67	66
Providing replacement assistance for job vacancies	55	56	57	40	44	68
Lower bound	50	51	49	36	26	47
Upper bound	61	60	65	45	63	83
Opportunity to reschedule military duty to a more manageable time	62	58	61	55	40	64
Lower bound	57	53	53	51	23	44
Upper bound	67	62	69	60	60	81
A cap on employer responsibility for absences beyond five years	58	57	61	56	46	66
Lower bound	52	53	54	51	28	46
Upper bound	63	62	68	60	66	81
Adjustment of USERRA protections/benefits for voluntary activations	50	47	42	47	26	46
Lower bound	45	43	35	43	13	27
Upper bound	56	51	50	52	47	65

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected "moderately helpful" or "very helpful" for each service in response to the question, "Assume at least one of your employees is a Guard or Reserve member who needs to be absent for military duties. How helpful would the following measures be to your organization?" Unweighted Ns by employer sector are or range from 409 to 413 (small), 654 to 660 (medium), 185 to 187 (large), 516 to 519 (local), 26 (state), and 28 to 29 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

TABLE C.22

Presence of Human Resources Departments, by Employer Sector (%)

Response	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Yes, our organization has an HR department with one or more HR professionals who spend most of their time on HR matters for employees who serve in the military	11	15	16	13	26	58
Lower bound	8	12	11	11	14	38
Upper bound	15	18	23	17	45	76
Yes, our organization has an HR department with one or more HR professionals but with none spending most of their time on HR matters for employees who serve in the military	32	66	69	63	68	37
Lower bound	28	62	61	59	49	20
Upper bound	37	70	75	68	82	57
Yes, our organization has an HR professional who handles military and civilian HR matters and other responsibilities, but does not have an HR department	21	8	6	9	6	3
Lower bound	17	6	3	7	1	1
Upper bound	26	11	11	12	21	13
Not internally, but our organization contracts out HR services to an HR professional	27	9	6	13	0	0
Lower bound	23	6	3	10	—	—
Upper bound	33	12	12	16	—	—
No	8	2	3	2	0	2
Lower bound	6	1	1	1	—	0
Upper bound	12	3	8	3	—	11

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected each response to the question, "Does your organization have a Human Resources (HR) professional who handles personnel matters? Please select the option that best describes your organization." Unweighted *N*s by employer sector are 416 (small), 675 (medium), 188 (large), 534 (local), 29 (state), and 30 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. "—" indicates the estimate is zero or 100 percent. Percentages displayed are weighted.

TABLE C.23**Requirements to Sign Arbitration or Mediation Agreements, by Employer Sector (%)**

Response	Private Firms			Government Organizations		
	Small	Medium	Large	Local	State	Federal
Yes	13	19	19	15	14	32
Lower bound	9	15	13	12	5	17
Upper bound	17	22	26	19	33	53
No	64	60	52	59	63	34
Lower bound	59	56	44	55	44	18
Upper bound	69	64	60	64	78	54
Don't know	23	21	29	26	23	34
Lower bound	19	18	22	22	11	18
Upper bound	28	25	37	30	42	54

SOURCE: Authors' analysis of data from the 2022 DoD National Survey of Employers.

NOTE: Percentages are the share of organizations that selected each response to the question, "Do you require your employees to sign agreements to engage in mediation, arbitration, or other forms of alternative dispute resolution in lieu of legal action?" Unweighted *N*s by employer sector are 413 (small), 667 (medium), 183 (large), 533 (local), 28 (state), and 30 (federal). Lower and upper bounds for the estimates were calculated using 95-percent logit confidence intervals. Percentages displayed are weighted.

Abbreviations

ANG	Air National Guard
ARNG	Army National Guard
ASPEP	Annual Survey of Public Employment and Payroll
BLS	U.S. Bureau of Labor Statistics
CEI	civilian employment information
COVID-19	coronavirus disease 2019
D&B	Dun and Bradstreet
DMDC	Defense Manpower Data Center
DoD	U.S. Department of Defense
DoDI	Department of Defense Instruction
DoDM	Department of Defense Manual
DoL	U.S. Department of Labor
ESGR	Employer Support of the Guard and Reserve
FAIR	Forced Arbitration Injustice Repeal
FEVS	Federal Employee Viewpoint Survey
FMLA	Family and Medical Leave Act
FY	fiscal year
HR	human resources
NAICS	North American Industry Classification System
NORC	National Opinion Research Center
OPA	Office of People Analytics
OSD	Office of the Secretary of Defense
RC	reserve component
SOFS-R	Status of Forces Survey of Reserve Component Members
USERRA	Uniformed Services Employment and Reemployment Rights Act
YRRP	Yellow Ribbon Reintegration Program

References

- Barno, David, and Noral Bensahel, “Addressing the U.S. Military Recruiting Crisis,” *War on the Rocks*, March 10, 2023.
- Beacon Research and Shaw & Company Research, “2022 National Defense Survey: Executive Summary,” Ronald Reagan Presidential Foundation and Institute, November 2022. As of April 7, 2023:
<https://www.reaganfoundation.org/media/359966/reagan-survey-2022-charts-112822.pdf>
- BLS—See U.S. Bureau of Labor Statistics.
- Borland, Timothy M., “Legal Loophole: Some Contracts Skirt Protections for Service Members,” *Military Times*, October 11, 2022.
- Claxton, Gary, Matthew Rae, Nirmita Panchal, Janet Lundy, Anthony Damico, Awo Osei-Anto, Kevin Kenward, Heidi Whitmore, and Jeremy Pickreign, *Employer Health Benefits: 2011 Annual Survey*, Kaiser Family Foundation and Health Research and Educational Trust, 2011.
- Claxton, Gary, Matthew Rae, Gregory Young, Nisha Kurani, Heidi Whitmore, Jason Kerns, Jackie Cifuentes, Greg Shmavonian, and Anthony Damico, *2021 Employer Health Benefits Survey: Survey Design and Methods*, Kaiser Family Foundation, November 10, 2021.
- DeCuir-Gunby, Jessica T., Patricia L. Marshall, and Allison W. McCulloch, “Developing and Using a Codebook for the Analysis of Interview Data: An Example from a Professional Development Research Project,” *Field Methods*, Vol. 23, No. 2, May 2011.
- Defense Manpower Data Center, *January 2011 Status of Forces Survey of Reserve Component Members: Tabulation of Responses*, DMDC Report No. 2011-017, November 2011.
- DMDC—See Defense Manpower Data Center.
- DoD—See U.S. Department of Defense.
- DoL—See U.S. Department of Labor.
- Dun & Bradstreet, D&B Hoovers, database, accessed on December 17, 2021. As of October 16, 2023:
<https://app.dnbhoovers.com>
- Employer Support of the Guard and Reserve, “Mission and End State,” webpage, undated-a. As of April 5, 2023:
<https://www.esgr.mil/About-ESGR/Mission-and-End-State>
- Employer Support of the Guard and Reserve, “USERRA Support Request,” webpage, undated-b. As of April 5, 2023:
<https://www.esgr.mil/USERRA/USERRA-Contact/USERRA-Support-Request/t/0>
- ESGR—See Employer Support of the Guard and Reserve.
- Falk, Gene, Jameson A. Carter, Isaac A. Nicchitta, Emma C. Nyhof, and Paul D. Romero, *Unemployment Rates During the COVID-19 Pandemic: In Brief*, Congressional Research Service, R46554, updated March 12, 2021.

Gates, Susan M., Geoffrey McGovern, Ivan Waggoner, John D. Winkler, Ashley Pierson, Lauren Andrews, and Peter Buryk, *Supporting Employers in the Reserve Operational Forces Era: Are Changes Needed to Reservists' Employment Rights Legislation, Policies, or Programs?* RAND Corporation, RR-152-OSD, 2013a. As of April 5, 2023:
https://www.rand.org/pubs/research_reports/RR152.html

Gates, Susan M., Geoffrey McGovern, Ivan Waggoner, John D. Winkler, Ashley Pierson, Lauren Andrews, and Peter Buryk, *Supporting Employers in the Reserve Operational Forces Era: Appendixes*, RAND Corporation, RR-152/1-OSD, 2013b. As of March 1, 2023:
https://www.rand.org/pubs/research_reports/RR152z1.html

Griffin, Beth Ann, Greg Ridgeway, Andrew R. Morral, Lane F. Burgette, Craig Martin, Daniel Almirall, Rajeev Ramchand, Lisa H. Jaycox, and Daniel F. McCaffrey, "Toolkit for Weighting and Analysis of Nonequivalent Groups (TWANG)," webpage, RAND Corporation, 2014. As of October 3, 2023:
<http://www.rand.org/statistics/twang>

Horton, Alex, "Pandemic and Unrest Fuel the Biggest National Guard Mobilization Since World War II," *Washington Post*, December 24, 2020.

Kapp, Lawrence, *Defense Primer: Reserve Forces*, Congressional Research Service, IF10540, updated January 17, 2023.

Kapp, Lawrence, and Barbara Salazar Torreon, *Reserve Component Personnel Issues: Questions and Answers*, Congressional Research Service, RL30802, updated November 2, 2021.

Kennedy, Brian, Alec Tyson, and Cary Funk, "Americans' Trust in Scientists, Other Groups Declines," Pew Research Center, February 15, 2022.

Mattke, Soeren, Harry H. Liu, John P. Caloyeras, Christina Y. Huang, Kristin R. Van Busum, Dmitry Khodyakov, and Victoria Shier, *Workplace Wellness Programs Study: Final Report*, RAND Corporation, RR-254-DOL, 2013. As of April 7, 2023:
https://www.rand.org/pubs/research_reports/RR254.html

Maurer, Roy, "The Class of 2022 Is Ready to Work—on Their Terms," Society for Human Resource Management, July 12, 2022.

Myers, Meghann, "Recruiting and Retention Issues Also Affecting the National Guard," *Military Times*, September 21, 2022.

Office of People Analytics, *2018 Status of Forces Survey of Reserve Component Members: Tabulations of Responses for Leading Indicator Items*, U.S. Department of Defense, OPA Report No. 2019-024, 2019.

Office of People Analytics, "2020 Status of Forces Survey Reserve Component Members (SOFS-R) Leading Indicators Briefing: Retention, Satisfaction, Tempo, Stress, and Readiness," briefing slides, U.S. Department of Defense, 2021a.

Office of People Analytics, *2020 Status of Forces Survey of Reserve Component Members: Tabulations of Responses for Deployment Items*, U.S. Department of Defense, OPA Report No. 2021-166, 2021b.

Office of People Analytics, *2020 Status of Forces Survey of Reserve Component Members: Tabulations of Responses for Leading Indicator Items*, U.S. Department of Defense, OPA Report No. 2021-164, 2021c.

Office of People Analytics, *2020 Status of Forces Survey of Reserve Component Members: Tabulations of Responses for Quality of Life Items*, U.S. Department of Defense, OPA Report No. 2021-165, 2021d.

OPA—See Office of People Analytics.

Phillips, Brian, Susan M. Gates, Laura Werber, Jonas Kempf, and Lucas Greer, *Gauging What Employers Think: Lessons Learned from Fielding the 2022 Department of Defense National Survey of Employers*, RAND Corporation, RR-A2361-1, 2024.

Public Law 103-353, Uniformed Services Employment and Reemployment Rights Act, October 13, 1994.

Reserve Forces Policy Board, *Improving the Total Force Using the National Guard and Reserves*, RFPB Report FY20-01, August 14, 2020.

Robbins, Michael W., Bonnie Ghosh-Dastidar, and Rajeev Ramchand, “Blending Probability and Nonprobability Samples with Applications to a Survey of Military Caregivers,” *Journal of Survey Statistics and Methodology*, Vol. 9, No. 5, November 2021.

Saldaña, Johnny, *The Coding Manual for Qualitative Researchers*, 3rd ed., SAGE Publications, 2016.

Schaefer, Agnes Gereben, Kimberly Jackson, Maria McColleston, Thomas Bush, Laura Kupe, Katherine L. Kidder, Paul Emslie, Michael H. Phan, and Thomas Goughnour, *Options for Improving Strategic Utilization of the Air Reserve Component for Sustained Active-Duty Missions*, RAND Corporation, RR-A270-1, 2022. As of February 24, 2023:
https://www.rand.org/pubs/research_reports/RRA270-1.html

U.S. Bureau of Labor Statistics, “Employment by Major Industry Sector,” webpage, last modified September 8, 2022. As of April 5, 2023:
<https://www.bls.gov/emp/tables/employment-by-major-industry-sector.htm>

U.S. Bureau of Labor Statistics, *The Employment Situation—February 2023*, news release, USDL-23-0436, March 10, 2023a.

U.S. Bureau of Labor Statistics, *Telework, Hiring, and Vacancies—2022 Data from the Business Response Survey*, news release, USDL-23-0539, March 22, 2023b.

U.S. Bureau of Labor Statistics, “Economic News Release: Table A-1. Employment Status of the Civilian Population by Sex and Age,” webpage, last modified June 2, 2023c. As of June 14, 2023:
<https://www.bls.gov/news.release/empstat.t01.htm>

U.S. Bureau of Labor Statistics, “Industries by Supersector and NAICS Code,” webpage, last updated September 15, 2023d. As of September 18, 2023:
https://www.bls.gov/iag/tgs/iag_index_naics.htm

U.S. Census Bureau, “Business Register,” webpage, undated-a. As of September 18, 2023:
<https://www.census.gov/econ/overview/mu0600.html>

U.S. Census Bureau, “Census Regions and Divisions of the United States,” undated-b. As of September 18, 2023:
https://www2.census.gov/geo/pdfs/maps-data/maps/reference/us_regdiv.pdf

U.S. Census Bureau, “Annual Survey of Entrepreneurs (ASE)—Company Summary: 2016 Tables,” dataset, 2016. As of April 11, 2023:
<https://www.census.gov/data/tables/2016/econ/ase/allcompanytables.html>

U.S. Census Bureau, “Census Bureau Releases 2017 Census of Governments Data and Individual State Descriptions Report,” press release, April 25, 2019.

U.S. Census Bureau, “2018 Data Release,” webpage, last revised June 9, 2022a. As of April 11, 2023:
<https://www.census.gov/programs-surveys/apcs/newsroom/announcements/2018-preliminary.html>

U.S. Census Bureau, “The Number of People Primarily Working from Home Tripled Between 2019 and 2021,” press release, CB22-155, September 15, 2022b.

U.S. Cyber Command Public Affairs, “Guard, Reserve Component Summit Exemplifies ‘Cyber Is a Team Sport,’” April 22, 2022.

U.S. Department of Defense, *Department of Defense Privacy Program*, DoD 5400.11-R, May 14, 2007.

U.S. Department of Defense, *Reserve Components Common Personnel Data System (RCCPDS)*, Department of Defense Instruction 7730.54, May 20, 2011.

U.S. Department of Defense, *Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures*, Department of Defense Manual 7730.54, Volume 1, May 25, 2011, change 1, October 17, 2013.

U.S. Department of Defense, *Civilian Employment and Reemployment Rights for Service Members, Former Service Members and Applicants of the Uniformed Services*, Department of Defense Instruction 1205.12, February 24, 2016, change 1, May 20, 2016.

U.S. Department of Defense, “Proposed Collection; Comment Request,” *Federal Register*, Vol. 86, No. 101, May 27, 2021a. As of September 18, 2023:
<https://www.regulations.gov/document/DOD-2021-OS-0039-0001>

U.S. Department of Defense, “Submission for OMB Review; Comment Request,” *Federal Register*, Vol. 86, No. 150, August 9, 2021b. As of September 18, 2023:
<https://www.regulations.gov/document/DOD-2021-OS-0039-0002>

U.S. Department of Labor, “USERRA: A Guide to the Uniformed Services Employment and Reemployment Rights Act,” webpage, undated. As of May 7, 2023:
<https://www.dol.gov/agencies/vets/programs/userra/USERRA-Pocket-Guide>

U.S. Department of Labor, *USERRA: Uniformed Services Employment and Reemployment Rights Act of 1994: FY 2016 Annual Report to Congress*, August 2017.

U.S. Department of Labor, *USERRA: Uniformed Services Employment and Reemployment Rights Act of 1994: FY 2021 Annual Report to Congress*, August 2022.

U.S. Government Accountability Office, *Servicemember Rights: Mandatory Arbitration Clauses Have Affected Some Employment and Consumer Claims but the Extent of Their Effects Is Unknown*, GAO-21-221, February 2021.

U.S. House of Representatives, *Forced Arbitration Injustice Repeal Act of 2022*, Bill 963, March 17, 2022.

U.S. Office of Personnel Management, “Federal Employee Viewpoint Survey: Public Data File,” undated. As of September 18, 2023:
<https://www.opm.gov/fevs/public-data-file>

Torres v. Texas Department of Public Safety, 597 U.S. ___, 2022.

Weil, David, “Understanding the Present and Future of Work in the Fissured Workplace Context,” *RSF: The Russell Sage Foundation Journal of the Social Sciences*, Vol. 5, No. 5, December 2019.

Wright, Samuel F., “The Struggle Against Forced Arbitration Continues,” *Reserve Organization of America, Law Review* 20001, January 2020.

Zipperer, Ben, Celine McNicholas, Margaret Poydock, Daniel Schneider, and Kristen Harknett, *National Survey of Gig Workers Paints a Picture of Poor Working Conditions, Low Pay*, Economic Policy Institute, June 1, 2022.



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Since the end of the Cold War, U.S. reserve component (RC) members have served in operational missions worldwide. Duty-related absences from their civilian jobs can create frustration and challenges for both the RC members and their employers. The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects RC members against employment discrimination and provides them with reemployment rights after a duty-related absence. In a 2013 study, researchers at the RAND Corporation concluded that there was no need for major revisions to USERRA, that its provisions were clear and generally consistent with other employment laws, and that the challenges reported by employers stemmed largely from RC activation and utilization policy as opposed to the law's employment and reemployment protections.

In this report, RAND researchers update and extend that earlier study to document the views of employers and reevaluate Department of Defense (DoD) policy, federal legislation, and state legislation protecting National Guard service under state orders. To conduct this study, the researchers integrated the results of a multimethod approach that included a review of research and policy; interviews with subject-matter experts and RC members; and analysis of data from the Status of Forces Survey of Reserve Component Members (SOFS-R), DoD administrative personnel data, and the 2022 DoD National Survey of Employers that was fielded for this study.

\$32.00

ISBN-10 1-977-411-991
ISBN-13 978-1-977-411-99-0



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