

Background:

Employer Support of the Guard and Reserve (ESGR) is a DoD program staffed primarily by Volunteers. The primary functional areas of Employer Outreach, Military Outreach, and Ombudsman Services result in numerous interactions with stakeholders generating questions concerning the Uniformed Services Employment and Reemployment Rights Act (USERRA). Those questions are captured and recorded as Inquiries by ESGR.

ESGR reports recorded inquiries to the US Department of Labor as part of their Annual Report to Congress. Ombudsman Volunteers can report inquiries using the Inquiry and Case Management System (ICMS). All other volunteers can report inquiries as part of the After-Action Report (AAR) in the EventsPLUS system. These reported totals help emphasize the importance of ESGR and ESGR's ability to meet its mission.

ESGR recognizes that inquiries fielded by Volunteers have historically likely been under reported. As a solution, the inquiry recording tool can be used to capture and report the total number of inquiries received by Volunteers easily and more accurately.

What is an Inquiry:

An inquiry is any question fielded by an ESGR volunteer, that relates to USERRA. Inquiries can be asked by any member of the public, but most are asked by Service members or Employers. All other inquirers, to include spouses, VIPs, or interested parties are "Other." All ESGR Volunteers can and should feel able to answer or refer USERRA inquiries and report them accurately. Volunteers should refer inquirers with complicated issues to designated State Committee representatives or the ESGR Customer Service Center at 800-336-4590 option 1.

How to use the Tool:

When an ESGR Volunteer fields or refers a question about USERRA from any interested party, the volunteer will add a tally mark to the appropriate inquiry type row, using the definitions of USERRA issues on the tool, and under the appropriate column, based on the inquirer. This can be done in real time during large meetings or events or tabulated over a timespan like a month or quarter.

How to Report Inquiries:

Volunteers should check with their states for specific reporting instructions

Suggested instructions are:

- The results of inquiry recording for events should be included in the event AAR for EventPLUS.
- Volunteers may use this form to document individual inquiries received by phone or email within a specified time span and report them in accordance with State Committee standard operating procedures.
- Ombudsman volunteers can still enter inquiries into ICMS but should ensure to the best of their ability to not report inquiries twice.

ESGR INQUIRY RECORDING TOOL

Event Name:				
Date(s) Covered:				
Volunteer Name:				
Category	Problem Code	Service Member	Employer	Other
Discrimination	Military Obligation Discrimination			
	Initial Hiring Discrimination			
Reinstatement or Reemployment	Reinstatement, Layoff			
	Vacation			
	Promotion, Pay Rate, Status, Seniority, Non-Seniority Benefits			
	Health Benefits, Pension, Reasonable Accommodations, Special Protected Period from Discharge			
Reprisal	Discrimination as Retaliation for any Action			

Definitions		
Discrimination	Military Obligation Discrimination	Denial of retention in employment or any benefit of employment to an individual based on his or her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed service
	Initial Hiring Discrimination	Denial of initial employment of an individual based on his or her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed service
Reinstatement/Reemployment	Reinstatement, Layoff	Denial of reemployment or proper reemployment to an eligible employee following a period of uniformed service. Inclusion of service member in layoffs or improper recall from layoffs based on his or her membership, application for membership, performance of service, application for service obligation for service in the uniformed service
	Vacation	Denial of or forced use of use of vacation time during a performance of service to an individual in the uniformed service
	Promotion, Pay Rate, Status, Seniority, NonSeniority Benefits	Denial of promotion or proper pay rate, status, seniority, seniority-based benefits upon reemployment following service in the uniformed service or to an individual based on his or her membership, application for membership, performance of service, application for service obligation for service in the uniformed service. Denial of proper non-seniority-based benefits during a period of uniformed service, or to an individual based on his or her membership, application for membership, performance of service, application for service obligation for service in the uniformed service
	Health Benefits, Pension, Reasonable Accommodations, Special Protected Period from Discharge	Failure to stop/start group health benefits before or following a period of uniformed service or inappropriate assessment of fees for group health benefits during a period of uniformed service. Denial of appropriate pension action during or following a period of uniformed service. Denial of reemployment or proper reemployment to an individual injured during uniformed service. Denial of training to an individual upon reemployment following service in the uniformed service. Denial of protected period of discharge following uniformed service to an individual, but for cause.
Reprisal	Discrimination as Retaliation for any Action	Taking any adverse employment action against an individual because the individual has taken an action to enforce a protection afforded under USERRA.

Tough question?
The Customer Service Center can help.

- Direct the inquirer to www.esgr.mil/USERRA/USERRA-contact
- Direct the inquirer to call 800-336-4590 option 1 between 8am-6pm Eastern Monday through Friday

Instructions

1. Complete the top portion of the form with your event or period of coverage and your name.
2. Capture the USERRA related inquiries you field and respond to in the corresponding columns using the definitions provided.
3. Submit per state instructions, which may include providing this information to your supporting Volunteer Support Technician or Ombudsman Director.

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