

LAW REVIEW 11105

December 2011

Unemployment Rate Among Young Veterans Rises Even While

Overall Unemployment Rate Drops

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1.2—USERRA-Discrimination Prohibited

9.0--Miscellaneous

First the good news: In December 2011, the Current Employer Survey of the Bureau of Labor Statistics of the Department of Labor (DOL-BLS) reported that the overall national unemployment rate dropped from 9% in October to 8.6% in November. Now the bad news: The DOL-BLS Current Populations Survey (CPS) reported that the unemployment rate among 18-24 year old veterans increased from 30.4% in October to 37.9% in November. The total number of 18-24 year old veterans also increased from 71,000 in October to 96,000 in November, as several large National Guard and Reserve units were released from active duty.

The unemployment rate among 18-24 year olds generally is 15.3%, according to the DOL-BLS CPS. Thus, the unemployment rate among young veterans is almost 2.5 times the already high rate among 18-24 year olds generally.

We believe that the extraordinarily high unemployment among young veterans is attributable to employer annoyance with the repeated, lengthy call-ups of National Guard and Reserve personnel.^[4] Under section 4311(a) of the Uniformed Services Employment and Reemployment Rights Act (USERRA), it is unlawful for an employer to discriminate in initial employment, retention in employment, or promotion or benefit of employment because of the uniformed service or obligation to perform service of the applicant or employee. But such discrimination happens every day and is often difficult to detect and to prove.

It should also be noted that Employer Support of the Guard and Reserve (ESGR)^[5] has reported a substantial increase in the number of complaints and inquiries about USERRA, among National Guard and Reserve service members and their civilian employers. Prior to 2008, the number of inquiries and complaints to ESGR ran about 5,300 per year. In 2008, the number increased to 13,090, and by 2010 the number had shot up to 34,612. Reflecting this trend, the Service Members Law Center has received and responded to over 3,000 inquiries regarding USERRA along since the beginning of the year.^[6]

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[4] Veterans under the age of 25 are necessarily reservists, at least as members of the Individual Ready Reserve (IRR), because the standard military enlistment is for eight years.

[5] ESGR is the 40-year-old Department of Defense organization that seeks to gain and maintain the support of civilian employers for the men and women of the National Guard and Reserve. See www.esgr.mil.

[6] The Service Members Law Center also receives and responds to inquiries on other subjects, including education rights, military voting rights, and other issues regarding the Reserve Component. A full list of subjects and law reviews can be found at: http://www.servicemembers-lawcenter.org/subject_index.html