



DoD INSTRUCTION 1205.22

EMPLOYER SUPPORT OF THE GUARD AND RESERVE

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Purpose: This issuance, in accordance with the authority in DoD Directive 5124.02, establishes policy, assigns responsibilities, and prescribes procedures for:

- Staffing Employer Support of the Guard and Reserve (ESGR).
- Developing programs that promote employer and community support for the operational missions and activities of Reserve Component (RC) members.
- Conducting recurring employer relations training of RC members, in accordance with DoD Instruction (DoDI) 1205.12.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the “DoD Components.”)

1.2. POLICY. It is DoD policy that ESGR is a program administered by the DoD that:

- a. Promotes both public and private understanding of the RCs.
- b. Gains and maintains employer and community support for the RCs.
- c. Implements personnel programs, policies, and practices that encourage employee and citizen participation in the RCs.
- d. Serves as the DoD lead for all matters concerning education about and employer recognition of Chapter 43 of Title 38, United States Code (U.S.C.) (also known and referred to in this issuance as the “Uniformed Services Employment and Reemployment Rights Act of 1994,” as amended, (USERRA)).

1.3. SUMMARY OF CHANGE 1. This change:

- a. Clarifies Headquarters (HQ) ESGR:
 - (1) Is responsible for operational matters concerning ESGR.
 - (2) Is a directorate within the Department of Defense Human Resources Activity (DoDHRA).
- b. Renames the Secretary of Defense Employer Support Freedom Award (FA) National Selection Board to the Employer Support FA Finalist Review.
- c. Clarifies responsibilities of the ESGR National Chair and RCs.
- d. Changes the minimum grade for the position of the ESGR Executive Director (ED).
- e. Incorporates administrative changes, such as updating organizational names and the website address for the Joint Travel Regulations.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and in accordance with DoD Directive 5124.10, the ASD(M&RA) develops policy that will be issued by the USD(P&R).

2.2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RESERVE INTEGRATION (DASD(RI)). Under the authority, direction, and control of the ASD(M&RA), the DASD(RI):

- a. Develops policy for consideration by the ASD(M&RA) and the USD(P&R) and oversees implementation of all ESGR programs.
- b. Coordinates with the Director, DoDHRA to evaluate and develop recommendations for changes to policy regarding ESGR operations.
- c. Recommends an appropriate and qualified person, in accordance with the criteria in Paragraph 3.2.a. of this issuance, for appointment by the Secretary of Defense (SecDef) to serve as the ESGR National Chair (NC).
- d. Determines the size and manning distribution of HQ ESGR military staff members in coordination with the Secretaries of the Military Departments; the Commandant of the U.S. Coast Guard; RC Senior Leadership, as defined in this issuance; and the Director, DoDHRA.

2.3. DIRECTOR, (DODHRA). Under the authority, direction, and control of the USD(P&R), the Director, DoDHRA:

- a. Provides support to the ASD(M&RA) and the DASD(RI), as appropriate, in execution of the duties and responsibilities of this issuance.
- b. Provides procedural guidance and resourcing to ESGR.
- c. Consistent with relevant policies and guidance from the DASD(RI), oversees the operations of the ESGR.
- d. Designates the Chair of the SecDef Employer Support FA Finalist Review.

2.4. SECRETARIES OF THE MILITARY DEPARTMENTS AND COMMANDANT OF THE U.S. COAST GUARD. The Secretaries of the Military Departments and the Commandant of the U.S. Coast Guard:

- a. Establish a central point of contact at each RC HQ, Reserve Regional Command, National Guard Joint Force Headquarters-State, or other appropriate office, that can render assistance to:

- (1) RC members about employment and reemployment rights, benefits, and obligations.
 - (2) Employers of RC members about duty or training requirements arising from a member's uniformed service or service obligation.
- b. Inform RC members of ESGR services.

SECTION 3: PROCEDURES

3.1. ORGANIZATION. ESGR is a directorate within DoDHRA that provides program and administrative support to the ESGR, to include the ESGR State committees (SCs). Section 4 of this issuance outlines the ESGR's organizational elements and leadership positions.

a. Mission. ESGR develops and promotes supportive work environments for Service members in the RC through outreach, recognition, and educational opportunities that increase awareness of applicable laws. It also provides assistance in resolving conflicts between the Service members and their employers.

b. ESGR Vision and End State. That all employers support and value the employment of members of the RCs in the United States and its territories, thereby increasing the readiness of the RCs.

c. Volunteers. ESGR SC members are volunteers pursuant to Section 1588(a)(8) of Title 10, U.S.C., who serve to advance the mission of the ESGR program in promoting participation in the RC and resolving conflicts between employers and RC employees. They serve without compensation and must sign a DD Form 2793, "Volunteer Agreement for Appropriated Fund Activities and Non-Appropriated Fund Instrumentalities," located on the DoD Forms Management Program Website at <https://www.esd.whs.mil/Directives/forms/>. ESGR SC members' actions must reflect favorably on DoD and ESGR, and any adverse or inappropriate behavior will be cause for removal from an SC.

d. Transportation. Travel and related expenses will be in accordance with the Joint Travel Regulations at <https://www.travel.dod.mil/Policy-Regulations/Joint-Travel-Regulations/>.

3.2. ESGR NC. The NC is selected by the SecDef and appointed as an unpaid consultant to perform intermittent work, pursuant to Section 3109 of Title 5, U.S.C., and its implementing regulations. HQ ESGR provides administrative support for the NC.

a. Selection Criteria. Candidates for NC will be nationally influential and recognizable business or community leaders. Candidates must be of respectable character, have a strong desire to serve, and have the time and energy to devote to this very demanding position.

b. Tenure. The NC will serve for a term of 3 years, at the discretion of the SecDef. Tenure may be extended for only one additional 3-year term or any portion thereof. The NC may not serve more than two terms in total, whether or not such terms are consecutive. To provide for an orderly transition and installation of the NC, each term of appointment will begin within 60 days of SecDef approval.

c. ESGR NC. The ESGR NC:

(1) Through the ASD(M&RA) and the USD(P&R), advises and assists the SecDef on matters relating to ESGR.

- (2) Provides advice regarding current operations and the strategic direction of the ESGR program.
- (3) In consultation with the ESGR ED, provides advice to SC Chairs and ESGR subcommittees.
- (4) Reviews nominations and makes SC Chair assignment recommendations to the ESGR ED.
- (5) Meets with senior officials of the DoD and business community to outline ESGR programs and accomplishments and seek their support and advice.
- (6) Recommends priorities for development and execution of employer support programs and activities.
- (7) Advises the ESGR ED on organizing the SC and directing its activities.
- (8) In consultation with the ESGR ED serves as a primary focal point for interaction with professional and trade associations, business and industry leaders, military leadership, and the International Conference on Employer Support of the RC or Reserve to promote ESGR outreach efforts..
- (9) In consultation with the ESGR ED, communicates regularly with influential business and civic leaders at the national level regarding the important role of the RC and its contribution to the Total Force.
- (10) Provides direct input to the ASD(M&RA), DASD(RI), Director, DoDHRA, and the USD(P&R) relative to ESGR activities.
- (11) Should attend noticed and public meetings of the Reserve Forces Policy Board, established in Sections 175 and 10301 of Title 10, U.S.C.
- (12) In consultation with the ESGR ED, provides senior oversight of the planning, execution, and evaluation of all volunteer training and development.
- (13) Participates in quarterly meetings with HQ ESGR staff and provides advice regarding program and budget assessment, review, and future planning.

3.3. ESGR ED. The ESGR ED will normally be in the grade of O-6 or General Schedule 15 (or equivalent), or higher, assigned to the HQ ESGR. The ESGR ED serves full time to manage and direct ESGR operations and is the principal advisor to the DASD(RI) for all issues pertaining to the employment support of the RC, including USERRA education and employer recognition. The ED:

- a. Implements ESGR policy and provides guidance and oversight concerning the operations of all ESGR programs and functions, including written guidance and direction to SC Chairs.

- b. Identifies, validates, budgets, and accounts for resources necessary to support the ESGR mission and ensure compliance with all applicable regulations, instructions, and guidelines.
- c. Operates a customer service center to assist Service members and employers in resolving conflicts related to USERRA.
- d. Maintains an official representation fund log of approved events and a gift log for audit purposes. Provides internal reporting requirements, as necessary, to the ASD(M&RA), DASD(RI), and the Director, DoDHRA.
- e. Establishes and provides guidance on SC operations to the ESGR SC Chairs.
- f. In consultation with the NC, approves ESGR's 5-year strategic plan.
- g. Appoints the ESGR SC Chairs based on recommendations from the field and NC.
- h. Maintains a recognition program to award the employers of RC members and their spouses for providing outstanding support of RC members' military service and of their spouses.
- i. Maintains records, as required by DoDI 5015.02 and Administrative Instruction 15. If records include personally identifiable information, ensures personnel are trained to comply with DoD 5400.11-R.

3.4. RC SENIOR LEADERSHIP.

RC Senior Leadership:

- a. Provide the HQ ESGR with appropriate military staff to execute the ESGR mission.
- b. Ensure RC unit personnel, including civilian staff, perform training concerning employer relations in accordance with DoDI 1205.12 and USERRA. Make RC members aware of services provided by ESGR.
- c. Communicate to internal and external audiences the importance of positive employer support.
- d. Direct unit commanders to assign a unit leader to serve as the Unit Employer Support Representative (UESR). As part of this collateral duty assignment, the UESR will ensure that USERRA and employer relations training is provided to unit members. The UESR will serve as the primary point of contact with the local ESGR SC Chair.

3.5. COMMANDERS OF RESERVE PERSONNEL CENTERS. The Commanders of Reserve Personnel Centers for each Military Service will communicate the informational items cited in Paragraph 2.4. of this issuance to members of the RC who are not permanently assigned to a unit.

3.6. ESGR CHAIRS. Under the guidance and direction of the ESGR ED, the ESGR SC Chairs:

- a. Oversee SC organization and membership while recruiting a representative volunteer base, assigning SC positions, and monitoring SC member participation.
- b. Assist the ED in informing all volunteers of the requirement to complete and sign the official DD Form 2793, “Volunteer Agreement for Appropriated Fund Activities and Non Appropriated Fund Instrumentalities,” before participating in any ESGR activities.
- c. Develop and establish goals, objectives, priorities, and measurements for the SC that support ESGR’s vision and mission, in accordance with ESGR’s strategic plan. Ensure all volunteers understand ESGR’s purpose and goals, as well as the expectations of the SC leadership.
- d. Execute SC operations in support of HQ and field ESGR mission, goals, objectives, and priorities, as outlined in the ESGR strategic plan located at www.esgr.mil/Volunteers/ResourcesLibrary.
- e. Advance and publicize the mission and purpose of ESGR with employers, RC leadership, and members within their States, territories, or the District of Columbia to promote employer support.
- f. Organize volunteer support to Yellow Ribbon Reintegration Program events to inform RC members and their families of ESGR’s mission and member and employer rights and responsibilities pursuant to USERRA.
- g. Are appointed for a 3-year term and may not serve more than two terms in total, whether or not such terms are consecutive.

SECTION 4: ESGR ORGANIZATIONAL ELEMENTS AND LEADERSHIP POSITIONS

4.1. ESGR. ESGR is organized with an NC, an ED, HQ staff, and SC volunteers residing in each State, territory, or the District of Columbia. Membership requirements, status, and appropriate duties for volunteers are addressed in DoDI 1100.21.

4.2. HQ ESGR. HQ ESGR, led by the ED, is comprised of military personnel and full-time or permanent part-time civilian employees who administer ESGR programs and initiatives. HQ ESGR provides ombudsman services, conducts national employer and RC member outreach initiatives, and provides direction, training, and support to all ESGR SC.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
DASD(RI)	Deputy Assistant Secretary of Defense for Reserve Integration
DoDHRA	Department of Defense Human Resources Activity
DoDI	DoD instruction
ED	executive director
ESGR	Employer Support of the Guard and Reserve
FA	freedom award
HQ	headquarters
NC	national chair
RC	Reserve Component
SC	State committee
SecDef	Secretary of Defense
UESR	Unit Employer Support Representative
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
USERRA	Uniformed Services Employment and Reemployment Rights Act

G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
official representation fund	For the purpose of this issuance, official funding that upholds the standing and prestige of the United States by extending official courtesies to certain officials and dignitaries of the United States and foreign countries. Official representation funds are used for military functions, receptions, lunches, dinners, modest entertainment, and community relations activities.

RC Defined in the DoD Dictionary of Military and Associated Terms.

RC Senior Leadership Chief, National Guard Bureau; Director, Army National Guard; Chief, Air Force Reserve; Chief, Army Reserve; Commander, Marine Forces Reserve; Chief, Navy Reserve; Director, Air National Guard; and Director, Coast Guard Reserve.

REFERENCES

- Administrative Instruction 15, “OSD Records and Information Management Program,” November 27, 2013
- DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
- DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- DoD Directive 5124.10, “Assistant Secretary of Defense for Manpower and Reserve Affairs (ASD(M&RA)),” March 14, 2018
- DoD Instruction 1100.21, “Voluntary Services in the Department of Defense,” March 27, 2019
- DoD Instruction 1205.12, “Civilian Employment and Reemployment Rights for Service Members, Former Service Members, and Applicants of the Uniformed Services,” February 24, 2016, as amended
- DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- Joint Travel Regulations, “Uniformed Service Members and Department of Defense Civilian Employees,” May 1, 2023, as amended
- Office of the Chairman of the Joint Chiefs of Staff, “DoD Dictionary of Military and Associated Terms,” current edition
- United States Code, Title 5, Section 3109
- United States Code, Title 10
- United States Code, Title 38, Chapter 43