

U.S. DEPARTMENT OF LABOR
VETERANS' EMPLOYMENT AND TRAINING SERVICE (VETS)



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State Director

Basis of USERRA (1940)

If it is constitutional to require a man to serve in the Armed Forces, it is not unreasonable to require the employers of such men to rehire them upon the completion of their service, since the lives and property of the employers as well as everyone else in the United States are defended by such service.



USERRA...



Just the basics...

USERRA

- Defines rights and responsibilities of service members & their employers
- Eliminates or reduces disadvantages of part-time military service
- Minimizes disruption to both parties
- Prohibits discrimination

Discrimination Prohibited

- Covers all types of military service
- Covers all employees & employers
- Covers initial employment, retention, reemployment, promotion, and other benefits

Employer must prove action would have been taken regardless of military service



Employee Rights

- Prompt reinstatement - “proper” position
- Accrual of all seniority benefits
- Reinstatement of all non-seniority benefits
 - Health care
 - Pension plans
 - Vacation
- Retrained or provided accommodation if needed



Reemployment Position

- Based on length of time away from the job
- Based on the “escalator principle”

The escalator moves
both ways!



Contact Information

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Who protects the law?

- ✓ Employers
- ✓ DVOPs
- ✓ LVERs
- ✓ ESGR
- ✓ VETS
- and
- ✓ You!



You have a role to play

You can recognize and support those that answered the call to serve

You can be the first line of defense when questions arise

You can create policies that support our military

Remember...

- Know there is a **law** governing employment rights of our service members
- Know the **basic tenets** of USERRA
- Know **who to contact** if you have questions or conflicts

Thank you for supporting those that serve!

