

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, LEGAL ASSISTANCE

Uniform Services Employment and Re-Employment Rights Act

1. Uniformed Services Employment and Reemployment Rights Act (USERRA)
 - a. Prohibits discrimination against Reservists by their civilian employer and requires reemployment after mobilization.
 - b. Provides reemployment and the employer must return the Reservist to a similar position of seniority, pay, and retirement purposes, as well as retraining if necessary.

2. To insure reemployment after a call to Active Duty, Reservists MUST:
 - a. Notify employer of upcoming call to Active Duty (provide a copy of orders along with written notification).
 - b. Receive an Honorable or General discharge (if released from Reserves after Active Duty time).
 - c. Reapply for the job in a “reasonable amount of time”.

3. Timely reapplication for job means:
 - a. If Active for <31 days, you must reapply at the beginning of the first regularly scheduled work period, after taking the time required to return home safely followed by an 8 hour rest period.
 - b. If Active for 31-180 days, you have 14 days to reapply.
 - c. If Active for 181 or more days, you have 90 days to reapply.
 - d. A service related illness or injury extends the reapplication deadline to 2 years during recovery.

4. Support for Reservists dealing with USERRA issues can be obtained by contacting:

The Department of Labor (DOL VETS)

<http://www.dol.gov/vets/>

(804) 786-7270/7269/6599