



VSB MLS SERVICEMEMBER LEGAL READINESS SUPPORT

Uniformed Services Employment and Reemployment



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: the employer must return the Reservist to a position of similar seniority, status, and, pay, as well as retraining if necessary, as the position Reservist would have held had he or she never been gone.

2. To insure reemployment after a call to Active Duty, Reservists **MUST**:
 - a. Notify employer of upcoming call to Active Duty (written or verbal, but best if written)
 - b. Receive an Honorable or General discharge (if released from Reserves after Active Duty time)
 - c. Not be away from employer for military service longer than 5-years cumulative (exceptions apply)
 - d. Request reemployment in the required amount of time based on how long the Reservist is gone.

3. Timely request for reemployment for job means:
 - a. If military service is <31 days, you must return to work 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 service is for 31-180 days, you have 14 days to request reemployment
 - c. If service is for 181 or more days, you have 90 days to request reemployment
 - d. A service-related illness or injury extends the request for reemployment deadline to 2 years during recovery

4. Support for Reservists dealing with USERRA issues can be obtained by contacting:
 - Employer Support of the Guard and Reserve (ESGR): 1 (800) 336-4590
 - The Department of Labor (DOL VETS)
<http://www.dol.gov/vets/>
(804) 786-7270/7269/6599