

What Soldiers Need To Know About USERRA

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It doesn't matter whether you are just enlisted, already in action or waiting for another tour of duty yet it is imperative that you understand and utilize the broad federal protection under [USERRA](#). This law is a federal statute that protects civilian job rights and benefits for veterans and members of the Reserves.

There are many factors about this law that are important; too many for one blog. I will therefore make this a 3 part series on what I consider a very important statute.

A. Notice To Employers

#160; The first factor you should understand is the obligation you have under the law to provide advance written or verbal notice to your employers for all military duty. Fortunately, there are exceptions. You will still have protection if giving notice to your employer is 1) impossible, 2) unreasonable, or 3) precluded by military necessity. For example, being deployed to Iraq or any other war zone would satisfy these exceptions. However, if an exception doesn't apply, you should provide notice as far in advance as is reasonable under your individual circumstances. Additionally, you are allowed to use accrued vacation or annual leave while performing your duty but you are not required to.

B. Important Time Considerations

Under USERRA, there are also strict time lines you must adhere to when applying for reemployment or reporting back to your job. The period you have to apply for reemployment or report back to work after service is based on the time you spent on duty. You should commit these to memory so you can take advantage of your statutory rights.

- Service of less than 31 days: You must return at the beginning of the next regularly scheduled work period on the first full day after release from service. You may also take into consideration safe travel back home and an 8 hour night of sleep.
- Service of more than 30 days but less than 181 days: You must submit an application for reemployment within 14 days of release from service.
- Service of more than 180 days: Your application for reemployment must be submitted within 90 days of release from service.

I hope this was helpful in getting you interested in finding out more about your rights and protections under USERRA.

Stay tuned for Part II of our 3 part series. You can find out more information about your rights by visiting the [Veterans' Employment and Training Service\(VETS\)](#) website.