



When Military Duty Calls



Steady, solid, and strong
Optimistic, outstanding, and organized
Loyal, logical, and level-headed
Diligent, decisive, and disciplined
Intelligent, idealistic and, when necessary, immovable
Earnest, effective, and efficient
Rational, resourceful, and resolute

Yes, a soldier is many things, but above all these admirable qualities, a soldier is a hero. Thank you for your service!

With the recent deployments of our friends, and loved ones, sent so far from home, there may be questions from your employees about themselves, or their family members, who are being deployed. There are rights soldiers have *earned* in terms of their employment upon their return. Knowledge of the law contributes to a calm environment. Below are some of the Federal rules to assist you as the Manager or Owner.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that applies to all employers in all states. USERRA covers employees who serve in the U.S. uniformed services, including the Army, Navy, Marine Corps, Air Force, Coast Guard, Reserves, National Guard, the Commission Corps of the Public Health Service. Employees who are called to active duty or training are protected whether the service is voluntary or involuntary.

USERRA prohibits employers from discriminating against current military employees, veterans, or those applying for membership in the uniformed services.

USERRA grants the following rights to eligible employees:

- the right to unpaid time off for military service, training, or other activities
- the right to be reinstated to the employee's job with the same benefits and seniority
- the right not to be fired for a certain period of time without good cause, and
- the right to be free from discrimination or retaliation.

Right to Reinstatement: Employees who serve in the uniformed services may take up to five years of unpaid leave and receive reinstatement if the following requirements are met:

- the employee worked for you at the time he or she volunteered for service or was called to active duty
- the employee gave you advance notice that he or she would be leaving for military service
- the employee was gone for military service for five years or less
- the employee applied for reinstatement in a timely manner.

Right to Job Security

Military employees who are reinstated are entitled to temporary job protection as well. Employers may not fire these employees for certain periods of time without cause, depending on how long their military service was. Cause generally means a legitimate, business-related reason for the firing.

Prohibition Against Discrimination & Retaliation: USERRA prohibits employers from discriminating against current military employees, veterans, or those applying for membership in the uniformed services. This applies to all aspects of employment, including, hiring, promotions, benefits, work duties, firing, and more.

For more information, call the Pinnacle HR Department at (210) 344-2088.