

Benefit Brief



SUBJECT: USERRA Notification Requirements

DATE: January 18, 2006

This Benefit Brief describes the AMENDED final notice requirements issued by the Department of Labor under the Uniformed Services Employment and Reemployment Rights Act. The rule became effective on January 18, 2006 and the new notice should be posted immediately.

The Department of Labor (DOL) has issued its final regulations requiring employers to provide their employees with notice regarding their rights, benefits and obligations under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). The notice that you were required to post as of last March under the interim final rules has now been modified to:

- Add language that USERRA protects certain types of service in the National Disaster Medical System; and
- Reflect that the Office of Special Counsel will handle some USERRA claims against federal executive agencies.

Employers should post this new Poster to be in technical compliance with the final regulations. The Poster can be downloaded at <http://www.dol.gov/elaws/userra.htm>.

USERRA provides employment and reemployment rights to members of the uniformed services, including veterans and members of the Reserve and National Guard. Under USERRA, service members who leave their civilian job for military service have the right to return to their jobs with the same pay, benefits and salary they would be entitled to had they not been on military leave. The Act also prohibits employers from discriminating against employees on the basis of military service.

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