Talking to Your Employer About Deployment (Slide 1)

- The Uniformed Services Employment and Reemployment Rights Act (USERRA), protects your civilian job rights

Objectives (Slide 2)

- Discuss employer and Service member responsibilities under USERRA
- Create a plan to talk to your employer about deployment

Uniformed Services Employment and Reemployment Rights Act (USSERA) (Slide 3)

- USERRA is a federal law intended to do three things
  - Ensure that persons who serve or have served in the Uniformed Services are not disadvantaged in their civilian careers because of their service
  - Ensure they are promptly reemployed in their civilian jobs upon their return from duty
  - Ensure they are not discriminated against in employment based on past, present, or future military service
- ESGR and USERRA can assist
  - ESGR website and phone number
  - USERRA website

Service Member Responsibilities (Slide 4)

- You must do five things in order to be protected under USERRA
  - Provide notice of your upcoming absence to your employer
  - Leave your place of employment to perform military service
  - Serve under honorable conditions
  - Unless exempted, cumulative period(s) of service may not exceed 5 years
  - Report back to work in a timely manner
- For a smooth transition, you can discuss or take action with your employer prior to deployment
- Maintain an open dialogue so that you and your employer have reasonable expectations before, during, and after deployment
- Be proactive about minimizing miscommunication issues by ensuring that you and your employer understand your mutual rights and responsibilities

Employer Responsibilities (Slide 5)

- Under USERRA, several things are required of your employer
  - Has the responsibility to restore you to the job and benefits or, in some cases, provide you with a comparable job
  - May not deny you initial employment, reemployment, retention in employment, promotion, or any benefit of employment because of your status

- May not retaliate against anyone assisting in the enforcement of USERRA rights
- Reinstate you in your health plan when you return to work
- May not terminate your civilian employment

- **Exercise 1**: Talking with Your Employer: Pre-deployment
- **Handout 1**: Talking with Your Employer About Deployment Checklist *pre-deployment section*

Build the Relationship (Slide 6)

- Provide your employer with as much notice as possible about your time away
  - Allows employer to plan for your absence and make necessary preparations
  - Your employer will be more supportive when they see you are doing your best to be informative
  - Keep your employer written notification of relevant dates
  - Remind your employer as you are closer to leaving
  - Inform employer of any changes to relevant dates and provide written notification
- Keep your employers up to date with your military achievements as they may be interested
- Let your employer know how your training (job specific or military) applies to your civilian job
- Involvement increases an employer's understanding of the Reserve Component
- Many employers want to support their Reservists but may not know how
- **Handout 2**: Tips to Share with Your Employer
- Individuals and employers may have different comfort levels with regard to receiving and providing support

Once You Return (Slide 7)

- Eligibility for reinstatement depends on two things
  - Report to work following your service in a timely fashion
    - 1-30 days of service report to work the next scheduled workday
    - 31-180 days of service report within 14 days
    - 181+ days of service report within 90 days
  - Provide your supervisor or HR representative with a copy of your discharge/separation orders
    - If gone more than 30 days and employer requests proof, you must provide it
- **Exercise 2**: Talking with Your Employer: Post-deployment
- **Handout 1**: Talking with Your Employer About Deployment Checklist *post-deployment section*

Talking with Your Employer: Practice Exercise (Slide 8)

- ☐ **Exercise 3**: Talking with Your Employer: Practice Exercise
- ☐ **Handout 1**: Talking with Your Employer About Deployment Checklist *use as a reference*
- ☐ **Handout 2**: Tips to Share with Your Employer *use as a reference*

Review of Objectives (Slide 9)

- ☐ What are your responsibilities under USERRA?
- ☐ What are some employer responsibilities?