

What is “USERRA”?

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA, or the Act), signed into law on October 13, 1994, clarifies and strengthens the Veterans’ Reemployment Rights (VRR) Statute. USERRA is intended to minimize the disadvantages to an individual that can occur when that person needs to be absent from his or her civilian employment in order to serve in the uniformed services.

USERRA makes major improvements in protecting service member rights and benefits by clarifying the law and improving enforcement mechanisms. It also provides employees with Department of Labor assistance in processing claims. USERRA expands the cumulative length of time that an individual may be absent from work for uniformed services duty and retain reemployment rights.

What is VETS’ role in USERRA?

USERRA is administered by the U.S. Department of Labor, Veterans’ Employment and Training Service (VETS). VETS provides assistance to persons experiencing problems with their civilian employment related to military service or status and provides information about USERRA to employers.



Who is eligible for USERRA?

USERRA potentially covers every individual in the country who serves in or has served in the uniformed services and applies to all employers in the public and private sectors including Federal employers. The law seeks to ensure that those who serve their country can retain their civilian employment and benefits, and can seek employment free from discrimination because of their service. USERRA provides enhanced protection for disabled veterans, requiring employers to make reasonable efforts to accommodate the disability.

What is the USERRA Advisor?

The USERRA Advisor is an on-line, interactive resource that provides information about the Act. Developed by VETS, the Advisor has been designed to answer some of the most common questions about the law. The Advisor helps veterans to understand employee eligibility and job entitlements, employer obligations, benefits and remedies under the Act. The USERRA Advisor takes the user through a series of questions to assist in understanding how the Act might apply to the user’s situation, and to provide detailed information that may be useful, such as links to regulatory text, publications and organizations. The USERRA Advisor may be accessed through the DOL website at www.dol.gov/elaws/vets/userra.



VETS’ Assistance Under USERRA

USERRA provides that the Secretary of Labor, through VETS, will open cases on behalf of persons filing complaints against private employers, State or local governments or Federal agencies. Cases can involve a variety of issues such as refusal to reinstate employees following a period of military service, employment discrimination based on military service or obligations, layoffs because of military service, and refusal to hire or discharge of persons because of military service. VETS’ mediation services can assist in resolving claims and recovering lost wages and benefits.

How to Obtain Assistance with USERRA Through VETS

Persons who believe they have a claim under USERRA can use VETS’ “USERRA Advisor” available on-line. Through this interactive questionnaire, users can make an initial determination regarding eligibility for a claim under USERRA and can gather more information about the Act. USERRA claim forms can be obtained through the VETS website. Claimants are encouraged to contact the nearest VETS office for additional assistance in completing the form and for more detailed instructions.



For More Information

For more information regarding USERRA and VETS' other programs and services, visit our website at: www.dol.gov/vets

Veterans' Employment and Training Service

U.S. Department of Labor
200 Constitution Avenue, NW, Room S-1325
Washington, DC 20210



The mission of the Veterans' Employment and Training Service (VETS) is to provide veterans and transitioning service members with the resources and services to succeed in the 21st century workforce by maximizing their employment opportunities, protecting their employment rights, and by meeting labor-market demands with qualified veterans.

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