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**Department of Labor continues service to veterans though USERRA**

**PIERRE, S.D.** – The South Dakota Department of Labor, through the Veterans' Employment and Training Service (US DOL/VETS), provides assistance to all persons having claims under the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA).

The United States Department of Labor amended regulations to explain and clarify information in USERRA last winter, the first time since 1994. The department's action is part of a series of proactive steps taken to ensure job security for service members including the National Guard and Reserve. USERRA prohibits discrimination against past and present members of the uniformed services and establishes re-employment rights for service members who want to return to the jobs they held prior to service.

A person who leaves a civilian job for the purpose of determining fitness for or performing service in the uniformed services, voluntarily or involuntarily, is entitled to return to his or her job if the eligibility criteria of USERRA are met:

- Give advance written or verbal notice of the service to the person's employer (exceptions exist).
- Not exceed a cumulative length of uniformed service of five years with any one employer (exceptions exist).
- Report to work or submit an application for re-employment to such employer within the required time frame.
- Be released from the military under conditions other than those listed in USERRA as disqualifying (applies to all types of service).

Veterans' representatives are available at any local South Dakota Career Center (SDCC) to provide referral assistance on USERRA. In addition to providing assistance, representatives can provide an orientation to SDCC services, employment search information, eligibility determination for special programs and services to employ and train veterans, and assistance with cross-matching of military skills to civilian employment. To view an office directory, visit [www.sdjobs.org](http://www.sdjobs.org).

The USERRA is a federally required posting for all businesses. Other federal posting requirements include Employee Polygraph Protection Act of 1988, Fair Labor Standards Act (minimum wage), Equal Employment Opportunity is the Law, Job Safety and Health Protection (OSHA), and Family and Medical Leave Act (FMLA). Labor law compliance posters, which include all posting requirements, are available at no charge from any local SDCC.

To learn more about USERRA, visit  
<http://www.dol.gov/vets/programs/userra/main.htm>