

Letter to the Editor: Incorrect

I recently read an article incorrectly titled “Employers Could Be Indicted for Servicemen Discrimination.” An employer will never be indicted for violating the Uniformed Services Employment and Reemployment Rights Act, or USERRA. In order to be indicted, a formal accusation of having committed a criminal offense must be made and discrimination is not considered a crime.

With that being said, the law protects the future of our armed service members. USERRA requires service members who leave their jobs to serve in the United States military be reemployed by their civilian employers in the same position that they would have held had they not left. Our country’s men and women serving in the fight against terrorism do not deserve to be discriminated against by their employers, regardless of how long they have been deployed. Their job should be waiting for them when they return home.

As a current major in the National Guard and a victim of discrimination under USERRA myself, I feel obligated to make sure soldiers who are protecting our country do not come home from a military leave of absence to find they have no job or security network for their family. When I returned home from a deployment to Korea, my civilian employer made me low man on the totem pole. After fighting hard for my own rights, I went to law school so I could help other members of the armed forces in their discrimination case.

Since, my law firm, Tully Rinckey PLLC, has made a name for itself representing reservists and veterans who have had their employment rights taken away from them. Our success had led to many wins, including compensation for the servicemen protected under USERRA.

It’s especially important to me that rules and regulations under USERRA are interpreted correctly, whether it be in a newspaper article or in front of the federal circuit. This law is crucial to those who it applies to. Our fighting men and women deserve every right afforded to them by law.