



The Officer

READER FEEDBACK

Thanks for Help Improving Employment, Voting Rights

Editor's Note: This letter was addressed to CAPT Samuel F. Wright, JAGC, USN (Ret.), THE OFFICER'S Law Review Editor.

I am the spouse of a Navy Reservist and an attorney by profession. I am writing to thank you for your work on the Uniformed Services Employment and Reemployment Rights Act (USERRA). While it still has a way to go in acceptance enforcement, it is very important legislation.

USERRA helped my husband keep his job after deployment, although the school district for which he works managed to make it expensive and difficult (we had to hire an attorney), and managed to change his job and eliminate part of it.

Changing job functions to the point you are demoted, splitting jobs into several contracts with short terms so they don't have to be renewed to a servicemember: these are still among the many legal ways to avoid the full intent of USERRA. It should be a presumptive violation if the employer's actions over a period of years *prior* to the deployment were implemented to eliminate the servicemember's job in the future when and if he or she is deployed, unless the employer could prove otherwise. I would like to see each returning servicemember surveyed by the Department of Defense on USERRA violations, demotions, job function eliminations, benefit changes, or difficulty returning to work. This information would soon provide a databank to support good enforcement of USERRA.

I am also deeply concerned about the problems with military voting over the course of many elections. When my husband was deployed to the Middle East last year, there was a state election. Because Active Duty personnel are busy and tired – and sometimes email is not available to them – family members can play an important role here by finding a way to get the ballot printed.

Military units themselves should require servicemembers to consider voter registration in advance. They made my husband prove he was ready for deployment, with vaccinations, good dental work, and paperwork that left our family's personal business in good order. Being ready should also include "being ready to exercise your civic duty by voting on time." Spouses should be left not only with a will and power of attorney but with instructions on how to get a ballot to their spouse on time. The best way to do this is to put that information on a pre-deployment checklist.

Again, thank you for your work with USERRA and absentee voting on behalf of servicemembers.

Nancy Strantz
B.A., LL.B., J.D.
Vancouver, Washington