

## **A Man Fighting to Protect the Jobs of the Men and the Women Fighting to Protect Us**

SANCHEZ:

This is one of those stories that bridges the gap. I don't care if you're a lefty or you're a righty or you're an in-between (ph). Honor is keeping a promise, so if a National Guardsman works for you and he's called to serve our country, you shouldn't fire him, you shouldn't demote him. It's wrong. By the way, it is illegal. My next guest is fighting for them. Mathew Tully had this happen to him, so he filed a suit, he won the suit and used that money to go to law school and guess what he did with it? Now, as a lawyer, he's fighting for other vets who are lied to. We couldn't get him live so we asked him to stop by recently, here's our talk.

MATHEW TULLY, ATTORNEY & IRAQ VETERAN:

I got hired by the bureau of prisons in 1995 and shortly after I was hired, I was deployed to Korea and to Fort Sill for three years. When I returned back to my job at the Bureau of Prisons, I found out that I was the low man on the seniority totem pole and placed on initial employee probation and subjected to the worst assignments on the institution.

SANCHEZ:

Why didn't you go to your supervisors and say, look, I did what I did not by choice, I'm serving my country and I was asked to go and I did so honorably, if anything, you should treating me as a hero not demoting me or making me do things that I don't want to do -- or did you say that?

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ULLY:

Oh, I absolutely did say that. I brought it all the way up to the warden and the warden told I needed to pick my career, so either I was going to be a federal law enforcement officer or I was going to have a career in the military, and I couldn't have both, and I them that I felt that I could have both.

SANCHEZ:

Well but wait a minute, what your warden told you, by those words, smacks right against the laws of this country, which says that if you're a National Guardsman, they have to either preserve or somehow enhance your position for a period of up to five years, right?

TULLY:

That is absolutely true. There's an escalator clause and when you go away to serve in the military, you're supposed to return to the job that you would have received if you'd been continuously employed, so what he said was a complete violation of the law. SANCHEZ: So what you were able to do for yourself, you've now, as a lawyer with a law degree, been able

to do for others, right?

TULLY:

Absolutely. In my opinion 99.9 percent of these USERRA violations are because of ignorance of the law. People don't realize what USERRA stands for and that they can't discriminate against people who went away to sever our country in time of war. Most of the times these are not cases of employers saying you're a baby killer, you're fired, most of the time it's the employer not knowing, you know, the actual finute (sic) details of USERRA.

SANCHEZ:

We're hearing cases like this all of the time, but I know, obviously you're privy to many more, and as we continue this -- because you know, we think it is generally outrageous that something like this would be going on in this country while we're asking so many of our men and women to serve. I am wondering if there are cases out there that are particularly interesting that you can share with us?

TULLY:

One case that really sticks in my craw is that of a sergeant-major -- a Special Forces sergeant-major by the name of Rick Eriksson (ph), who left his job with the Postal Service and went to Afghanistan and brought the fight to the enemy and he's won the Purple Heart, the Bronze Star, the Silver Star. There's actually photos of him strapped to the side of a an assault helicopter as he's bringing the fight to the Taliban and, he was fired by the Post Office because he exceeded five years of military service. And this poor guy went overseas and he comes back and he's unemployed and he is the single father of three young children...

SANCHEZ:

We're going to reach out to Rich (ph) Eriksson, we're also going to talk to the post office, look into it and continue on the story. And thanks so much for sharing this insight with us.

TULLY:

It's my pleasure.