



***Employees on Military Leave: Running Your
Business While Respecting Their Rights
Final USERRA Regulations Effective January 18, 2006***

**Wednesday, February 1, 2006
8:30 a.m. - 10:15 a.m.**

**The Cornell Club
6 East 44th Street
New York, NY 10017**

Presented by:

***Richard G. Schwartz, Esq., Employee Benefits
Dean L. Silverberg, Esq., Labor and Employment***

Every employer wants to honor the rights of their “citizen soldier” employees who are called up for military service. But faced with broad legal mandates, as well as uncertainty over the future military obligations of many serving and returning employees, doing “the right thing” can often present a daunting challenge. To borrow from military jargon, consider these facts on the ground:

- *Since the 9/11 attacks, more than 525,000 members of the National Guard and reserve units have been mobilized for military action in Iraq and Afghanistan, and more than 390,000 have been released from active duty.*
- *Complicating matters, many employees are serving longer than was initially expected, as military commitments are extended. Moreover, some employees who return to work face the possibility of being reactivated.*
- *Except for fiscal year 2005, when the number of complaints dipped, claims that employers violated USERRA (the Uniformed Services Employment and Reemployment Rights Act) rose by double-digit percentages every year since 2001, and employees can now lodge a USERRA complaint online.*
- *Add to the mix the extension of employee protections in 2005, following passage of the Veterans Benefits Improvement Act of 2004, as well as new Regulations—effective in January 2006, “interpreting,” but not necessarily resolving, various USERRA mandates.*
- *And, as if USERRA did not cause enough confusion and concern to employers, many states have their own laws giving employees on military leave broader rights than they have under the federal statute and its implementing Regulations.*

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Faced with these realities, many employers are having a difficult time juggling their legal obligations to employees before, during and after their return from military leave with the demands of their businesses.

Employers will need a compliance program that is both legally sound and business-sensitive. In this briefing, EBG attorneys will:

- *De-mystify USERRA and clearly outline the rights and obligations of both employers and employees on military leave.*
- *Determine whether a returning service member is entitled to be reemployed, and if so, to what position.*
- *Explain the obligations to and the special rules regarding employees who have been disabled while on military leave.*
- *Untangle USERRA's knotty health and pension provisions, and provide specific guidelines detailing the statute's notice and contribution requirements.*
- *Explain how recent changes in USERRA, including the new Regulations, may require revision of your current compliance program.*
- *Compare USERRA's mandates with potentially greater responsibility under the state laws of the jurisdiction where this seminar is offered, and provide concrete guidance for reconciling your obligations under multiple laws, such as the FMLA and the ADA.*
- *Explore practical strategies for meeting your business needs consistent with your legal obligations.*
- *Show you how to anticipate and prevent, as well as respond to, complaints of USERRA violations.*

A question and answer session will follow the briefing.

EPSTEIN BECKER & GREEN, P.C.

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Jamie Millward
Epstein Becker & Green, P.C.
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