

American Federation of Labor and Congress of Industrial Organizations



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Called-Up Reservists & Families Can Learn Rights Online Concerning Job and Benefits

AFL-CIO Launches www.aflcio.org/reserverights to Keep Reservists Informed

WASHINGTON, March 24 - - As more than 175,000 reservists have been called up to help with the U.S. war with Iraq and homeland security, the AFL-CIO has launched a new website area (www.aflcio.org/reserverights) with resources for reservists and their families about reservists' rights on the job during their leave. Nearly half of U.S. military members are reservists, according to the Defense Department.

The website area points out that the federal Uniformed Services Employment and Re-employment Rights Act (USERRA) establishes the rights of reservists and the National Guard to return to work at the end of their services. The Act applies to all employers, regardless of their size.

While on active duty, employees must receive all benefits available to other employees on a leave of absence. Permanent employees must be reinstated, and are entitled to the same status, pay and benefits as when they left. Employers must provide full health care coverage for reservists on active duty for 30 days or less. Reservists must be allowed to continue to accrue time toward their pensions.

The law does not require employers to pay workers on active duty, but many employers do pay the difference between a worker's regular salary and his or her military pay. Many union contracts require this kind of make-up pay. The federal government, however, does not make up the difference in pay, though several Democrats in Congress have introduced the Reservists Pay Security Act of 2003 which would require the government to do so.

The website area includes a 19-page fact sheet on the law, information on benefits for reservists, links to details on the USERRA Act, and answers to frequently asked questions about the rights of employees on active duty.

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