

## TROOPERS LOOKING FOR JOBS FALL FOUL OF THE FEDERAL GOVERNMENT



While the federal government remains the largest employer of citizen soldiers, veterans returning from overseas postings are finding it difficult to keep jobs due to red tape and archaic rules. While federal law requires that employers cannot penalize service members due to their military service, the federal government seems nonchalant in acting against service members who are unable to get released from active duty within stipulated time, and has withdrawn job offers from them. It's a funny merry-go-round of bureaucracy and red tape. Solely, in 2011 financial year, close to one fifth of all complaints against violation of the law protecting rights of service members have been against the federal government. Those fighting for the rights of veterans say that the system of challenging infringement of the Uniformed Services Employment and Reemployment Rights Act, 1994, is basically onerous and without any single agency in charge of regulating affairs protected by the law. Active duty troops returning from overseas stations are regularly complaining of a situation where on the one hand they are unable to receive release papers quickly, and on the other hand the federal government is either withdrawing job offers or firing war-returned veterans for lack of eligibility, in as much as, they have been unable to prove release from active duty within stipulated time. Legitimately, many of these service members are literally stumped with the government apathy and attitude. Samuel Wright, director of the Service Members Law Center at the Reserve Officers told the News Tribune that some federal employers have illegally forced reservists to leave military service as a pre-condition of recruitment. It seems the discrimination against returning members of the military is uniform in nature and applied to service members of all ranks. As reported by the News Tribune, Brig. Gen. Silva, a 1978 West Point graduate was sent to Qatar and Afghanistan from a civilian career in finance, and was put to command the 411<sup>th</sup> Engineer Brigade, an Army Reserve unit. Before the return of the brigade in 2007, he wrote a mail to each employer for the 4000 soldiers under him bringing the USERRA law to their notice. The government did not like it. While talks were on for Silva to rejoin his job of a contract employee at a Customs and Border Patrol facility, a Customs officer warned the contractor SPS Consulting, that the government wanted to keep the job of Silva's replacement and emailed the company that Customs "would cancel the contract" if it took back Silva in his old job. After Silva filed USERRA complaints against Customs and SPS, the Justice Department declined his pleas. However, the U.S. Office of Special Counsel won a decision holding the Customs responsible.

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