

Employee Military Deployment: What Are the Employee's Obligations?

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As we mentioned yesterday, growing numbers of our country's workforce are being called to active military duty. Therefore, it is important for employers to be familiar with the employment laws governing **employee military deployment**. Today's post will specifically address the obligations of military employees.

Notice of Deployment

The Uniformed Services Employment and Re-Employment Rights Act of 1994 requires that service members provide advance written or verbal notice to their employers for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity. An employee should provide notice as far in advance as is reasonable under the circumstances. Additionally, service members are able (but are not required) to use accrued vacation or annual leave while performing military duty.

Reporting to Work After Deployment

The period an individual has to make application for reemployment or report back to work after military service is based on time spent on military duty. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period.

For service of more than 30 days but less than 181 days, the service member must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

As demonstrated above, the laws regarding **military leaves** are specific and can get complex. Therefore, it is often advisable to consult with an experienced employment attorney.

About Beth Lincow Cole

The Law Office of Beth Lincow Cole is committed to helping employers comply with federal and state employment law and avoid potential business-wrecking lawsuits.

If your company needs employee or management training or assistance in drafting, reviewing, or revising its EEOC/discrimination policies, [contact](#) employment law attorney [Beth Lincow Cole](#).