

## Uniformed Services Employment and Reemployment Rights Act (USERRA) FAQs

Q1. What is USERRA?

A1. The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of service members who are called to active duty. It prohibits discrimination in employment, retention, promotion, or any benefit of employment based on uniformed service.

Q2. Where can I find the MOU that was signed recently by IRS and NTEU on this subject?

A2. You can find a link to the MOU on the [ERC](#) website.

Q3. Who is eligible for restored annual leave or payment under USERRA?

A3. Current employees who were simultaneously employed with IRS and served in the military reserves between October 10, 1980 and December 21, 2000, and were improperly charged military leave for intervening weekends or non-workdays (such as a holiday).

Q4. How do I file a claim?

A4. You must complete the "Claim for Credit of Annual Leave or Reimbursement" available through the [ERC](#).

Q5. Where do I file my claim?

A5. With the Agency-Wide Shared Services (AWSS), location on the claim form.

Q6. What is considered acceptable supporting documentation?

A6. Acceptable documentation includes the following:

- Military orders for a period of continuous active duty that includes an intervening weekend or non-workday.
- Proof of attendance for each period of active duty listed above.
- Applicable work schedule (if not in a standard Monday through Friday work schedule) for the period(s) of active duty, showing non-work days.
- Time and attendance (T&A) record(s) or other leave record(s) showing charges to annual leave, leave without pay (LWOP), or other leave.
- Any other relevant documentation such as leave slips, payroll records, and/or leave requests that indicates charges to military leave which may include a weekend or other non-workday.
- Military records and affidavits submitted by the employee and/or supervisor.

Q7. How long will it take to receive my restored leave or payment?

A7. Generally you will see the restored leave or payment within 90 days.

If you have additional questions submit a help ticket through [OS GetServices](#) on the ERC or call 866-743-5748, (hearing impaired number 1-866-924-5348) or by fax FTS 901-546-4597.