

UPDATE TO LAW REVIEW 15041

(August 2015)

The Public Health Service (PHS) officer at issue in this article filed a formal written complaint with the Veterans' Employment and Training Service of the United States Department of Labor (DOL-VETS). In her complaint, she asserted that the practice of the Bureau of Prisons (BOP) at least at this particular prison violated the Uniformed Services Employment and Reemployment Rights Act (USERRA).

This USERRA complaint was assigned to Mr. Daniel A. Friedman, a DOL-VETS Assistant Director for Veterans' Employment and Training. Mr. Friedman completed his investigation expeditiously and agreed with the claim that giving rookie BOP civilian health care providers priority over veteran PHS health care providers, in the selection of work schedules and days off, violated USERRA. Mr. Friedman communicated that conclusion to the warden of the prison, and the unlawful policy has been changed to bring it into compliance with USERRA. This DOL-VETS case has been resolved successfully and closed.

ROA congratulates Mr. Friedman and DOL-VETS for their timely and effective action on behalf of this ROA member.