

LAW REVIEW¹ 13050
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New Law in Maryland Helps with Employment Problems

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Maryland Governor Martin O’Malley has just signed into law a bill that helps veterans (including Reserve Component members) and military spouses to find and hold civilian jobs, in three ways:

1. Enables veterans who apply for occupational and professional licenses in Maryland to get credit for their military education, training, and experience.
2. Requires Maryland’s public colleges and universities to develop policies that award academic credit for relevant military training and education.
3. Creates an expedited licensing procedure for recently separated veterans and for military spouses who hold professional licenses in other states.

¹I invite the reader’s attention to <https://www.roa.org/page/LawCenter>. You will find more than 2000 “Law Review” articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouse Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997.

²BA 1973 Northwestern University, JD (law degree) 1976 University of Houston, LLM (advanced law degree) 1980 Georgetown University. I served in the Navy and Navy Reserve as a Judge Advocate General’s Corps officer and retired in 2007. I am a life member of ROA. For 43 years, I have worked with volunteers around the country to reform absentee voting laws and procedures to facilitate the enfranchisement of the brave young men and women who serve our country in uniform. I have also dealt with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Veterans’ Reemployment Rights Act (VRRA—the 1940 version of the federal reemployment statute) for 36 years. I developed the interest and expertise in this law during the decade (1982-92) that I worked for the United States Department of Labor (DOL) as an attorney. Together with one other DOL attorney (Susan M. Webman), I largely drafted the proposed VRRA rewrite that President George H.W. Bush presented to Congress, as his proposal, in February 1991. On 10/13/1994, President Bill Clinton signed into law USERRA, Public Law 103-353, 108 Stat. 3162. The version of USERRA that President Clinton signed in 1994 was 85% the same as the Webman-Wright draft. USERRA is codified in title 38 of the United States Code at sections 4301 through 4335 (38 U.S.C. 4301-35). I have also dealt with the VRRA and USERRA as a judge advocate in the Navy and Navy Reserve, as an attorney for the Department of Defense (DOD) organization called Employer Support of the Guard and Reserve (ESGR), as an attorney for the United States Office of Special Counsel (OSC), as an attorney in private practice, and as the Director of the Service Members Law Center (SMLC), as a full-time employee of ROA, for six years (2009-15). Please see Law Review 15052 (June 2015), concerning the accomplishments of the SMLC. My paid employment with ROA ended 5/31/2015, but I have continued the work of the SMLC as a volunteer. You can reach me by e-mail at SWright@roa.org.

These new requirements will be enormously helpful to recently separated veterans and also military spouses in getting and holding appropriate civilian jobs. Congratulations to Maryland Lieutenant Governor Anthony Brown for his leadership in getting this excellent legislation enacted. He understands these issues because he is a Colonel in the Army Reserve. Unfortunately, he is not a member of ROA, but we are working on that.

ROA departments—please work on state issues.

Here at ROA headquarters, we have our hands full with the United States Congress and Executive Branch. We do not have the staff or resources to monitor (much less to affect) what is going on in 50 state capitals. Most of the laws that directly affect the uniformed services are federal laws, but there are certainly important issues addressed in the state legislatures that affect the rights and interests of those who serve our country in uniform. I invite the reader's attention to Law Review 16 (September 2000), titled "Department Involvement in State Issues."

We need ROA's state departments and local chapters to contact state legislators and urge them to keep in mind the interests of those who serve our country in uniform, whether Active, National Guard, or Reserve. If you have time to get involved in this effort, please call me at 800-809-9448, extension 730, or e-mail me at SWright@roa.org.

It has now been 40 years since Congress abolished the draft in 1973. With each passing year, a greater and greater percentage of state legislators (as well as members of the United States Senate and House of Representatives) have never served in the uniformed services. We need to educate these folks about the issues that affect those who serve in uniform.