

IDENTITY THEFT (PART 1) - DO NOT BECOME A VICTIM

Identity theft occurs when someone uses your name, Social Security Number (SSN), credit card number, or some other identifying information, without your knowledge, to commit fraud or theft. It would take you considerable time and effort to clear up your credit and other personal records once you become a victim of identity theft. An important fact to remember is that having bad credit can have an adverse effect on your ability to obtain a security clearance and civilian employment; as well as obtaining credit for major purchases such as a home or a vehicle.

A few basic prevention measures that you should take to guard against becoming a victim are as follows:

1. Before revealing personal identifying information, find out how it will be used and if it will be shared with others. Ask if you have the option of keeping the information confidential.
2. Pay attention to your billing cycle and follow up with creditors if bills do not arrive on time.
3. Give your SSN **only** when absolutely necessary. For example, why does your doctor's office need your SSN? You are not reporting income from them and they will still render medical assistance; especially if it is an emergency.
4. Minimize the identification information and



THE LAUGHABLE ESQUIRE

After his motion to suppress evidence was denied

by the court the angered attorney spoke up, "Your Honor," he said, "what would you do if I called you a stupid, degenerate, old fool?" The Judge, now also angered, responded, "I would hold you in contempt of court and seek to have you suspended from practicing before this court again!" "What if I only thought it?" asked the attorney. "In that case, there is nothing I can do, you have the right to think whatever you want." "Oh, I see. Then, if it pleases the court, let the record reflect that I 'think' you're a stupid, degenerate, old fool!"

the number of credit cards you carry, versus what you actually need. If your identification card(s) or credit card(s) are lost or stolen, it can limit the amount of identification theft damage that can be committed. If your credit cards are stolen, notify your creditors immediately.

5. Order a copy of your credit report from the three reporting agencies every year or at least every other year. Review your report to insure that it is accurate and includes only activities that you have authorized.

6. Keep items with personal information in a safe place. Make sure documents that you no longer need, such as charge receipts, copies of credit applications, insurance forms, bank checks and statements, expired charged cards, and credit offers received in the mail are disposed of properly. An appropriate way of disposing of such documents is by shredding them.

If your identity is stolen, take the following action: First, contact the fraud departments of each of the three major credit bureaus. Ask them to flag your file with a **Fraud Alert/Victim Impact**, which is a statement that creditors should call you for permission before they open any new accounts in your name. Second, contact the creditors for any accounts that have been tampered with or opened fraudulently. Speak to someone in the security or fraud department, and follow up with a letter. Third, file a police report and keep a copy of the report in case your creditors need proof of the crime.

The websites and phone numbers to report fraud for the three major credit bureaus are:

Equifax - www.equifax.com; (888) 766-0008

Experian - www.experian.com; (888) 397-3742

Trans Union - www.tuc.com; (800) 680-7289

Remember - **Prevention is better than cure!**



THE LEGAL GUARDIAN

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KNOWING YOUR REEMPLOYMENT RIGHTS - PART 1

The Uniformed Services Employment and Reemployment Rights Act (USERRA), found at 38 USC Sections 4310, *et seq.*, provides for **restoration of your job** upon release from voluntary or involuntary active duty. These reemployment rights extend to persons who have been absent from a position of employment because of "service in the uniformed services." Service in the uniformed services means the performance of duty on a voluntary or involuntary basis in a uniformed service, (the regular forces, the Reserves and the Army National Guard or the Air National Guard), including active duty (AD), active duty for training (ADT), initial active duty for training, inactive duty training (IDT), full-time National Guard duty, and funeral honors.

In order to obtain USERRA protection, five prerequisites have to met. First, **you must have held a job**. USERRA applies to the federal government, state governments, and all private employers and there are no exemptions for small size, etc. Second, **you must have given prior notice of military service**. While there is no requirement that notice be written; written notice, will minimize proof problems and should be given ASAP. You or a responsible officer from your unit may provide notice.

The only exception to the notice requirement is "military necessity" (*e.g.*, fact of deployment is classified) or where giving notice would be otherwise "unreasonable." Third, **your period of military service cannot exceed five years**. The five year limit is cumulative and the clock restarts when you return to your previous place of employment. Fourth, **your military service must have been under "honorable conditions."** Proof can consist of a DD Form 214, a letter from your commander, an endorsed copy of your military orders, or a certificate of school completion. Fifth, **you must report back or apply for reinstatement in a timely manner**. For service of up to 30 days, you must report at next shift following safe travel time plus 8 hours (for rest). For service of 31 to 180 days, you must report or reapply within 14 days. For service of 181+ days, you must report or reapply within 90 days. Your reapplication need only indicate that you formerly worked there and is returning from military service. While it need not be in writing, written requests will avoid proof problems.

Another provision under USERRA allows you to request and be permitted to use any vacation that had **accrued before the beginning of your military service** instead of unpaid leave. Additionally, you cannot be forced to use your vacation time for military service.