

11. Prior to becoming a police officer, Hackett was enlisted in the U.S. Navy from July 29, 1997 to July 30, 2001, in the U.S. Army from August 1, 2001 to January 2003, and Navy Reserve from January 2003 to June 2005, and the U.S. Air Force from July 2005 to the present.
12. Hackett's job duties in the military consisted of work as an ordnance technician, in which he would load and unload bombs, missiles, and artillery shells onto airplanes and other vehicles. His duties included storing, testing, and maintaining bombs and other munitions.
13. In each case his separation from military service was an honorable discharge.
14. Once he left the military and was employed at SBPD, Hackett applied to in June 2014 be assigned to SBPD's bomb squad.
15. Hackett's application to the bomb squad was denied.
16. The reasons given for the denial was that his military status might cause him to be absent for necessary training and callouts.
17. In August 2015 he filed a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission ("EEOC") regarding the denial.
18. Hackett lodged a similar complaint about discrimination on the basis of race and military status with the U.S. Department of Labor.
19. On November 6, 2016 Hackett was informed by the Department of Labor that SBPD had agreed to assign him to the bomb squad.
20. Since then, however, has never been trained with the bomb, squad, called out on a bomb squad assignment, participated in any bomb squad activities, or received additional pay for performance of bomb squad duties.