

Legislative Analysis



RE-EMPLOYMENT AFTER MILITARY SERVICE

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House Bill 4292

Sponsor: Rep. John Espinoza

Committee: Military and Veterans Affairs and Homeland Security

Complete to 3-20-07

A SUMMARY OF HOUSE BILL 4292 AS INTRODUCED 2-20-07

Under Public Act 133 of 1955, as amended in 2002, when a person on leave from employment for military service is released from military service, he or she must be re-employed if he or she applies to the employer for re-employment within 15 days following release. House Bill 4292 would amend this provision to say that the person would have to be re-employed if he or she gives written notice within 45 days following release from duty.

The act currently says a person is not entitled to re-employment if he or she has a cumulative period of service that exceeds five years (with some exceptions). The bill would instead refer to an uninterrupted period of service of five years.

Also under House Bill 4292, an employee who meets the requirements of this section and is denied re-employment after giving the employer written notice could bring suit against the employer in the circuit court in his or her county of residence and would be awarded reinstatement and reasonable attorney fees.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local government; it would primarily affect county circuit courts that would deal with lawsuits filed by eligible employees against their employers.

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