

DRAFT RESOLUTION 20-11

SUBJECT: Strengthening Reserve & National Guard Employment Rights

SOURCE: OH, AK, IN, IL, MO, ND, CT, WI, DC, PA, NC, WA, MA, MI

WHEREAS, the Uniformed Services Employment and Reemployment Rights Act (USERRA), forbids employers from discriminating or taking adverse action against an employee due to military service; and

WHEREAS, employers must give returning Reservists and National Guard personnel their old jobs back, or offer better jobs to them, and provide compensation at the level they would have received if they had been continuously employed there; and

WHEREAS, the enforcement provisions of the current USERRA legislation do not deter employers from willful violations of employment rights: Now therefore, be it

RESOLVED, that it be made unenforceable any agreement that employers may arrange with employees to require arbitration of disputes arising under USERRA; and be it further

RESOLVED, that the award of attorney fees and actions to enforce USERRA be required, rather than merely authorized as under current law; and be it further

RESOLVED, that AMVETS support federal legislation that will strengthen USERRA and lower incidents of discrimination by employers against Reservists and National Guard personnel.

Committee Recommendations:

Civil Service and Veterans Employment Committee: Adopt

Floor Action: ADOPTED