

# MILITARY AND VETERANS' AFFAIRS

Resolution MVA-18-38

## A RESOLUTION ADVOCATING FOR EMPLOYMENT REINSTATEMENT FOR NATIONAL GUARDSMEMBERS FOLLOWING ACTIVE SERVICE

WHEREAS, the National Guard is a reserve military force composed of members from each state, Guam, the U.S. Virgin Islands, and the District of Columbia;

WHEREAS, there are more than 434,000 members of the Army and Air National Guard collectively;

WHEREAS, National Guardsmembers often are employed in full-time civilian work and can be called to active duty at any time;

WHEREAS, National Guardsmembers who are activated and actively serve for two years are eligible for veterans' preference;

WHEREAS, the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) establishes rights and responsibilities for uniformed Servicemembers and their civilian employers; and

WHEREAS, USERRA provides rights to returning Servicemembers to be reemployed in their civilian job if they leave that job to perform service and comply with requirements under USERRA.

THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators advocates that National Guardsmembers called for active duty should be eligible to apply for reemployment following discharge or suspension of active service;

BE IT FURTHER RESOLVED, that private employers are encouraged to reemploy certain members of the National Guard of another State who have been discharged or suspended from employment by his or her employer due to being called into active state service; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

# **MILITARY AND VETERANS' AFFAIRS**

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**SPONSOR(s): Representative Sharon Beasley-Teague (GA), Representative Sandra Scott (GA), Representative Karen Camper (TN), and Assemblywoman Cleopatra Tucker (NJ)**

**Committee of Jurisdiction: Military and Veterans' Affairs Policy Committee**

**Certified by Committee Chair(s): Representative Sharon Beasley-Teague (GA) and Representative Clem Smith (MO)**

**Ratified in Plenary Session: Ratification Date is December 2, 2017**

**Ratification is certified by: Representative Gregory W. Porter (IN), President**