

HOUSE BILL NO. HB0009

Uniformed servicemember's reemployment.

Sponsored by: Joint Transportation, Highways and Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to the Military Service Relief Act;
2 extending a veteran's reemployment right from four to five
3 years of service; excluding from eligibility persons not
4 honorably discharged; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 19-11-111(a)(ii), (c)(i), (ii), by
9 creating a new paragraph (v) and (g)(iii) is amended to
10 read:

11

12 **19-11-111. Right of reinstatement to former**
13 **employment.**

14

15 (a) Any person who is absent from a position of
16 employment by reason of service in the uniformed services

1 shall be entitled to the reemployment rights and benefits
2 and other employment benefits of this article within ten
3 (10) days of application for reemployment if all of the
4 following conditions are met:

5

6 (ii) The cumulative length of the absence and of
7 all previous absences from a position of employment with
8 that employer by reason of service in the uniformed
9 services does not exceed ~~four (4)~~ five (5) years;

10

11 (c) Subsection (a) of this section shall apply to a
12 person who is absent from a position of employment by
13 reason of service in the uniformed services if such
14 person's cumulative period of service in the uniformed
15 services with respect to the employer relationship for
16 which a person seeks reemployment does not exceed ~~four (4)~~
17 five (5) years, except that any such period of service
18 shall not include any service:

19

20 (i) That is required, beyond ~~four (4)~~ five (5)
21 years, to complete an initial period of obligated service;

22

23 (ii) During which the person was unable to
24 obtain orders releasing such person from a period of

1 service in the uniformed services before the expiration of
2 the ~~four (4)~~ five (5) year period and such inability was
3 through no fault of such person;

4
5 (v) If the person has been discharged from the
6 uniformed service, the discharge was an honorable
7 discharge.

8
9 (g) A person who submits an application for
10 reemployment in accordance with paragraph (e)(iii) or (iv)
11 of this section shall provide, upon request by the person's
12 employer, to the person's employer documentation to
13 establish the following:

14
15 ~~(iii) The person's entitlement to the benefits~~
16 ~~under this section has not been terminated by reason of~~
17 ~~dishonorable discharge from service in the uniformed~~
18 ~~services~~ If the person has been discharged from the
19 uniformed service, the discharge was an honorable
20 discharge.

21
22 **Section 2.** This act is effective July 1, 2005.

23
24 (END)