

**NINETY-NINTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Reno, Nevada
August 22, 23, 24, 2017**

Resolution No. 85: Support Employment and Reemployment Rights of National Guard and Reservists Returning from Deployment

Origin: Convention Committee on Veterans Employment & Education

Submitted by: Convention Committee on Veterans Employment & Education

WHEREAS, Over seven years of war has caused record high deployment rates of citizen soldiers, who have the responsibility of maintaining civilian employment while waiting for the call to serve their country; and

WHEREAS, Many of these soldiers, who struggle daily to balance their dual military and civilian lives, have returned home from deployment to find that same contract of balance was not upheld by their employers; and

WHEREAS, According to the Department of Defense's Status of Forces study released in November 2007, among post-9/11 returning reservists and National Guard, nearly 11,000 were denied prompt reemployment and more than 20,000 lost seniority, pay, and other benefits awarded to them through their dedicated service; and

WHEREAS, It was the intent of Congress in enacting the Uniformed Services Employment and Reemployment Rights Act of 1994 that no veteran be denied employment, reemployment, advancement or discrimination in employment for serving their country in the interest of protecting our nation; and

WHEREAS, As currently drafted, the Uniformed Services Employment and Reemployment Rights Act of 1994 fails to adequately support military personnel upon their return to civilian employment as countless employers have violated the rules laid out in Title 38 of the United States Code; and

WHEREAS, Legislation is under consideration that will help ensure that servicemembers and veterans are promptly reinstated in their civilian jobs when they return from tours abroad; and

WHEREAS, This legislation would strengthen the protections in current law to ensure that servicemembers' and veterans' employment and reemployment rights are effectively enforced under the Uniformed Services Employment and Reemployment Rights Act of 1994; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Reno, Nevada, August 22, 23, 24, 2017, That The American Legion supports and urges Congress to adopt and enforce the provisions as outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA); and, be it further

RESOLVED, That The American Legion supports the amending and strengthening of USERRA to ensure that National Guard and reservists receive the employment and reemployment rights afforded to them through their dedicated service to the country and as required under law; and, be it finally

RESOLVED, That The American Legion supports legislation that would assert explicitly in the USERRA law that servicemembers cannot be blocked from the court system by arbitration agreements.