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Senate Bill 994 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Art Miller, Jr.
Committee: Senior Citizens and Veterans Affairs

CONTENT

The bill would amend Public Act 133 of 1955 (which provides for reemployment after military service) to prioritize the positions in which a person would be reemployed following service.

Under the Act, after release from service, training duty, or rejection, an employee must be reinstated in his or her position without reduction in seniority, status, or pay, if he or she applies for reinstatement. Under the bill, the employee would have to be reemployed in a position according to the following order of priority: 1) following service of one to 90 days, the position that the person would have held if continuous employment had not been interrupted, if the person were qualified for that position; 2) following service of one to 90 days, the position that the person held on the date service began, if not qualified for the position described above and after the employer had made reasonable efforts to qualify the person; and 3) following service of 91 or more days, a position described above or any other position of lesser status or pay that the person was qualified to perform, if he or she were not qualified and could not become qualified with reasonable efforts for the position held when service began.

A person reemployed under these provisions would be entitled to the seniority and other rights and benefits that he or she had when service began, plus the additional seniority and rights and benefits that would have been attained with continual employment. The person also would be entitled to rights and benefits, not based on seniority, generally provided to employees with similar seniority, status, and pay who were on furlough or leave of absence.

Except for certain types of service, an employee would not qualify for reemployment if he or had a cumulative period in the uniformed services that exceeded five years with respect to that employment relationship. An employee also would not qualify if his or her service were terminated under certain conditions, including a dishonorable discharge; dismissal under other-than-honorable conditions; or dismissal of an officer by court-martial or Presidential order.

MCL 32.273

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The potential fiscal impact of this bill on State and local government is indeterminate. The cost would depend upon factors such as the number of people leaving State or local government employment for service, their individual salaries, their expected employment advancement, how long each person would be in active service, and what positions would be available upon the person's return to State or local government employment. According to the Office of the State Employer, 35 to 40 people have left State employment for active service since September 1, 2001.

Date Completed: 2-7-02

Fiscal Analyst: Jessica Runnels