



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 192 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator Jim Barcia

Committee: Commerce and Tourism

### **CONTENT**

The bill would amend Public Act 133 of 1955, which provides for the reemployment of employees after military service, to do all of the following:

- Refer specifically to performing service in the Armed Forces or National Guard in a provision prohibiting an employer from denying an employee's request for a leave of absence for military service.
- Require an employer to reemploy an employee following service if he or she reported to work or applied to the employer within 45 days after service, or within 90 days after service for more than 180 days, rather than if he or she applies for employment within 15 days.
- Revise the Act's priorities for reemployment, following service of 92 days or longer, to refer to employment in a position that was the nearest approximation in status and pay to the service member's former position, rather than employment in a position of lesser status or pay.
- Provide that an employee would not be entitled to reemployment if he or she were absent for an uninterrupted period of five years, rather than a cumulative period of five years.
- Allow a qualified employee who was denied reemployment to file a civil action, and require his or her reinstatement and payment of his or her attorney fees.

MCL 32.273

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

Under the bill, aggrieved employees would be allowed reimbursement for reasonable attorney fees. These reimbursements would be paid by private employers, local units of government, or the State, depending on the employees' place of employment. The potential amount of these reimbursements is indeterminate and is totally dependent on the number of grievances filed.

Date Completed: 2-13-08

Fiscal Analyst: Joe Carrasco