SENATE DOCKET, NO. 637 FILED ON: 1/15/2015

SENATE . . . . . No. 1019

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative for military leave for training purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	*Bristol and Norfolk*

SENATE DOCKET, NO. 637 FILED ON: 1/15/2015

SENATE . . . . . No. 1019

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1019) of James E. Timilty for legislation relative for military leave for training purposes. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative for military leave for training purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding any general or special law or rule or regulation to the contrary, any member of an organized unit of the ready reserve of the armed forces or member of the Massachusetts National Guard, who, in order to receive military training with the armed forces of the United States, not exceeding forty days in any one calendar year, leaves a position other than a temporary position in the employ of any employer, and who shall give notice to his employer of the date of departure and date of return for the purposes of military training, and of the satisfactory completion of such training immediately thereafter, and who is still qualified to perform the duties of such position, shall be entitled to be restored to his previous, or a similar, position with the same status, pay and seniority, and such period of absence for military training shall be construed as an absence with leave and, within the discretion of the employer, said leave may be with or without pay. Such absence for military training shall not affect the employee's right to receive normal vacation, sick leave, bonus, advancement and other advantages of his employment normally to be anticipated in his particular position. If any employer fails to comply

14 with any of the provisions of this section, the employee may, at his election, bring an action at

15 law for damages for such non-compliance or apply to the courts for such equitable relief as may

16 be just and proper under the circumstances.