



Rep. Donald L. Moffitt

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09400HB0593ham002

LRB094 06714 DRJ 42374 a

1 AMENDMENT TO HOUSE BILL 593

2 AMENDMENT NO. _____. Amend House Bill 593 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Military Code of Illinois is amended by
5 adding Section 22-10 as follows:

6 (20 ILCS 1805/22-10 new)

7 Sec. 22-10. Notice of provisions of Service Member's
8 Employment Tenure Act. Whenever a member of the Illinois
9 National Guard is called to active military duty pursuant to a
10 declaration of war by the Congress or by the President under
11 the War Powers Act or by the Governor in time of declared
12 emergency or for quelling civil insurrection, the Adjutant
13 General shall ensure that the member is expeditiously given
14 written notice of the provisions of Sections 4 and 4.5 of the
15 Service Member's Employment Tenure Act.

16 Section 10. The Service Member's Employment Tenure Act is
17 amended by adding Section 4.5 as follows:

18 (330 ILCS 60/4.5 new)

19 Sec. 4.5. Copy of employment offer.

20 (a) If an employer has given an individual a date upon
21 which that individual is to commence performing services for
22 the employer but the individual is called to active military

1 duty pursuant to a declaration of war by the Congress or by the
2 President under the War Powers Act or by the Governor in time
3 of declared emergency or for quelling civil insurrection before
4 the date on which the individual's services were to have
5 commenced, then the employer, upon request made by the
6 individual, shall provide the individual with a written copy of
7 the employment offer. The written copy of the employment offer
8 must include at least the following:

9 (1) A statement repeating the offer of work and the
10 date on which the services were to be first performed.

11 (2) A statement describing the job title or duties to
12 be performed.

13 (3) A statement showing the remuneration offered.

14 (4) The signature of the employer.

15 (b) If an individual, upon honorable discharge from the
16 military or satisfactory completion of his or her military
17 service under the laws of the United States, is at the time of
18 such discharge or completion of duty still qualified to perform
19 the duties of the position for which he or she was first
20 offered employment, and if the individual makes application
21 with the employer within 90 days after he or she is relieved
22 from such military service, then the individual shall be given
23 preference for employment with that employer. If circumstances
24 have so changed as to make it impossible or unreasonable for
25 the employer to employ the individual immediately, however, the
26 individual shall remain eligible to begin such employment for a
27 period of up to one year after the date the individual first
28 notified the employer of his or her desire to perform such
29 services.

30 (c) This Section does not apply if the original offer of
31 work was limited to part-time employment, temporary
32 employment, or casual labor.

33 (d) Nothing in this Section shall require an employer to
34 hold a job position open, violate any employment law,

1 collectively bargained employment recall, or other employment
2 obligation, or create additional employment to satisfy the
3 requirements of this Section.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".