

S 3432

Servicemembers Access to Justice Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Aug 1, 2008

Current Status: Read twice and referred to the Committee on Veterans' Affairs.

Latest Action: Read twice and referred to the Committee on Veterans' Affairs. (Aug 1, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3432>

Sponsor

Name: Sen. Casey, Robert P., Jr. [D-PA]

Party: Democratic • State: PA • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Kennedy, Edward M. [D-MA]	D · MA		Aug 1, 2008
Sen. Obama, Barack [D-IL]	D · IL		Aug 1, 2008

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Referred To	Aug 1, 2008

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
110 HR 7178	Identical bill	Sep 27, 2008: Referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Servicemembers Access to Justice Act of 2008 - Waives a state's sovereign immunity with respect to the enforcement of uniformed services members' employment or reemployment rights or benefits under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Makes unenforceable agreements between an employer and employee requiring arbitration of disputes arising under USERRA. Provides exceptions. Requires the validity and enforceability of such an agreement to be determined by a court (as opposed to the arbitrator).

Provides increased liquidated damages, and authorizes punitive damages, against state or private employer violations of USERRA. Provides a right to a jury trial in such cases.

Requires (under current law, authorizes) the award of attorney fees in actions to enforce USERRA.

Defines "successor in interest" for USERRA purposes.

Prohibits: (1) any statute of limitations from applying to USERRA proceedings; and (2) wage discrimination against members covered under USERRA.

Requires (under current law, authorizes) a court to use equitable relief, including injunctions and restraining orders when appropriate, for USERRA violations.

### **Actions Timeline**

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- **Aug 1, 2008:** Introduced in Senate
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