

S 3445

Uniformed Services Employment and Reemployment Rights Improvement Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Sep 28, 2016

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

Latest Action: Read twice and referred to the Committee on Veterans' Affairs. (Sep 28, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/3445>

Sponsor

Name: Sen. Blumenthal, Richard [D-CT]

Party: Democratic • **State:** CT • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Sep 28, 2016
Sen. Durbin, Richard J. [D-IL]	D · IL		Sep 28, 2016
Sen. Murray, Patty [D-WA]	D · WA		Sep 28, 2016

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Referred To	Sep 28, 2016

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

No related bills are listed.

Uniformed Services Employment and Reemployment Rights Improvement Act of 2016

This bill revises the enforcement of employment and reemployment rights of members of the Armed Forces with respect to state and private employers.

The Department of Justice (DOJ) may initiate an action for relief: (1) with respect to a private or a state employer, and (2) when a state or private employer is engaged in a pattern or practice to infringe upon such rights.

A person may bring an action against a state (as an employer), state instrumentality, or state officer or employee acting in his or her official capacity in U.S. district court or state court. The state, instrumentality, officer, or employee shall not be immune from such action under the Eleventh Amendment of the Constitution or under any doctrine of sovereign immunity. No such state, instrumentality, officer, or employee that receives or uses federal financial assistance for a program or activity shall be immune under the Eleventh Amendment or under any other doctrine of sovereign immunity from suit in federal or state court for any violation of such rights related to such program or activity. (Currently, a person may bring such an action against a state only in a state court.)

The venue for an action against a private employer is expanded to include: (1) any district in which a substantial part of the events or omissions giving rise to the claim occurred; or (2) any district in which the employer is subject to the court's personal jurisdiction with respect to such action if there is no district in which an action may otherwise be brought.

DOJ may issue civil investigative demands.

Service-related disability coverage is extended to include a disability that is brought to the employer's attention within five years after the person resumes employment.

The bill provides that the employer has the burden of identifying the appropriate reemployment positions.

Actions Timeline

- **Sep 28, 2016:** Introduced in Senate
- **Sep 28, 2016:** Read twice and referred to the Committee on Veterans' Affairs.