

House Passes Coffman's National Guard Employment Protection Act

Legislation Updates Existing Law to Reflect Emerging Missions

(WASHINGTON) — Today, the House of Representatives voted to approve a bipartisan bill authored by Rep. Mike Coffman (R-CO) which will extend reemployment protections for National Guard members regardless of whether they are assigned to a homeland security mission or deployed overseas. H.R. 1879, the National Guard Employment Protection Act of 2009, closes a loophole in existing employment protection law that has adversely impacted members called up to serve homeland security missions in the United States. Currently law does not provide the same protections for those serving missions domestically as it does for National Guard members serving overseas.

“This is a victory for every member of the National Guard and their families. This bill closes a loophole in existing law and provides protection for those who are called up to federal homeland security missions here in the United States. Soldiers and airmen serving in the National Guard should have the same reemployment rights irrespective of where they are ordered to serve. I am proud of my colleagues for passing this important piece of legislation,” Coffman remarked.

Post 9/11, National Guard personnel have been, and will continue to be, utilized to support certain operational requirements while serving in a Title 32, full-time National Guard duty status. These critical missions include border security, airport security, disaster response, and the Air Sovereignty Alert (ASA) /Combat Air Patrol missions defending the United States from air attacks. Without the protections this bill provides, National Guard personnel will continue to be put into a position where they are forced to choose between supporting these critical missions or returning to their civilian jobs for fear of losing them.

“As we continue to pursue the Global War on Terror, and the National Guard continues to be utilized at an extremely high rate, even more of these missions may identify themselves. We need to recognize that those who are called up for a homeland security mission can face the same hardships and challenges in trying to get their civilian employment back as someone deployed overseas. We owe it to these brave men and women to provide protection from fear of losing their job when called up to serve their nation. This bill does just that.” Coffman continued.

H.R. 1879 amends the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) to apply to full time National Guard federal duty personnel for possible exemption from the USERRA 5-year limit on service. Under current law, the USERRA requires employers (both governmental and private) to provide certain employment benefits, including guaranteed reemployment, to employees who miss work because of their military service.

Coffman's legislation is supported by the Department of Defense, National Guard Association of the United States (NGAUS), the Enlisted Guard Association of the United States (EANGUS), the Air Force Sergeants Association, Veterans of Foreign Wars, AMVETS, and the Military Officers Association of America.

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