

SENATE No. 1054

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:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 1054

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1054) of James E. Timilty for legislation relative for military leave for training purposes. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1019 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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:

1 Notwithstanding any general or special law or rule or regulation to the contrary, any
2 member of an organized unit of the ready reserve of the armed forces or member of the
3 Massachusetts National Guard, who, in order to receive military training with the armed forces
4 of the United States, not exceeding forty days in any one calendar year, leaves a position other
5 than a temporary position in the employ of any employer, and who shall give notice to his
6 employer of the date of departure and date of return for the purposes of military training, and of
7 the satisfactory completion of such training immediately thereafter, and who is still qualified to
8 perform the duties of such position, shall be entitled to be restored to his previous, or a similar,
9 position with the same status, pay and seniority, and such period of absence for military training
10 shall be construed as an absence with leave and, within the discretion of the employer, said leave
11 may be with or without pay. Such absence for military training shall not affect the employee’s

12 right to receive normal vacation, sick leave, bonus, advancement and other advantages of his
13 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.