

1 Introduced November 23, 2021, by  
2 Councilwoman Denham, seconded by  
3 Councilman Dunham, (by request of  
4 Administration)

5 **Item No. 21-11-3396**

6 **ORDINANCE NO. 4054**

7  
8 An ordinance to amend and restate Chapter 21 (PERSONNEL), Article II  
9 (EMPLOYEE BENEFITS), Section 21-25 (Benefits for employees on active military duty  
10 status) of the City of Slidell's Code of Ordinances regarding benefits for employees on  
11 active military duty status.

12 WHEREAS, Chapter 21, Section 21-25 of the Code currently outlines various  
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14 rights and benefits for city employees on active military duty status; and

15 WHEREAS, applicable law, including specifically the Uniformed Services  
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17 Employment and Reemployment Rights Act, provides for certain standard protections for  
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19 such employees, and the City desires to modify its ordinance to provide employee  
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21 protections that defer to the requirements of such law.

22 NOW THEREFORE, BE IT ORDAINED by the Slidell City Council that it does  
23  
24 hereby amend and restate Chapter 21 (PERSONNEL), Article II (EMPLOYEE BENEFITS),  
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26 Section 21-25 (Benefits for employees on active military duty status) of the City of Slidell's  
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28 Code of Ordinances to hereafter read as follows:

29  
30 **Sec. 21-25. – Employees performing service in the uniformed services**

- 31 (a) The term "service in the uniformed services" shall have the defined meaning  
32 for the term given in the Uniformed Services Employment and  
33 Reemployment Rights Act, 38 U.S.C. § 3801, *et seq.*
- 34  
35 (b) City employees who perform service in the uniformed services shall be  
36 entitled to those rights and benefits as required by applicable Federal and  
37 State law, including the Uniformed Services Employment and Reemployment  
38 Rights Act, 38 U.S.C. § 3801, *et seq.*
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4 BE IT FINALLY ORDAINED that this ordinance shall be effective January 3,  
5 2022.

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7  
8 **ADOPTED** this 21<sup>st</sup> day of December, 2021.

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11 Leslie Denham  
12 President of the Council  
13 Councilwoman, District A

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16 Greg Cromer  
17 Mayor

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20 Thomas P. Reeves  
21 Council Administrator

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DELIVERED	12/29/21
	8:15 am to the Mayor
RECEIVED	1/6/22
	8:45 am from the Mayor



# YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.**

## REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

## RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

## HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

## ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



**U.S. Department of Labor**  
**1-866-487-2365**



**U.S. Department of Justice**



**Office of Special Counsel**



**1-800-336-4590**

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