



Representative Chris Tuck

House Majority Leader

Serving House District 23 • Dimond Estates, Foxridge, Taku, Campbell, Northwood, and Windemere

Sponsor Statement House Bill 3 National Guard Leave/Reemployment Rights

House Bill 3 seeks to correct a deficiency in employment protections for Alaskans who are serving in the National Guard. This is a nationwide effort by the Department of Defense to ensure those who serve their nation for all 50 states when called to duty – regardless of their service location - will have reemployment rights to their Alaskan civilian job after completing the various critical duties when called by a governor for state active duty.

The National Guard is a hybrid state-federal entity. While National Guard members are subject to federal call to duty by the President of the United States, they can also be called up for state active duty by the Governor to respond to state emergencies such as fires, tornadoes and floods.

The federal law Uniformed Services Employment and Reemployment Rights Act (USERRA) protects members of the Army or Air National Guard when they are called away from their civilian jobs for federal service.

However, USERRA does not apply when a National Guard member must leave their job for state active duty. If National Guard members are to have reemployment rights after state active duty, it must be through state law.

Alaska currently has a law that applies to employment protections to the public and private employees. However, it is explicitly limited to members of the Alaska Army or Air National Guard. There are several Alaskan residents who serve in the National Guard of another state. These Alaskans currently do not have the reemployment protections for their employment.

By passing House Bill 3, we will extend the employment protections to Alaskans who are serving in any National Guard. The Department of Defense has identified this legislation as a key quality of life issue and is actively seeking to make this policy change across the nation. So far, 28 other states have passed similar legislation and 3 other states are taking it up this session.

Please join me in supporting House Bill 3 by making this important change to protect those who are honorably serving our nation.

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