

Floor Amendment to HB 225-FN

1 Amend RSA 110-C:1-a, V-IX as inserted by section 1 of the bill by replacing it with the following:

2

3 IV. Employees shall notify their employers of their spouse's involuntary mobilization within
4 30 days of their spouse receiving official notice of such mobilization. Employers shall provide the
5 employees with written acknowledgment of the notice of deployment, explicitly confirming adherence
6 to the terms of this section.

7 V. Upon the spouse's completion of mobilization, the employee is required to report to or
8 submit a timely application for reemployment to his or her employer.

9 VI. The employer may choose not to reemploy the employee if the employer certifies that its
10 circumstances have so changed as to make reemployment impossible or unreasonable as defined by
11 20 C.F.R. Section 1002.139.

12 VII.(a) Employees who believe they have been subjected to a violation of this statute may file
13 a complaint with the New Hampshire department of labor as provided under RSA 110-C within 180
14 days of the alleged violation.

15 (b) If a violation is found, the employer shall be liable for reinstatement, back pay, and
16 any benefits lost due to the violation. The department of labor or local court, or both, may also
17 award the employee reasonable attorney's fees and costs.

18 (c) The department of labor shall adopt rules pursuant to RSA 541-A to govern
19 complaint and hearing procedures under this section.

20 VIII. This section shall be construed in conjunction with the federal Uniformed Services
21 Employment and Reemployment Rights Act (USERRA) and shall not limit any rights or protections
22 provided under federal law.