

# ***YOUR RIGHTS UNDER THE ILLINOIS SERVICEMEMBER EMPLOYMENT & REEMPLOYMENT RIGHTS ACT (330 ILCS 61)***



ISERRA (state version of USERRA) protects the employment and benefits of Servicemembers who leave their civilian employment to serve our Nation or State.

In order to protect the common public interest in military service, it is the role of the Illinois Attorney General to promote awareness and ensure compliance of ISERRA by providing information, training, advocacy, and enforcement.

## **WHO IS PROTECTED?**

1. All members of the Armed Forces of the United States whether active duty or reserve including the National Guard when performing state duty.
2. All members of Military Auxiliary Radio System, United States Coast Guard Reserve, Civil Air Patrol, and the Merchant Marines when performing official duties in support of an emergency.
3. Members who are released from military duty with follow-on care by the Department of Defense.

## **WHAT ARE THE RIGHTS, BENEFITS AND OBLIGATIONS UNDER ISERRA?**

ISERRA provides the same protections as USERRA (i.e., reemployment, benefits and discrimination) but expands protections to persons identified above and incorporates existing benefits to servicemembers who are public employees. Because ISERRA represents the minimum employer requirements, employers maintain the discretion to provide greater benefits. Entitlement to benefits will depend on many factors.

## **WHO ENFORCES ISERRA?**

The ISERRA Advocate is an Assistant Attorney General appointed by the Illinois Attorney General to provide both advocacy and enforcement under ISERRA.

## **WHERE TO FIND MORE INFORMATION?**

Both servicemembers and employers can find more information on the Attorney General's ISERRA Advocate webpage at [www.illinoisattorneygeneral.gov/rights/veterans.html](http://www.illinoisattorneygeneral.gov/rights/veterans.html) or call the Military & Veterans Rights Hotline at **1-800-382-3000** to ask questions or request training.

This notice is available for download on the Attorney General's website by going to [www.illinoisattorneygeneral.gov/rights/veterans.html](http://www.illinoisattorneygeneral.gov/rights/veterans.html). Employers are required to provide employees entitled to rights and benefits under ISERRA a notice of the rights, benefits, and obligations of servicemember employees. This requirement may be met by the posting of this notice where employers customarily place notices for employees. ISERRA is codified as Public Act 100-1101 and can be found at [www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf](http://www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf).

