

***Repealed 5/3/2023***

**39-1-36 Reserve member of armed forces -- Leave of absence from employment -- Liability of employers.**

- (1) Any member of a reserve component of the armed forces of the United States who pursuant to military orders enters active duty, active duty for training, inactive duty training, or state active duty shall upon request be granted a leave of absence from employment, but for no more than five years.
- (2) Upon satisfactory release from the training or from hospitalization incidental to the training, the member shall be permitted to return to the prior employment with the seniority, status, pay, and vacation the member would have had as an employee if he had not been absent for military purposes.
- (3) Any employer who willfully deprives an employee who is absent as a member under Subsection (1) of any of the benefits under Subsection (2) or discriminates in hiring for any employment position, public or private, based on membership in any reserve component of the armed forces, is guilty of a class B misdemeanor.