

2004 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 618

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Militia, Police and Public Safety
on January 23, 2004)

(Patrons Prior to Substitute—Delegates Carrico and Cole [HB 481])

A BILL to amend and reenact § 44-93.5 of the Code of Virginia, relating to enforcement of provisions protecting job security of members of the military reserves.

Be it enacted by the General Assembly of Virginia:

1. That § 44-93.5 of the Code of Virginia is amended and reenacted as follows:

§ 44-93.5. Penalties for denial.

If any employer fails or refuses to comply with the provisions of §§ 44-93, 44-93.2, 44-93.3 and 44-93.4, the circuit court having jurisdiction over the employer's place of business may, upon the filing of a motion, petition, or other appropriate pleading by the employee, require the employer to comply with §§ 44-93, 44-93.2, 44-93.3 and 44-93.4 and to compensate the employee for any loss of wages or benefits suffered by reason of the employer's unlawful failure or refusal. *Upon request of the affected employee, the Attorney General may represent personally or through one of his assistants, such employee denied the benefits of §§ 44-93, 44-93.2, 44-93.3 and 44-93.4 while in the performance of state active duty.*

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