

A Message from  
ILLINOIS ATTORNEY GENERAL  
**KWAME RAOUL**



In 2018, the Office of the Attorney General initiated a new law that ensures Illinois service members' employment and benefits are protected while they are fulfilling their military requirements.

The Illinois Service Member Employment and Reemployment Rights Act (ISERRA) strengthens our state's commitment to members of our National Guard & Reserve.

Taking effect January 1, 2019, the law reflects the need to protect our military service members and their right to maintain their civilian jobs while they are serving our country. ISERRA also helps provide information and training for employers across Illinois.

The law also created a new position of ISERRA advocate in my office. In addition to this brochure, the ISERRA advocate can assist both service members and employers with information to ensure the rights of service members are protected.

For further assistance, please contact my ISERRA Advocate at 1-800-382-3000 (TTY: 1-800-964-3013).

Sincerely,

Kwame Raoul  
Illinois Attorney General



ILLINOIS ATTORNEY GENERAL  
**KWAME RAOUL**

For more information concerning service member employment rights, please contact us or visit our website.

Military and Veterans Rights Hotline  
ISERRA Advocate  
1-800-382-3000  
TTY: 1-800-964-3013

Military and Veterans Rights Bureau  
Office of the Attorney General  
201 West Pointe Drive, Suite 7  
Belleville, IL 62226

[www.illinoisattorneygeneral.gov/  
rights/veterans.html](http://www.illinoisattorneygeneral.gov/rights/veterans.html)

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# ISERRA

## Illinois Service Member Employment & Reemployment Rights Act

### What is ISERRA?

The Illinois Service Member Employment & Reemployment Rights Act or ISERRA (330 ILCS 61 *et seq.*) is a law designed to protect the common public interest in safeguarding and promoting military service by:

- Minimizing disadvantages to military service in civilian careers;
- Providing for prompt reemployment and protections of service members in a manner that minimizes disruption to the lives of such employees, their employers, and co-workers;
- Prohibiting discrimination against and interference with military service; and
- Ensuring that public entities are model employers of reserve components by providing additional benefits.

(330 ILCS 61/1-5(1))



### Who is protected under ISERRA?

There are three categories of protected persons under the definition of “Military service”:

1. Service in the Armed Forces of the U.S., the National Guard of any state or territory regardless of status, and the State Guard as defined in the State Guard Act. “Military service,” whether active or reserve, includes service under the authority of U.S.C. Titles 10, 14, or 32, or State active duty.
2. Service members in a federally recognized auxiliary of the U.S. Armed Forces when performing official duties in support of military or civilian authorities as a result of an emergency.
3. Employees who are absent from a position of employment for the purpose of medical or dental treatment for a condition, illness, or injury sustained or aggravated during a period of active service in which treatment is paid by the U.S. Department of Defense Military Health System.

(330 ILCS 61/1-10)



### What rights are established under ISERRA?

Protections under ISERRA include basic protections under the Uniform Services Employment & Reemployment Rights Act (USERRA) (38 USC 43 *et al*) that apply to all employers but are expanded to prevent poor performance reviews during periods of military leave. These protections include re-employment, protection from discrimination and retaliation, as well as health insurance and pension protections.

ISERRA also includes benefits for full-time public employees who are members of a reserve component in the form of paid military leave and expanded health plan coverage.

### How can I find out more?

Both service members and employers can find out more on the Attorney General’s Military & Veterans Rights webpage at [www.illinois-attorneygeneral.gov/rights/veterans.html](http://www.illinois-attorneygeneral.gov/rights/veterans.html) or by calling the ISERRA Advocate on the Illinois Attorney General’s Military & Veterans Rights hotline at 1-800-382-3000 (TTY: 1-800-964-3013).