

## CHAPTER 690—H. F. No. 345

[Coded]

*An act relating to members of the legislature leaving private employment for the purpose of serving in the legislature, providing for the restoration of their positions, and all other rights incident to employment, and providing for the enforcement thereof.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. [3.085] Legislature, members leaving private employment, right to restoration to position.** Every member of the legislature of the State of Minnesota who has left or leaves a position, other than a temporary position in the employ of any private employer for the purpose of serving in the legislature during any legislative session, who makes application for reemployment within 30 days after the end of such session, shall be restored to such position, or to a position of a like seniority, status and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

**Sec. 2. [3.086] Leave of absence.** Any member of the legislature who is restored to a position in accordance with the provisions of Section 1 hereof shall be considered as having been on leave of absence during his service in the legislature, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on leave of absence in effect with the employer at the time such legislator commenced to serve in the legislature, and shall not be discharged from such position without cause after such restoration.

**Sec. 3. [3.087] Right of action in district court.** In case any private employer fails or refuses to comply with the provisions of sections 1 and 2 hereof, the district court of the State of Minnesota for the district in which such private employer maintains a place of business, shall have the power, upon the filing of a memorandum, petition or other appropriate pleading by the member of the legislature entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such member of the legislature for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar.

Approved April 22, 1955.