

SENATE, No. 181

STATE OF NEW JERSEY

INTRODUCED MARCH 10, 1941

By Mr. HENDRICKSON

Referred to Committee on Judiciary

AN ACT concerning persons holding office, position or employment, other than for a fixed term or period, under the government of this State or of any county, municipality, school district or other political subdivision of this State or of any board, body, agency or commission of this State or of any county, municipality or school district thereof, who after September first, one thousand nine hundred and forty, shall have entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Every person holding office, position or employment, other than for
2 a fixed term or period, under the government of this State or of any county,
3 municipality, school district or other political subdivision of this State, or of
4 any board, body, agency or commission of this State or any county, munic-
5 pality or school district thereof, who after September first, one thousand nine
6 hundred and forty, shall have entered, or hereafter shall enter, the active
7 military or naval service of the United States or of this State, in time of
8 war or an emergency, or for or during any period of training, or pursuant
9 to or in connection with the operation of any system of selective service,

10 shall be granted leave of absence for the period of such service and for a
11 further period of three months after receiving his discharge from such
12 service. If any such person shall be incapacitated by wound or sickness at the
13 time of his discharge from such service and such incapacity shall continue
14 beyond a period of three months following his discharge from such service,
15 his leave of absence shall be extended until his recovery from such wound or
16 sickness, or until the expiration of two years from the date of his discharge
17 from such service, whichever shall first occur.

18 In no case shall such person be discharged or separated from his office,
19 position or employment during such period of leave of absence because of
20 his entry into such service. During the period of such leave of absence such
21 person shall be entitled to all the rights, privileges and benefits that he would
22 have had or acquired if he had actually served in such office, position or em-
23 ployment during such period of leave of absence except, unless otherwise pro-
24 vided by law, the right to compensation. Such leave of absence may be
25 granted with or without pay as provided by law. Such person shall be en-
26 titled to resume the office, position or employment held by him at the time
27 of his entrance into such service, provided he shall apply therefor before the
28 expiration of his said leave of absence. Upon resumption of his office, posi-
29 tion or employment, the service in such office, position or employment of the
30 person temporarily filling the same shall immediately cease. No person who
31 shall have been separated from the military or naval service of the United
32 States, of this State, or of any other State, by a dishonorable discharge shall
33 be entitled to any of the rights, privileges or benefits herein conferred.

1 2. This act shall take effect immediately.

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