

Louisiana Enacts Non-Discrimination Law Protecting Veterans Seeking Benefits

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Under new law signed by Louisiana Governor Bobby Jindal, employers are prohibited from discharging, disciplining, or otherwise discriminating against veterans for taking time off from work to attend medical appointments necessary to obtain veteran's benefits. The new law takes effect on August 1, 2013.

Act No. 165 defines a qualifying "veteran" as "any honorably discharged veteran of the armed forces of the United States, including reserved components of the armed forces, the Army National Guard and the Air National Guard, the commissioned corps of the Public Health Service, and any other category of persons designated by the president in time of war or emergency."

Under the new law, employers may require the veteran to verify his or her attendance at a necessary medical appointment by presenting a bill, receipt, or excuse from the medical provider. If a veteran is discharged or disciplined or is threatened with such action for attending medical appointments, he or she may take legal action under existing state law, including instituting a proceeding in court.

At least under some circumstance, family members of the veteran could be entitled to leave under the military family leave provisions of the Family and Medical Leave Act. (See our article, [President Signs Expansion of FMLA Coverage for Military Families](#).) Additionally, various state family military leave laws also might provide leave for family members. (See our articles, [Growing Number of States Passing Family Military Leave Acts](#) and [California Adopts Time Off Requirement for Military Spouses](#).)

If you have any questions about this or other workplace developments regarding veterans or military leave, please contact Shawn Kee, at KeeC@jacksonlewis.com, or the Jackson Lewis attorney with whom you regularly work.

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