

The Burger Court Opinion Writing Database

Coffy v. Republic Steel Corp.

447 U.S. 191 (1980)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

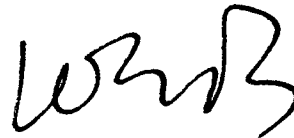
June 4, 1980

RE: 79-81 - Coffy v. Republic Steel Corp.

Dear Thurgood:

I join.

Regards,

A handwritten signature in dark ink, appearing to be 'WRB', written in a cursive, stylized script.

Mr. Justice Marshall

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

May 28, 1980

RE: No. 79-81 Coffy v. Republic Steel Corporation

Dear Thurgood:

I agree.

Sincerely,

Bill

Mr. Justice Marshall

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

5

CHAMBERS OF
JUSTICE POTTER STEWART

May 28, 1980

Re: 79-81 - Coffy v. Republic Steel Corp.

Dear Thurgood:

I am glad to join your opinion for the Court.

Sincerely yours,

P.S.

Mr. Justice Marshall

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

3

CHAMBERS OF
JUSTICE BYRON R. WHITE

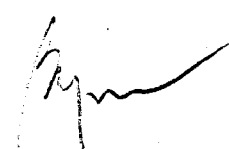
May 28, 1980

Re: 79-81 - Coffy v. Republic Steel Corp.

Dear Thurgood,

Please join me.

Sincerely yours,



Mr. Justice Marshall

Copies to the Conference

cmc

27 MAY 1980

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 91-81

Thomas E. Coffy, Petitioner.	}	On Writ of Certiorari to the United States Court of Ap- peals for the Sixth Circuit.
v.		
Republic Steel Corp.		

[June —, 1980]

MR. JUSTICE MARSHALL delivered the opinion of the Court.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U. S. C. § 2021 *et seq.*, provides that any person who leaves a permanent job to enter the military, satisfactorily completes military service, and applies for re-employment within 90 days of being discharged from the military must be reinstated to the former job without loss of seniority. This case presents the question whether supplemental unemployment benefits provided pursuant to the steel industry collective-bargaining agreement are prerequisites of seniority to which a returning veteran is entitled under the statute.

I

Petitioner Thomas Coffy was employed by respondent Republic Steel Corp. (Republic) from April 30, 1968, until September 7, 1968, and again from January 24, 1969, until September 9, 1969, when he entered military service. He served in the military until he was honorably discharged on August 16, 1971. He made timely application for reinstatement on September 14, 1971. Because Republic was then in the process of laying off employees and Coffy would already have been laid off if he had remained continuously employed during his period of military service, he was reinstated in lay-off status. Coffy was recalled to work on July 1, 1972.

1, 2, 4, 5, 6, 9, 10

2 JUN 1980

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 79-81

Thomas E. Coffy, Petitioner, } On Writ of Certiorari to the
v. } United States Court of Ap-
Republic Steel Corp. } peals for the Sixth Circuit.

[June —, 1980]

MR. JUSTICE MARSHALL delivered the opinion of the Court.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U. S. C. § 2021 *et seq.*, provides that any person who leaves a permanent job to enter the military, satisfactorily completes military service, and applies for re-employment within 90 days of being discharged from the military must be reinstated to the former job without loss of seniority. This case presents the question whether supplemental unemployment benefits provided pursuant to the steel industry collective-bargaining agreement are perquisites of seniority to which a returning veteran is entitled under the statute.

I

Petitioner Thomas Coffy was employed by respondent Republic Steel Corp. (Republic) from April 30, 1968, until September 17, 1968, and again from January 24, 1969, until September 9, 1969, when he entered military service. He served in the military until he was honorably discharged on August 16, 1971. He made timely application for reinstatement on September 14, 1971. Because Republic was then in the process of laying off employees and Coffy would already have been laid off if he had remained continuously employed during his period of military service, he was reinstated in lay-off status. Coffy was recalled to work on July 1, 1972.

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

6
May 29, 1980

Re: No. 79-81 - Coffy v. Republic Steel Corporation

Dear Thurgood:

Please join me.

Sincerely,

H.G.B.
—

Mr. Justice Marshall

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 28, 1980

79-81 Coffy v. Republic Steel

Dear Thurgood:

Please join me.

Sincerely,

L. F. Powell

Mr. Justice Marshall

lfp/ss

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

May 30, 1980

Re: No. 79-81 Coffy v. Republic Steel Corp.

Dear Thurgood:

Please join me.

Sincerely,

WM

Mr. Justice Marshall

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

4

May 28, 1980

Re: 79-81 COFFY v. REPUBLIC STEEL CORP.

Dear Thurgood:

Please join me.

Respectfully,



Mr. Justice Marshall

Copies to Conference