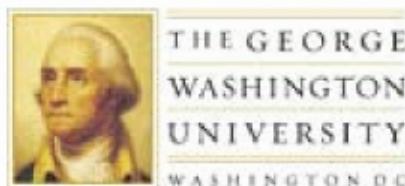


# The Burger Court Opinion Writing Database

*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,



Mr. Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE W. J. BRENNAN, JR.

May 28, 1980

D

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.  
1/

Mr. Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

May 28, 1980

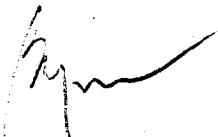
(3)

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, *v.* Republic Steel Corp. On Writ of Certiorari to the United States Court of Appeals 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 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, *v.* Republic Steel Corp. On Writ of Certiorari to the United States Court of Appeals 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

May 29, 1980

(6)

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

Dear Thurgood:

Please join me.

Sincerely,

H. A. 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 Lewis*

Mr. Justice Marshall

1fp/ss

cc: The Conference

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

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

1

May 30, 1980

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

Dear Thurgood:

Please join me.

Sincerely,

WW

Mr. Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

May 28, 1980

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

Dear Thurgood:

Please join me.

Respectfully,



Mr. Justice Marshall  
Copies to Conference