



HOUSE BILL 1001: Uniformed Civil Service Act.

2021-2022 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 7, 2022
Introduced by:	Reps. Bell, Saine, D. Hall, B. Jones	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	PCS to First Edition H1001-CSBDa-28		

OVERVIEW: *House Bill 1001 would prevent adverse employment action against members of the North Carolina Wing-Civil Air Patrol absent from work due to duties incident to a State approved mission or a United States Air Force authorized mission and would appropriate \$5,000 in nonrecurring funds from the General Fund for FY 2022-2023 to create and provide educational materials to employers on the provisions of the act.*

The proposed committee substitute (PCS) would substitute "normal working days" with "scheduled working days" and would remove subsection (e) from the first edition.

CURRENT LAW: The Civil Air Patrol is the official auxiliary of the United States Air Force (USAF). The North Carolina Wing-Civil Air Patrol (NCWCAP) operates as a section within the Division of Emergency Management of the Department of Public Safety (DPS) and receives, from State and local governments, their agencies, and private citizens, requests for State approval for assistance in natural or man-made disasters or other emergency situations. Such requests are approved or denied by the Secretary of DPS. Members in good standing of the NCWCAP are, while performing duties incident to a State approved mission, considered employees of the DPS only for purposes of workers' compensation.

BILL ANALYSIS: The PCS to House Bill 1001 would prevent an employer from discriminating against, discharging, demoting, or otherwise taking adverse employment action against any employee that is a member of the NCWCAP based on the employee's membership in or any absence from work required to perform duties with the NCWCAP if all of the following apply:

- The absence is necessary to perform duties incident to a State approved mission or to a United States Air Force authorized mission.
- The absence is for no more than seven consecutive scheduled working days.
- The total absences in a calendar year do not exceed more than 14 scheduled working days.

The employer could require the employee to furnish a copy of the employee's mission order and would not be required to pay salary or wages to any NCWCAP member unless the member chooses to use any paid leave that may be available. The act would also appropriate \$5,000 in nonrecurring funds from the General Fund for FY 2022-2023 to create and provide educational materials to employers on the provisions of the act.

EFFECTIVE DATE: The act would become effective July 1, 2022, and apply to absences occurring on or after that date.

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Legislative Analysis
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