



# HOUSE BILL 241: Uniformed Civil Service Act.

2023-2024 General Assembly

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<b>Committee:</b>	House Military and Veterans Affairs. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 18, 2023
<b>Introduced by:</b>	Reps. Loftis, Bell, Saine, D. Hall	<b>Prepared by:</b>	Karyl Smith*
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

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**OVERVIEW:** *House Bill 241 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 2023-2024 to create and provide educational materials to employers on the provisions of the bill.*

[As introduced, this bill was identical to S589, as introduced by Sen. Applewhite, which is currently in Senate Rules and Operations of the Senate.]

**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. These 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:** House Bill 241 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 that membership 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 USAF 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 during the authorized absence unless the member chooses to use any paid leave that may be available. The bill would also appropriate \$5,000 in nonrecurring funds from the General Fund for FY 2023-2024 to create and provide educational materials to employers on the provisions of the bill.

**EFFECTIVE DATE:** The bill would become effective July 1, 2023, and apply to absences occurring on or after that date.

\*Billy Godwin, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.

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