

Legislative Analysis



EMPLOYEE PROTECTIONS: CIVIL AIR PATROL

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House Bill 4537 (reported from committee as H-1)

Sponsor: Rep. Andrea LaFontaine

House Committee: Commerce and Trade

Complete to 1-27-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would create the "Civil Air Patrol Employment Protection Act," under which an employer would be prohibited from discriminating against, disciplining, or discharging an employee because (1) the employee is a member of the Civil Air Patrol, or (2) the employee is absent from work for the purpose of responding as a member of the Civil Air Patrol to an emergency declared by the governor or the president of the United States, as long as the employee gave the employer as much notice as possible of the dates of the absence and provided the employer with verification from the Civil Air Patrol of the emergency need for the employee's volunteer service.

An employee or former employee could bring a civil action for damages or equitable relief to enforce the proposed act.

Under the act, an employer would not be prohibited from treating the time the employee was absent because of emergency Civil Air Patrol service as unpaid time off, or from complying with a collective bargaining agreement or employee benefit plan entered into before the bill's effective date.

By 30 days after the bill takes effect, the date of employment, or the date of joining the Civil Air Patrol, whichever is latest, an employee who is a member of the Civil Air Patrol and is trained and qualified to provide emergency services must notify the employer that the employee may be called to an emergency. The bill would take effect 90 days after its enactment.

"Civil air patrol" would mean the civilian auxiliary of the United States Air Force.

FISCAL IMPACT:

The bill would not have a significant fiscal impact on the state or local government.

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