



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4537 (Substitute H-1 as reported without amendment)

Sponsor: Representative Andrea LaFontaine

House Committee: Commerce and Trade

Senate Committee: Commerce

CONTENT

The bill would create the "Civil Air Patrol Employment Protection Act" to prohibit an employer from discriminating against, disciplining, or discharging an employee for any of the following reasons: a) the employee was a member of the civil air patrol; or b) the employee was absent from work and all of the following conditions were met:

- The employee was absent 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.
- The employee gave his or her employer as much notice as possible of the dates the employee would be absent to serve with the civil air patrol during the emergency.
- The employee provided the employer with verification from the civil air patrol of the emergency need for the employee's volunteer service.

"Civil air patrol" would mean the civilian auxiliary of the United States Air Force. "Employee" would mean an individual who receives wages or remuneration for providing services to an employer. "Employer" would mean a person that provides wages or remuneration to one or more individuals who perform services for the employer under an express or implied contract of hire.

The proposed Act would not do either of the following: a) prohibit an employer from treating the employee's absence as unpaid time off; or b) prohibit an employer from complying with a collective bargaining agreement or employee benefit plan entered into before the Act's effective date.

Within 30 days after the Act's effective date, the date of employment, or the date of joining the civil air patrol, whichever was latest, an employee who was a member of the civil air patrol and was trained and qualified to provide emergency services would have to notify his or her employer that he or she could be called to an emergency.

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

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 3-16-16

Fiscal Analyst: Josh Sefton

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Bill Analysis @ www.senate.michigan.gov/sfa

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