

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 1001
May 19, 2022
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40684-Sa-21

Short Title: Uniformed Civil Service Act. (Public)

Sponsors: Representative Bell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT DISCRIMINATION OR RETALIATION IN EMPLOYMENT FOR
3 ABSENCES OF MEMBERS OF THE CIVIL AIR PATROL PERFORMING
4 AUTHORIZED DUTIES AND TO APPROPRIATE FUNDS FOR EMPLOYER
5 EDUCATION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 13 of Chapter 143B of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 143B-1033. Employment absence.**

10 (a) An employer shall not discriminate against, discharge, demote, or otherwise take an
11 adverse employment action against any employee that is a member of the North Carolina
12 Wing-Civil Air Patrol on the basis of that membership or any absence required to perform duties
13 if the absence is authorized pursuant to this section.

14 (b) An absence from employment by a member of the North Carolina Wing-Civil Air
15 Patrol is authorized if it meets all of the following requirements:

16 (1) The absence is necessary to perform duties incident to a State approved
17 mission pursuant to G.S. 143B-1030(b)(3) or a United States Air Force
18 authorized mission.

19 (2) The absence is for no more than seven consecutive normal working days for
20 that employee.

21 (3) The total absences in a calendar year do not exceed more than 14 normal
22 working days for that employee.

23 (c) The employer may require that the employee furnish a copy of the employee's mission
24 order.

25 (d) Nothing in this section shall be construed to require an employer to pay salary or
26 wages to a member of the North Carolina Wing-Civil Air Patrol during the employee's authorized
27 absence, except when the employee chooses to use any paid leave that may be available to the
28 employee through their employment.

29 (e) The Commissioner of Labor shall enforce the provisions of this section according to
30 Article 21 of Chapter 95 of the General Statutes, including the rules and regulations issued
31 pursuant to that Article."

32 **SECTION 2.** There is appropriated from the General Fund to the Department of
33 Labor the sum of five thousand dollars (\$5,000) in nonrecurring funds for the 2022-2023 fiscal
34 year to create and provide educational materials to employers on the provisions of this act.

35 **SECTION 3.** This act becomes effective July 1, 2022, and applies to absences
36 occurring on or after that date.

