

SENATE BILL No. 794

February 18, 2014, Introduced by Senators COLBECK, SCHUITMAKER, MARLEAU, PAPPAGEORGE, GREEN, JONES, BRANDENBURG, ROBERTSON, BOOHER, EMMONS, HUNE, HILDENBRAND, JANSEN, HOPGOOD, BIEDA and MOOLENAAR and referred to the Committee on Veterans, Military Affairs and Homeland Security.

A bill to prohibit an employer from discriminating against, disciplining, or discharging an employee who is absent from work to respond to an emergency as a civil air patrol volunteer; to establish the conditions under which an employee is entitled to employment protection; and to provide remedies for a violation of this act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "civil air patrol employment protection act".

3 (2) As used in this act:

4 (a) "Civil air patrol" means the civilian auxiliary of the
5 United States air force.

6 (b) "Employee" means an individual who receives wages or

1 remuneration for providing services to an employer.

2 (c) "Employer" means a person that provides wages or
3 remuneration to 1 or more individuals who perform services for the
4 employer under an express or implied contract of hire.

5 (3) Subject to subsection (4), an employer shall not
6 discriminate against, discipline, or discharge an employee because
7 the employee is absent from work if all of the following conditions
8 are met:

9 (a) The employee is absent for the purpose of responding as a
10 member of the civil air patrol to an emergency declared by the
11 governor.

12 (b) The employee gives his or her employer as much notice as
13 possible of the dates the employee will be absent to serve with the
14 civil air patrol during the emergency.

15 (c) The employee provides the employer with verification from
16 the civil air patrol of the emergency need for the employee's
17 volunteer service.

18 (4) This act does not do any of the following:

19 (a) Prohibit an employer from treating the time the employee
20 is absent because of emergency civil air patrol service as unpaid
21 time off.

22 (b) Prohibit an employer from complying with a collective
23 bargaining agreement or employee benefit plan entered into before
24 the effective date of this act.

25 (5) An employee or former employee may bring a civil action
26 for damages or equitable relief to enforce this act.