

SENATE BILL No. 310

April 30, 2015, Introduced by Senators COLBECK, NOFS, KNOLLENBERG, ZORN, KNEZEK, PROOS, GREEN, O'BRIEN and ROBERTSON and referred to the Committee on Commerce.

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; 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
7 remuneration for providing services to an employer.

8 (c) "Employer" means a person that provides wages or
9 remuneration to 1 or more individuals who perform services for the

1 employer under an express or implied contract of hire.

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

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

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

12 (c) The employee provides the employer with verification from
13 the civil air patrol of the emergency need for the employee's
14 volunteer service.

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

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

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

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

24 Enacting section 1. This act takes effect 90 days after the
25 date it is enacted into law.