A BILL TO BE ENTITLED

AN ACT TO PROHIBIT DISCRIMINATION OR RETALIATION IN EMPLOYMENT FOR
ABSENCES OF MEMBERS OF THE CIVIL AIR PATROL PERFORMING
AUTHORIZED DUTIES AND TO APPROPRIATE FUNDS FOR EMPLOYER
EDUCATION.

The General Assembly of North Carolina enacts:

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

"§ 143B-1033. Employment absence.

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

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

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

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

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

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

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

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

SECTION 2. There is appropriated from the General Fund to the Department of
Labor the sum of five thousand dollars ($5,000) in nonrecurring funds for the 2022-2023 fiscal
year to create and provide educational materials to employers on the provisions of this act.
SECTION 3. This act becomes effective July 1, 2022, and applies to absences occurring on or after that date.