

CIVIL AIR PATROL EMPLOYMENT PROTECTION ACT (EXCERPT)
Act 75 of 2016

408.921 Short title; definitions; discriminating against, disciplining, or discharging employee prohibited; reasons; scope; notification to employer; civil action.

Sec. 1.

- (1) This act shall be known and may be cited as the "civil air patrol employment protection act".
- (2) As used in this act:
 - (a) "Civil air patrol" means the civilian auxiliary of the United States Air Force.
 - (b) "Employee" means an individual who receives wages or remuneration for providing services to an employer.
 - (c) "Employer" means a person that provides wages or remuneration to 1 or more individuals who perform services for the employer under an express or implied contract of hire.
- (3) Subject to subsection (4), an employer shall not discriminate against, discipline, or discharge an employee for any of the following reasons:
 - (a) The employee is a member of the civil air patrol.
 - (b) The employee is absent from work if all of the following conditions are met:
 - (i) The employee is 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.
 - (ii) The employee gives his or her employer as much notice as possible of the dates the employee will be absent to serve with the civil air patrol during the emergency.
 - (iii) The employee provides the employer with verification from the civil air patrol of the emergency need for the employee's volunteer service.
- (4) This act does not do any of the following:
 - (a) Prohibit an employer from treating the time the employee is absent because of emergency civil air patrol service as unpaid time off.
 - (b) Prohibit an employer from complying with a collective bargaining agreement or employee benefit plan entered into before the effective date of this act.
- (5) By 30 days after the effective date of this act, the date of employment, or the date of joining the civil air patrol, whichever is latest, an employee who is a member of the civil air patrol and is trained and qualified to provide emergency services shall notify his or her employer that the employee may be called to an emergency.
- (6) An employee or former employee may bring a civil action for damages or equitable relief to enforce this act.

History: 2016, Act 75, Eff. July 4, 2016