

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 1001  
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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.

