



THE STATE OF FLORIDA  
**JUSTICE ADMINISTRATIVE COMMISSION**

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**MEMORANDUM #21-17HR**

**TO:** Agency Administrators

**FROM:** Carolyn Horwich, J.D., Director of Human Resources

**THROUGH:** Rip Colvin, Executive Director

**SUBJECT:** Civil Air Patrol

**DATE:** June 16, 2017

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The Department of Management Services has issued guidance on an amendment to s. 252.55, F.S., and leave provisions for members of the Civil Air Patrol.

The guidance is attached. Please do not hesitate to contact your Payroll Coordinator if you have any questions.

Thank you.



DEPARTMENT OF MANAGEMENT SERVICES  
DIVISION OF HUMAN RESOURCE MANAGEMENT ADVISORY

STATE PERSONNEL SYSTEM	
<b>ADVISORY:</b> HRMA #2017-005	<b>DATE:</b> June 13, 2017
<b>SUBJECT:</b> <i>Employment Protections for Eligible Members of the Florida Wing of the Civil Air Patrol</i>	
<b>STATUTES/RULES/REGULATIONS/LAWS:</b> <i>Section 252.55, Florida Statutes (F.S.), Civil Air Patrol, Florida Wing</i>	
<b>FORMS:</b> N/A	
<b>ADDITIONAL REFERENCE MATERIALS:</b> N/A	

Dear Colleagues,

On June 9, 2017, Governor Scott signed Senate Bill 370. The bill amends section 252.55, F.S., which establishes the framework for the Civil Air Patrol, a nonprofit, educational and emergency-management-related organization that, in addition to other responsibilities, assists the Division of Emergency Management and other entities during the recovery phase following a natural disaster. A summary of the new provisions impacting the State Personnel System (SPS), effective July 1, 2017, are as follows:

- An employer shall provide up to 15 days of unpaid leave annually to an eligible employee for the purpose of participating in a Civil Air Patrol training or mission;
- Employers cannot require an employee to use annual or compensatory leave for the period the employee was on the leave, but the returning employee is authorized, upon request, to use annual or compensatory leave prior to the commencement of his or her 15 days of unpaid leave;
- Employees must be employed by the same employer (SPS) for at least 90 days immediately preceding the leave and must be a senior member of the Florida Wing of the Civil Air Patrol with an emergency services qualification;
- Employees are defined to include independent contractors;
- The employer shall not discharge, reprimand or otherwise penalize employees for taking this leave;
- Upon return from the leave, the employee shall promptly notify the employer of his or her intent to return to work; and
- An employee who returns to work following this leave may not be discharged from such employment for one year following his or her return, except for cause (includes employees in the Career Service, Other Personal Services, Selected Exempt Service and Senior Management Service).

Upon request, members of the Civil Air Patrol who have returned to work can provide documentation of the dates they served. Once documented, it is recommended that the 15 days of unpaid leave be tracked either outside of the People First system or by utilizing a charge object. Instructions for setting up a charge object are found at the following link:

[HR Professional User Guide](#)

The final version of the bill text (Senate Bill 370) that the Governor signed in to law can be accessed at the following link:

[Senate Bill 370 – Florida Wing of the Civil Air Patrol](#)

If you have any questions, please contact John Apthorp at 850-922-1274 or email at [john.apthorp@dms.myflorida.com](mailto:john.apthorp@dms.myflorida.com).

<b>PREPARER'S INITIALS:</b> <i>JDA/MDG</i>
<b>FILE PATH:</b> <i>S:\Workforce\HRM\HRM Policy Communication \HRM Advisory\Final</i>