

# SENATE BILL REPORT

## SSB 6647

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As Amended by House, February 28, 2010

**Title:** An act relating to protecting jobs of members of the civil air patrol while acting in an emergency service operation.

**Brief Description:** Protecting jobs of members of the civil air patrol while acting in an emergency service operation.

**Sponsors:** Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Honeyford, Swecker and Morton).

**Brief History:**

**Committee Activity:** Labor, Commerce & Consumer Protection: 1/28/10, 2/02/10 [DPS].

Passed Senate: 2/12/10, 47-0.

Passed House: 2/28/10, 96-0.

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### SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

**Majority Report:** That Substitute Senate Bill No. 6647 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Honeyford, King and Kline.

**Staff:** Kathleen Buchli (786-7488)

**Background:** The Civil Air Patrol (CAP) serves as the civilian auxiliary of the United States Air Force. CAP is a volunteer organization which has been chartered by the United States Congress with three missions: aerospace education; cadet programs; and emergency services, which includes search and rescue and disaster relief. CAP has approximately 57,000 members and performs 90 percent of inland search and rescue missions.

Volunteer firefighters or reserve officers may not be discharged from employment or disciplined because of leave taken related to an emergency call or fire alarm. A volunteer firefighter or reserve officer who has been wrongfully discharged or disciplined may file a complaint with the Department of Labor and Industries (Department). If the Department determines that the employee has been wrongfully discharged or disciplined, the employer must reinstate the employee or withdraw the disciplinary action.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Substitute Bill:** CAP members may not be discharged from employment or disciplined because of leave taken related to an emergency service operation. A CAP member who believes that he or she has been wrongfully discharged or disciplined may bring an action alleging the violation with the Director of the Department. The complaint must be filed within 90 days of the violation, the Director must investigate the complaint, and send his or her determination within 90 days of receipt of the complaint. If it is determined that the CAP member has been wrongfully discharged or disciplined, the CAP member must be reinstated and any disciplinary action withdrawn.

An emergency service operation means the following operations of the CAP: search and rescue missions designated by the Air Force Rescue Coordination Center; disaster relief or humanitarian relief when requested by the Federal Emergency Management Agency; United States Air Force support designated by the First Air Force; and counterdrug missions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The CAP provides thousands of hours of volunteer service annually. There are 700 adult and 550 youth members in Washington State, and the estimated value of their volunteer hours is \$3 million. This will help CAP volunteers if they are involved in operations that go on for a long time. This will allow CAP members to get time off and to participate in search and rescue operations.

**Persons Testifying:** PRO: Senator Honeyford, prime sponsor; David Maxwell, Civil Air Patrol.

**House Amendment(s):** Specifies that civil air patrol members may not be discharged or disciplined because of leave related to emergency services operations, rather than leave related to an alarm of fire or an emergency call.