

HB 1315 -- LEAVE OF ABSENCE FOR UNITED STATES COAST GUARD  
AUXILIARY MEMBERS

SPONSOR: McCaherty

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on  
General Laws by a vote of 10 to 0.

This bill specifies that any state employee who is or may become a member of the United States Coast Guard Auxiliary may be granted a leave of absence without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which the person is otherwise entitled when he or she is performing United States Coast Guard or United States Coast Guard Auxiliary duties, including travel, as authorized by the United States Coast Guard. The leave may not exceed 15 working days in any fiscal year or without regard to length of time when responding to a state or national emergency in Missouri, or upon any navigable waterway within or adjacent to the state. The state employee cannot be discharged from state employment due to being a member or his or her service in the United States Coast Guard Auxiliary. Before any salary is paid for the leave period, the employee must file with the appointing authority or supervisory agency evidence of his or her emergency participation.

The bill also requires any employee of an employer with 50 or more workers who is or may become a member of the United States Coast Guard Auxiliary to be granted a leave of absence to perform United States Coast Guard or United States Coast Guard Auxiliary duties, including travel. The employee will not lose time, regular leave, or any other rights or benefits to which the employee is otherwise entitled as a result of the leave of absence. The leave cannot be for more than 15 working days in any calendar year or without regard to the length of time when responding to a state or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state. The employer cannot be required to pay a salary to the employee during this leave of absence and has the right to request that the employee be exempted from responding to a specific mission which must be honored by the appropriate United States Coast Guard or United States Coast Guard Auxiliary authority.

The Attorney General is required to enforce these employee rights.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPONENTS: Supporters say that the bill allows state employees to volunteer and serve in the United State Coast Guard Auxiliary without fear of losing their current employment. Other miliary branches have a similar protection.

Testifying for the bill was Representative McCaherty.

OPPONENTS: There was no opposition voiced to the committee.