



South Carolina
DEPARTMENT OF AGRICULTURE
HUMAN RESOURCES DEPARTMENT

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CIVIL AIR PATROL LEAVE POLICY

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I. SCOPE AND PURPOSE

On June 30, 2026, Governor Henry McMaster signed S.1043 into law, enacting the Civil Air Patrol Leave Act (codified as Chapter 23 of Title 25 of the South Carolina Code of Laws). The purpose of this policy is to guide the administration of Civil Air Patrol leave.

For purposes of Civil Air Patrol Leave, the State is considered a single employer. In all cases where there is a discrepancy between this policy and the law or the State Human Regulations, the law and regulations govern.

II. DEFINITIONS

Civil Air Patrol (CAP): A federally chartered, nonprofit corporation that serves as the official civilian auxiliary of the United States Air Force, tasked with conducting emergency services, disaster relief, aerospace education, and cadet programs. In South Carolina, the CAP Wing provides essential search and rescue, disaster assessment and humanitarian support to local communities during state-declared emergencies and natural disasters.

Civil Air Patrol Member: An active member of the official auxiliary of the United States Air Force known as the Civil Air Patrol, primarily represented within the state by the South Carolina Wing of the Civil Air Patrol.

Civil Air Patrol Leave: Leave requested under the provisions of the Civil Air Patrol Leave Act by an employee who is a CAP member. Leave is provided for Training and Proficiency Activities and Emergency Service Operations.

Training and Proficiency Activities: Training and Proficiency Activities which may be administered by CAP, the United States Air Force, the Federal Emergency Management Agency (FEMA) or other emergency-related organizations.

Emergency Service Operation: Any Air Force-assigned mission, Civil Air Patrol National Operations-assigned missions, state of emergency or disaster declared by the President of the United States or the Governor of South Carolina that encompasses any part of the state of South Carolina or any request for assistance by any department, agency, instrumentality, or political subdivision of the State.

Mutual Aid Request: Any request from another state or political subdivision of a state seeking assistance for an emergency service operation.

III. ELIGIBILITY

The Civil Air Patrol Leave Act applies to all state employees regardless of position type or employment duration. This includes employees in full-time equivalent (FTE), temporary grant, time-limited project and temporary positions. There is no minimum service required to be eligible for Civil Air Patrol Leave so individuals are eligible immediately upon their date of hire.

IV. EMPLOYEE NOTIFICATION REQUIREMENT

Employees who are employed by an agency on October 1, 2026, and are members of the Civil Air Patrol must notify Human Resources and their supervisor they are a member of the Civil Air Patrol no later than October 31, 2026.

Thereafter, employees must notify Human Resources and their supervisor that they are a member of the Civil Air Patrol no more than 30 days from the date of accepting a position or 30 days from when they join the Civil Air Patrol, whichever is later.

After receiving notification from an employee that they are a member of the Civil Air Patrol, Human Resources will

provide the employee with the Civil Air Patrol Membership Notification Form. Employees must return the Civil Air Patrol Membership Notification Form to Human Resources to complete this notification requirement within the 30-day timeframe. Failure to notify Human Resources and their supervisor within these timeframes may result in the delay or denial of the employee's leave request.

An employee must also promptly notify Human Resources and their supervisor in writing if their active membership in the Civil Air Patrol ends.

V. LEAVE USE

Civil Air Patrol leave may only be utilized for authorized Training and Proficiency Activities or Emergency Service Operations that occur on or after the effective date of the Act, October 1, 2026.

Employees are not required to use, or exhaust accumulated annual leave, sick leave, compensatory time or any other leave before requesting or using Civil Air Patrol leave.

State holidays are not counted against or deducted from an employee's Civil Air Patrol Leave allotment. Employees will receive regular holiday pay for those days.

VI. LEAVE AMOUNT

A. Training and Proficiency Activities: Eligible employees are entitled to paid leave of up to 10 average workdays in any one calendar year for Training and Proficiency Activities administered by the Civil Air Patrol, the United States Air Force, the Federal Emergency Management Agency, or other approved emergency management-related organizations.

1. Eligible employees may utilize up to five days of the 30 average workdays available for Emergency Service Operations for Training and Proficiency Activities if the 10 average workdays for Training and Proficiency Activities has been exhausted and the employee has leave available from the 30 average workdays for Emergency Service Operations. Under no circumstances can an employee take more than 15 average workdays of leave for Training and Proficiency Activities in any one calendar year.

B. Emergency Service Operations: Eligible employees are entitled to paid leave of up to 30 average workdays in any one calendar year for Emergency Service Operations.

Eligible employees may utilize up to five days of the 10 average workdays available for Training and Proficiency Activities for Emergency Service Operations if the 30 average workdays for Emergency Service Operations has been exhausted and the employee has leave available from the 10 average workdays for Training and Proficiency Activities. Under no circumstances can an employee take more than 35 average workdays of leave for Emergency Service Operations in any one calendar year.

The full amount of Civil Air Patrol leave shall be available to eligible employees at the beginning of each calendar year or immediately upon hire. The leave amount is not prorated if an employee is hired after January 1. Total leave usage cannot exceed 40 days in a calendar year regardless of transferring agencies or changes to position types.

Unused Civil Air Patrol leave shall be forfeited at the end of calendar year, end of active membership in CAP, or upon leaving state employment. Employees will not be paid out for unused leave, and the leave will not be carried over to a new calendar year.

VII. TRAINING AND PROFICIENCY ACTIVITIES LEAVE REQUEST

Employees seeking to utilize Civil Air Patrol leave for Training and Proficiency Activities must submit a Civil Air Patrol Leave Request Form to Human Resources indicating leave is being requested for Training and Proficiency Activities. An employee may withdraw their Civil Air Patrol leave request at any time prior to the start of the leave. The request to withdraw the request must be submitted in writing to Human Resources.

Whenever possible, the employee and SCDA should schedule Training and Proficiency activities to minimize operational disruptions, provided the scheduling does not interfere with the employee's ability to complete the required training.

Employees requesting leave for Training and Proficiency Activities should provide to Human Resources:

- A. At least two weeks' notice of their absence.
- B. The date of return to work.
- C. Approval of the employee's participation in the requested training by their Civil Air Patrol group commander or higher authority.
- D. Proof of participation, to include the dates of training, from the training or activity provider or their designee.

VIII. EMERGENCY SERVICE OPERATIONS LEAVE REQUESTS

Employees seeking to utilize Civil Air Patrol Leave for Emergency Service Operations must submit a Civil Air Patrol Leave Request Form to Human Resources indicating leave is being requested for an Emergency Service Operation. An employee may withdraw their Civil Air Patrol leave request at any time prior to the start of the leave. The request to withdraw the request must be submitted in writing to Human Resources.

Employees requesting leave for Emergency Service Operations should provide:

- A. As much notice as possible for expected absences due to an Emergency Service Operation.
- B. Approval of the employee's participation in the operation from their Civil Air Patrol group commander or higher authority, the incident commander, or the requesting organization.
- C. Proof of participation from the operation's leadership or their designee.

Within eight hours of ending participation in an Emergency Service Operation, the employee must notify Human Resources and their supervisor of their intent to return to work. Following this notification, the employee shall return to work within eighteen hours of ending participation in an Emergency Service Operation, or at the start of the employee's next regular workday, whichever is later. The employee shall also update the agency periodically on the expected duration of any absence and expected date of return due to an Emergency Service Operation, as possible.

Simultaneous Emergency Services Operation: Leave can be denied if the employee is required to respond to either the same or other simultaneous Emergency Service Operations as a first responder, emergency manager, or other emergency services personnel for a local, state, or federal agency.

Essential Employee: Leave can also be denied if the employee has been designated as an essential employee. However, SCDA will work with employees to provide access to Civil Air Patrol leave whenever the employee's absence will not result in demonstrable harm or disruption to daily operations. An employee shall notify their Civil Air Patrol chain of command of their designation as an essential employee as soon as possible.

IX. REQUIRED DOCUMENTATION

LEAVE CATEGORY	REQUIRED DOCUMENTATION (Employee Provides All Listed Items)
Training and Proficiency Activities Leave	• Written approval of participation from Civil Air Patrol group commander or higher authority. • Official proof of participation from the training or activity provider or designee which includes the dates of the training.
Emergency Service Operations Leave	• Approval of participation from Civil Air Patrol group commander, higher authority, incident commander, or the requesting organization. • Official proof of participation from the Emergency Service Operation's leadership or designee which includes the dates of the Emergency Service Operation.