Client Alert
South Carolina Civil Air Patrol Leave

WHAT'S NEW: South Carolina enacted the Civil Air Patrol Leave Act, which requires employers to provide leave for employees who are members of the Civil Air Patrol. The new law is effective **October 1, 2026**.

WHAT IT MEANS: Under the new law, an employer must provide a minimum of thirty (30) days of unpaid leave per calendar year to employees for the purpose of responding to an emergency service operation of the Civil Air Patrol. Employers must also provide a minimum of ten (10) unpaid days of Civil Air Patrol Leave per calendar year to employees for the purpose of training and proficiency activities. The leave must be made available in a lump sum at the start of each year for eligible employees. Unused leave remaining at the end of each year is forfeited and does not carry over into the following year.

Employers may deny leave for employees who are designated as essential employees. Employees may not be required to exhaust other forms of leave before utilizing Civil Air Patrol Leave. All employee rights, benefits, and privileges must be preserved, and employees must be returned to the same or equivalent position upon their return. Retaliation is prohibited.

Employee Responsibilities:

- Employees must notify their employer of their Civil Air Patrol membership within 30 days of accepting a job offer.
- Within eight (8) hours of ending participation in an emergency service operation, employees must inform their employer of their intent to return.
- Employees must return to work within eighteen (18) hours of ending participation in an emergency service operation or at the start of the next regular workday (whichever is later).
- Employees must update their employer periodically on the expected duration of any absence and an expected date of return.

Employers may require:

- For training related leave- 2 weeks' notice of absence, date of return and approval of employee's participation by their Civil Air Patrol group commander, and proof of participation.
- For operation related leave- as much notice as possible, approval of the employee's participation by their Civil Air Patrol group commander, and proof of participation.

WHAT EMPLOYERS SHOULD DO: Employers should update leave policies and ensure that managers are trained on the new requirements. A sample policy can be found here.

If you have any questions, please contact your HR Business Partner/Consultant.