



Civil Air Patrol (CAP) Leave Reference Guide

To request CAP leave, complete the *CAP Leave Request Form* and return it to the Office of Human Resources (OHR). If you have any questions, please contact the OHR Time/Leave Unit at Leave@SCDPS.gov.

Definition

The Civil Air Patrol is a federally chartered, nonprofit corporation that serves as the official civilian auxiliary of the United States Airforce, 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.

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. This act provides paid leave entitlements that may be taken for eligible absences which occur on or after **October 1, 2026**.

Eligibility

All full-time and part-time State of SC employees who are active members of the Civil Air Patrol. This includes full-time equivalent (FTE) positions, temporary positions, temporary grant positions, research grant positions and time-limited project positions. ***Eligible employees must report their Civil Air Patrol membership to OHR upon hire or within the first 30 days of joining the Civil Air Patrol.***

Qualifying events

- Training and Proficiency Activities (TPA)

Eligible employees are entitled to paid leave 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.

- Emergency Service Operations (ESO)

Eligible employees are entitled to paid leave for emergency service operations.

CAP leave allotment

Effective October 1, 2026, CAP leave is available in the following amounts:

- 10 days for training and proficiency activities (TPA) per calendar year.
- 30 days for emergency service operations (ESO) per calendar year.

Note: Up to five days of the 30 days allotted for ESO may be utilized for training and proficiency activities if the 10 days have been exhausted. Similarly, up to five days of TPA leave may be utilized for ESO if the 30 days have been exhausted. No employee can take more than 35 days for ESO and no more than 15 days for TPA.

A total allowance of 40 days is the maximum allowable paid CAP leave per calendar year.



Emergency Service Operations

- Air Force assigned mission.
- Civil Air Patrol National Operations-assigned mission.
- State of emergency or disaster declared by the President of the United States that encompasses any part of the State of South Carolina.
- State of emergency or disaster declared by the Governor of South Carolina that encompasses any part of the State of South Carolina.
- Any request for assistance by any department, agency, instrumentality or political subdivision of the State of South Carolina.
- In support of mutual aid requests by other states or Civil Air Patrol units outside of the employee's chain of command with prior approval of the employee's employer and the employee's wing commander or his designee.

Documentation required to request CAP leave for emergency service operations

- Employees requesting leave for emergency service operations should provide:
 - A completed *CAP Leave Request Form*.
 - Written 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.
 - As much notice as possible for expected absences due to an emergency service operation.
 - After the operation, proof of participation from the operation's leadership or his designee.
- Employees must inform their agency of their intent to return to work within eight hours of ending participation in an emergency service operation and must return to work within 18 hours of ending participation in an emergency service operation, or at the start of their next regular workday, whichever is later.
- Employees must update their chain of command periodically and as possible on the expected duration of any absences and expected date of return.

Documentation required to request CAP leave for training and proficiency activities

- Employees requesting leave for training and proficiency activities should provide:
 - A completed *CAP Leave Request Form*.
 - At least two weeks' notice of their absence
 - The date of return to work.
 - Written approval of the employee's participation in the requested training by their Civil Air Patrol group commander or higher authority.
 - After the activity, proof of participation, to include the dates of training, from the training provider or his designee.
- Employees and the agency should attempt to schedule training and proficiency activities to minimize operational disruptions when possible.



CAP Leave Usage

- CAP leave remaining at the end of a calendar year is forfeited.
- There is no requirement to exhaust other types of leave prior to using CAP leave.
- CAP leave does not reset upon transfer to another agency. For the purposes of CAP leave, the State of South Carolina is considered a single employer.
- CAP leave is not prorated, and employees are eligible to take the full 30-day and 10-day allotments immediately upon hire and regardless of when the employee is hired within the calendar year.
- State holidays are not counted against or deducted from an employee's CAP leave allotment. Employees will receive regular holiday pay for those days.

Denial of CAP Leave

Every effort will be made to allow employees to serve out their responsibilities to the Civil Air Patrol. The following are instances where CAP leave may be denied.

- If the employee is required to respond to the same or other simultaneous emergency service operation as a first responder, emergency manager or other emergency services personnel for a local, state or federal agency.
- If the employee is designated as an essential employee.

Protections provided by CAP Leave

- During an approved CAP leave of absence, employees are entitled to preserve all employee benefits, rights and privileges to which they are entitled.
- Any employee utilizing CAP leave shall be entitled to return to the position they held, or a position of equivalent status, pay, and benefits.
- An employee may not be discharged, reprimanded, discriminated against or otherwise disciplined for utilization of CAP leave if they are in compliance with the provisions of the Civil Air Patrol Act. Additionally, agencies must not retaliate against an employee who opposes a practice not in compliance with this Act.