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ACLU OF RI POSITION: AMEND

**TESTIMONY ON 21-H 5111,
RELATING TO MILITARY AFFAIRS AND DEFENSE – CIVIL AIR PATROL ACT
February 24, 2021**

The ACLU has no position on the substance of this bill, which would authorize state assistance to the Rhode Island wing of the Civil Air Patrol, and would bar employers from interfering with employees who participate in the CAP. However, we do wish to urge adoption of an amendment to address the remedies available to employees who face discrimination or other violations of the law for their involvement in the Civil Air Patrol.

Under this bill, if an employer unfairly fires, suspends or demotes an employee, the only financial compensation available to the victim is recovery of lost wages. By failing to authorize any other compensatory or punitive damages, and by declining to allow the person to recover their court costs or attorneys' fees for having to sue to vindicate their rights, the bill provides very little incentive for employers to follow this law or for employees to challenge violations of it.

Virtually all of the state's other employee protection laws – including, for example, the Fair Employment Practices Act and the state's whistleblower law – appropriately provide for these additional monetary damages and fees as a remedy for an employer's illegal conduct. We would urge that this bill be amended to do the same.

Thank you for considering our views.

Submitted by: Steven Brown, Executive Director