



Policy Type: Human Resources
Policy #: HR-400-02
Approved by Council on: November 27, 2017

Human Resources – Military Reservist Leave

Policy

An Employee will be granted a leave of absence without pay or benefits if they are a military reservist who is called up for active service.

“Reservist” is defined in the Employment Standards Act to mean a member of the reserve force of the Canadian Forces referred to in s. 15(3) of the National Defence Act (Canada)

Objective

To demonstrate the Town of Prescott’s support for our troops by allowing employees who are members of Canada’s Reserve Force unpaid leave to perform their military duty.

Procedure

Reservists who have worked for the Town of Prescott for at least six (6) consecutive months are entitled to an unpaid, indefinite leave of absence, where the Employee will not be performing the duties of his or her position because of a domestic or international deployment. The duration of the leave will depend on the operation to which the reservist is deployed, and may include participation in both pre- and/or post-deployment activities.

When an Employee who is a military reservist is called to duty, they must make all requests for leave in writing. Employees shall make a reasonable effort to provide notice in accordance with the following provisions:

- i) Training and Non-Emergency Domestic Operation: Employees requesting this category of leave must notify their supervisor in writing at least fifteen (15) days prior to commencement of the exercise.
- ii) Emergency Domestic Operation: In the event of emergency domestic operations when employees cannot provide written notice of leave within the stated deadline, employee must notify their Department Head as soon as possible after being called up.



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Human Resources – Military Reservist Leave – Continued

- iii) International Operation: Employees considering applying for an international operation are advised to discuss their intentions with their Department Head prior to applications. In cases where short notice is given by the military, written notice must be provided as soon as feasible.

The Town of Prescott reserves the right to seek verification from the employee's Commanding Officer that confirms the request for leave.

Employees must provide notice to the Employer before returning to their job. Upon the reservist's return from leave, the Employer is required to reinstate the reservist to the same position if it still exists or to a comparable position if it does not. The Town of Prescott may defer such reinstatement for one pay period or up to two (2) weeks, whichever is longer, after the return date subject to the Employment Standards Act, 2000. In the event that the Town of Prescott defers reinstatement in accordance with this paragraph, benefits contributions shall commence on the return date.

This leave of absence will bear no cost to the Employer as the Employee will be paid and provided benefits from the military.

If the absence exceeds thirty (30) calendar days, the Employee shall not accumulate service or seniority for the purpose of vacation, sick leave or short term disability benefits, wage progression, or any other entitlement affected by service.

Upon reinstatement, the employee will be paid the greater of the wage rate he or she earned most recently as an employee of the Town or, the rate the employee would be earning had he or she worked throughout the leave as an employee of the Town.

The military reservist leave period will result in a pension plan break in service with OMERS. The employee has the option of purchasing the service with OMERS and must sign a Leave Period Election Form 165 indicating whether they wish to purchase service or not. As per OMERS regulations, if the employee elects to purchase the service with OMERS, the employee is responsible for paying his/her portion of the contributions and the Town will pay the Town's portion.