

Reservist Leave

Original Implementation Date:	April 1, 1996	Approved by:
Date of Last Revision:	August 16, 2021	Approved by: Jacques Dubé, CAO
Effective Date of Last Revision:	January 6, 2022	Approved by: Jacques Dubé, CAO

1 – Policy Name

Reservist Leave

2 – Purpose

The Municipality supports employees, who are reservists, in their commitment to the Canadian Reserve Force, by providing approved unpaid leave for training and active deployment, as per the *Nova Scotia Labour Standards Code*. The intent is to provide job protection so employees can take time off from their job for the leave.

3 – Objectives

The objectives of this Policy are:

- To support the Canadian Forces in their need for reservists available for training and/or deployment.
- To support employees who have made a commitment to the Canadian Forces as a reservist.
- To meet legislated requirements under the *Nova Scotia Labour Standards Code*.
- To treat employees in a fair and equitable manner.

4 – Scope

Applies to all employees, who have worked for the Municipality for at least three months. For unionized employees, in the event a provision of the applicable Collective Agreement provides a greater entitlement than is outlined in this Policy, the Collective Agreement prevails.

5 – Definitions

In the context of this document:

Reservist means specifically Canadian Forces Reservist; individuals who make up part of Canada's military forces but differ from the "regular force" in that they volunteer to serve their country on a part-time basis.

6 – Roles and Responsibilities

Executive Directors

Executive Directors are responsible for:

- Ensuring proper administration of this Policy and delegating approval authority to directors/managers/supervisors as appropriate.

Directors/Managers/Supervisors

Directors/Managers/supervisors, who are delegated this authority by the Executive Director, are responsible for:

- Considering leave requests in accordance with the requirements of the Policy.
- Assessing operational requirements in light of all leave requests.
- Approving/denying leave requests.
- Supporting the employee in addressing situations that require leave while balancing operational requirements.
- Administering the Policy in a fair and equitable manner.
- Adhering to legislated requirements.
- Ensuring leaves are accurately recorded.

Employees

Employees are responsible for:

- Submitting leave requests to their immediate manager/supervisor, with advance notice as per the *Nova Scotia Labour Standards Code*.
- Accurately reporting all leaves on a regular basis. It is understood that in certain circumstances (e.g., emergencies, etc.) advance notice may not be possible.

Human Resources

Human Resources is responsible for:

- Providing support to business units regarding the fair and equitable administration of this Policy and any relevant legislation.
- Contacting the employee with regard to the HRM Pension Plan and group insurance benefits.

7 – Policy Regulations

A. The Labour Standards Code has two types of leaves for Canadian Forces Reservists:

1. Training Leave – Reservists can take up to 20 days unpaid training leave per year in order to take ongoing annual reservist training. This means the reservist does not have to use vacation leave for this training. The 20 days may be broken up into shorter periods and includes necessary travel time. An employee on training leave must return to work no later than the next regularly scheduled working day following

the training and any related travel time. The employee must submit a Leave Application Form giving at least four weeks' notice to their employer that they plan to take a training leave, except in an emergency situation, when they must give as much notice as reasonably possible. If the employee opts to continue paying their share of group benefits and pension contributions, the Municipality will cost share. The employee will continue to accrue vacation and sick leave entitlements.

2. Deployment Leave – Reservists who are on or are preparing for active deployment, within Canada or overseas, can take an unpaid leave from civilian work to fulfill their military commitment to service by submitting a Leave Application Form. Reservist employees can take deployment leave for a maximum period of service of 18 months within a three-year period and must return to work within four weeks of the end of the service period. The period of the leave includes the time for training that is necessary for the deployment. There must be at least one year between each deployment leave. An employee must give the employer 90 days' notice of their intention to return to work from the leave. In an emergency situation, where the full 90 days' notice cannot be provided, an employee needs to give as much notice as reasonably practical. Employees on deployment leave are not eligible for group insurance benefits. The employee will have the opportunity to accrue pensionable service based on the provisions of the HRM Pension Plan, however employees will be required to make both the employee and employer required contributions to accrue the pensionable service during the leave period. Employees will not accrue sick or vacation leave during this absence. For the purpose of determining future vacation entitlement, this leave will be considered as credited service.
- B. The Municipality can require an employee to provide a certificate from an official with the Reserves confirming that the employee requires the leave for a period of training or active service.
 - C. The Municipality is required to keep confidential any information received in relation to a protected leave of absence an employee takes. Employers must not share the information except in situations where: 1) the employee has consented to the information being shared; 2) an agent or employee of the employer, such as a manager, needs the information to do their job, or 3) the law requires that the information be disclosed.
 - D. The Municipality must accept the employee back to the same position held by the employee immediately before the leave began, or, where that position is not available, in a comparable position with no loss of seniority or benefits when the employee returns from the leave.

8 – Repeal

Replaces Military Leave Policy dated April 1, 1996.

9 – Effective Date

January 6, 2022

10 – Related Policies and Practices

Internal:

Temporary Non-union Employees

Applicable collective agreements

External:

Nova Scotia Labour Standards Code

11 – Policy Review

Review every year.

12 – Contact

MyHR@halifax.ca or 902-490-6145.

13 – Attachments

[Leave Application Form](#)