



Live Active Leisure

RESERVISTS POLICY

This policy has been written to clarify the Company's obligations towards UK Regular, Fixed Term and Temporary employees who are members of the Reserve Forces

There are two types of Reservist:

- Volunteer Reservists, civilians recruited into any of the four Volunteer Reserve Forces (Royal Naval Reserves, Royal Marines Reserves, TA, and Royal Auxiliary Air Force). Reservists engage for a period of 3 years at the of which they need to re-engage if they wish to remain members of the VRF
- Regular reservists, ex-regular servicemen who may retain a liability to be mobilised depending on how long has been served in the Armed Forces

TRAINING

Reservists are typically committed to 30 days training per year. Training tends to take place 1 evening per week, over various weekends throughout the year and one continuous 15 day training period also known as annual camp.

The Company will allow employees up to a maximum of two weeks paid leave of absence a year, to attend the military reserve training annual camp. Where the employee receives any service payment or allowances in respect of the annual camp, a deduction will be made from the employee's salary.

Employees will be expected to use their holiday entitlement for any additional training requirements.

The employee's line manager must record the period of time that paid leave has been granted for training purposes.

Leave must be planned and agreed with the employee's immediate manager as soon as the employee receives the notification of the annual training camp date.

The line manager should record the leave on the employee's holiday card as 'military reserve'.

MOBILISATION

Mobilisation occurs when a Reservist is called up into full-time military service on military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no less than 3 months and no longer than 12 months.

The Call-out papers for mobilisation are either sent by post to the company by the Reservist's unit, or delivered in person by the Reservist to their line manager. The documentation will include the call-out date (first day of mobilisation) and the anticipated timeline. Whenever possible, the MoD aims to give at least 4 week's notice of the date they are required to report for mobilisation, although there is no statutory requirement for a warning period prior to mobilisation.

High Readiness Reservists (HRR) have specific skills and can be mobilised with 7 days' notice or less. If an HRR works for the Company for more than 2 days/week, the employer's written consent is required for membership.

A period of mobilisation comprises three distinct phases: 1. medical and pre-deployment training; 2. operational tour; 3. post-operational tour leave

APPEALS FOR EXEMPTIONS AND DEFERRALS

The company may apply for exemption from or deferral of call-out and mobilisation, but will only do so in truly exceptional circumstances, which would cause the business obvious and significant harm.

If an unsatisfactory decision is received, the Company can appeal for a hearing by an Independent Reserve Forces Tribunal. If the tribunal rejects the application for exemption or deferral, the Company must release the Reservist for mobilisation.

TREATMENT OF TERMS AND CONDITIONS DURING MOBILISATION

Pay

The Company is not obliged to pay the Reservist's salary or contractual benefits whilst they are mobilised

The reservist will go into nil pay on the Company's payroll, however continuity of service is preserved for the period that they are mobilised

The MoD will

- Assume responsibility for the Reservists salary for the duration of their mobilisation.
- Pay a basic salary according to the Reservist's military rank. If this basic element is less than the salary element they receive from the Company, it is the Reservist's responsibility to apply to the MoD for the difference to ensure that they suffer no loss of earnings.
- Cover the cost of contractual benefits.
- Assume responsibility for any statutory debts that are deducted from the Reservist's salary

Pension

If the Reservist has a contributory company pension scheme, and chooses to remain in it, then the MoD will make the employer contributions for the period of mobilisation, as long as the Reservist continues to make their personal contributions.

In the event that during mobilisation an employee loses their life, death in service provision will be enacted.

Annual Leave

Reservists should be encouraged to take any holiday accrued before mobilisation to ensure this is not lost. Annual leave during the period of mobilisation will not accrue.

Insurance – All members of the Reserve Forces are routinely encouraged to review their life/medical/health insurance covers.

RETURN TO WORK

Providing the Reservist applies in writing for reinstatement, the Company has a legal obligation to reinstate the employee in the same type of job in which they were last employed, on terms and conditions no less favourable to them than previously. However if this is not reasonable and/or practicable, the Reservist should be re-employed in a mutually acceptable alternative role.

The Company must re-employ the Reservist as soon as they are reasonably able to do so from the date stated by the Reservist in their letter for reinstatement. This letter must reach the Company no later than the 3rd Monday after the last day of mobilisation and must state the date they can return to the company which should be no later than the 6th Monday after the end of mobilisation.