



ARCHDIOCESE OF REGINA

Policy Name:	Leaves: Military / Reserve Leave	Number:	S4-21
Policy Type:	Employment Benefits and Protection of Employees	Date Approved:	February 2017
Legislation:	<i>Saskatchewan Employment Act Section 2-53</i> <i>National Defense Act</i>	Date Revised:	

Policy Statement:

The *Saskatchewan Employment Act* provides an employee who has volunteered for service is entitled to a leave of absence without pay if the employee is required to be absent from work for the purpose of service. There is no minimum length of employment required for eligibility for reservist leave.

The purpose of this Statement of Policy is to support employee service in the Canadian Forces by providing employee reservists with the leave required to fulfill their military duties and to establish guidelines for the handling of such requests.

Definitions:

“**Service**” means “active service with the reserve force or training with the reserve force.”

“**Canadian Forces**” means the component of the Canadian Forces referred to in the *National Defense Act* (Canada) as the reserve force and includes Army, Navy and Air Force Services.

Note:

Reservist leave continues for the period of service.

Leave Entitlement:

Employees on the active payroll for at least (**seven (7) continuous months**), and who are members of the reserve force of the Canadian Forces, are eligible for military/reservist leave of absence of :

- i.) Up to (**three (3) working days**) each year for the purpose of participating in training exercises required by the Canadian forces. Such leave may be with pay; or
- ii.) Additional military reservist leave without pay for the purpose of service.

Impact of Military Reservist Leave on Employee Benefits:

1. Employees who are granted military/reservist leave under this Section i above are not eligible to continue participation in any employee benefits programs and the Archdiocese will not continue to make contributions, if any, to those programs during any period of deployment.

2. Employees who are granted military/reservist leave under Section ii above may continue to participate in employee benefits programs subject to the following conditions:
 - i.) Subject to the Archdiocese's insurance carrier's policies and this policy herein, where possible, employee benefits are continued for the duration of any military/reservist leave required for training purposes.
 - ii.) Employees must make appropriate arrangements, in advance, to maintain insured health and medical benefits by prepaying the necessary employee premiums, if any, prior to the commencement of a leave;
 - iii.) If the employee on military/reservist leave is covered by health and medical benefits provided by the Canadian Forces, the Archdiocese health and medical carrier becomes the second payer and the Canadian Forces insurance carrier shall be the primary payer;
 - iv.) Employee eligibility for continued death, dismemberment and disability insurance while on military/reservist leave will be determined by the Archdiocese insurance carrier at the time, and the Archdiocese will not be responsible for procuring additional coverage.

***Length of
Employment:***

An employee's military/reservist leave shall not be included in any calculation of an employee's length of employment or seniority; however employment will be deemed to be continuous for the purpose of any pension or other benefits.

Requirements:

The Archdiocese may require an employee who takes a leave under this policy to provide evidence that the employee is entitled to the leave. When evidence is required, the employee shall provide a certificate from an official of the Reserves stating:

- a. That the employee is a member of the Reserves and is required for service; and
- b. The expected start and end dates of the period of service, if known.

Procedure:

- a) An employee who requests military/reservist leave is required to give a minimum of (six (6) weeks) of written notice to his or her supervisor of the date on which the leave is to commence, or as much notice as is reasonable or practical in the circumstances. If the employee must begin the leave before advising the supervisor, the employee shall advise the supervisor of the leave as soon as possible after beginning it. (Appendix P)
- b) An employee who intends to end a military/reservist leave shall give the Archdiocese reasonable (no less than one month) written notice of the day on which he or she intends to end the leave.
- c) On conclusion of military/reservist leave, the employee shall be reinstated to the position most recently held if it still exists, or to a comparable position if it does not, at the same wage rate the employee enjoyed at the time the employee's leave commenced.

- d) Despite the policy above the Archdiocese may postpone the reinstatement of an employee who has been on military/reservist leave under the policy above until the later of:
 - i. The day that is two (2) weeks after the day on which the notice to end the leave is received, and
 - ii. The first pay day that falls after the day on which the notice to end the leave is received.
- e) During a period of postponement, the employee is deemed to continue to be on leave.
- f) Supervisors are responsible for responding to any requests for military/reservist leave in a timely manner, and for notifying the employee of the disposition of the request. Additionally, supervisors are responsible for notifying Payroll of any approved requests for leave.
- g) Requests for military/reservist leave with pay of (three (3) working days) or less each year may be authorized by the employee's supervisor. Requests for military/reservist leave in excess of (three (3) working days) require the approval of both the employee's supervisor and the Archbishop of Regina or his designate.
- h) A copy of all approved military/reservist leave of absence requests shall be provided to Payroll and a copy shall be filed in the employee's personnel file.
- i) Written notice of the employee's intention to return to work must be submitted to the Archdiocese:
 - i. In case of training, on a date that is before the military/reservist leave of absence begins;
 - ii. In the case of regular deployment, on a date that is not less than (six (6) weeks) before the date that the employee intends to return to work
 - iii. In the case of service that is required because of an emergency, on a date before the employee returns to work that is reasonable in the circumstances.
- j) Failure to return to work after the employee's discharge from military service is deemed to be a voluntary resignation from employment by the employee effective with the planned expiration of the employee's approved military/reservist leave.
- k) In the case of military/reservist leave as outlined herein, the leave shall end on the date indicated by the employee that she or he intends to return to work, or such deferred return to work.

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