

Category: Human Resources

Reservist Leave

Policy Number: [Policy Number (assigned by CAO's Office, after approval)]

Approved by: Choose an item. [Council Resolution #] – [Date]

Administered by: [Human Resources, Employee and Labour Relations]

Effective Date: January 1, 2023

1. Background

The City of Brampton wishes to support Employees who participate in Canada's Reserve Force. The City of Brampton recognizes the benefits that Reservists bring to the civilian workplace, values continuous learning and development, and supports Canada's defense, security, and prosperity.

2. Purpose

The purpose of this Council Policy is to establish guidelines and provisions for a Reservist Leave, ensuring that Employees who serve as Reservists are granted the necessary time off to fulfill their military duties, while also safeguarding their employment rights and facilitating a smooth transition between military and civilian responsibilities. The provisions are consistent with the Ontario [Employment Standards Act, 2000](#).

3. Application and Scope

This Council Policy applies to all permanent, temporary, or contract, full-time and part-time Employees of the City of Brampton who are a member of the Reserve Force of the Canadian Forces and meet the requirements of eligibility for a Reservist Leave in the [Employment Standards Act, 2000](#).

Bargaining unit Employees should consult their respective Collective Agreements and the provisions of the Collective Agreement shall prevail.

4. Outcomes

4.1 A supportive and inclusive work environment that recognizes and appreciates the contributions of Reservists within the municipal workforce.

4.2 A culture of compliance where the City of Brampton meets the requirements of [Employment Standards Act, 2000](#).

5. Principles

- 5.1 Employment Security – Employees who are Reservists are assured of their job security and are protected against adverse employment actions related to their military service.
- 5.2 Temporary Income Replacement – Employees who are Reservists are provided with up to ten (10) paid days of Reservist Leave in a calendar year while they transition to their Reservist duties.

6. Policy Statement

- 6.1 The City of Brampton supports Employees who are Reservists and may be called upon to serve in the Canadian Armed Forces. The City of Brampton will not tolerate the following actions:
 - 6.1.1 No Employee shall discriminate against or terminate an Employee who is a Reservist because of their affiliation with Canada's Reserve Force or their military activity;
 - 6.1.2 No Employee shall hinder or prevent an Employee who is a Reservist from performing their military service; and
 - 6.1.3 No Employee shall dissuade an Employee from enrolling in Canada's Reserve Force by threat of loss of employment.
- 6.2 Employees must be employed with the City of Brampton for at least three (3) consecutive months to qualify for a Reservist Leave.
- 6.3 Employees requesting a Reservist Leave must do so in writing to their supervisor at the earliest opportunity.
- 6.4 The Reservist Leave request must indicate the nature of the leave, anticipated duration (commencement and end date of the leave) and be accompanied by proof of service. Changes to the anticipated end date of the leave must be communicated in the same manner.
- 6.5 An Employee's employment date will not be altered as a result of their absence. Vacation entitlement and service will continue to accrue normally.
- 6.6 Employees will be paid their full salary (to the equivalent of their regular bi-weekly base salary or wage, excluding any premiums such as overtime, shift differentials, etc.) for the first ten (10) working days of Active Reserve Service in a calendar year. The balance of any Reservist Leave of absence will be unpaid.
- 6.7 Life insurance, accidental death and dismemberment, short and long-term disability benefits will not be continued while Employees are on leave. Extended health, dental and vision benefits will be maintained during the first

thirty (30) days of the Reservist Leave for the Employee and applicable dependents. This transition period provides an opportunity for the Reservist to secure such benefits as provided by the Department of National Defence.

- 6.8 Beyond the 30-day transition period, Employees may request to have extended health and dental benefits continue at their own cost provided that no contributions are made to another plan for the same period.
- 6.9 During the Reservist Leave, neither the employer nor the Employee will make contributions to OMERS. If the Employee purchases the credited service within the time frames established by OMERS, the City will pay a matching amount. If the Employee chooses to purchase the service outside of the time frames established by OMERS, the Employee will make their contributions and the employer contributions.
- 6.10 Upon return from Reservist Leave, the Employee will be reinstated to the same position they vacated if it still exists or to a comparable position if it does not.

7. Roles and Responsibilities

7.1 Senior Management

7.1.1 Promote a culture that values and supports military Reservists, recognizing their contributions to both the City and the Canadian Armed Forces.

7.2 Supervisor:

7.2.1 Verify the eligibility of Employee(s) for Reservist Leave and approve the leave request such that it does not unduly interfere with operational requirements.

7.3 Employee:

7.2.2 Request to their supervisor in writing at the earliest opportunity for a Reservist Leave, as well as keep their supervisor apprised of any changes to the leave period (e.g., revised and/or deferred start and end dates);

7.2.3 Provide appropriate documentation, such as military orders or other required documents to fulfill eligibility requirements to support their Reservist Leave; and

7.2.4 Comply with all applicable laws and regulations governing military service and Reservist Leave.

7.3 Human Resources:

7.3.1 Provide support and guidance to Employees and supervisors in the application of this Policy.

7.3.2 Access the Compensation for Employers of Reservists Program (CERP) or similar programs where available, to help offset applicable operational costs, if any.

8. Monitoring and Compliance

8.1 The Policy must be reviewed at least once every three years by Human Resources to ensure its effectiveness and to comply with Governing Policy for the Corporate Policy Program.

8.2 Consequences of non-compliance:

Failure to comply with this Policy will result in the appropriate disciplinary measure up to and including termination of employment.

9. Definitions

9.1 Active Reserve Service – Deployment to a Canadian Forces Operation outside of Canada or deployment to a Canadian Forces Operation inside of Canada that is or will be providing assistance in dealing with an emergency or its aftermath; or any circumstances prescribed by legislation.

9.2 Employee - means any of the following:

a) a person who performs work or supplies services for monetary compensation;

b) a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the student's school board;

c) a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, private career college or other postsecondary institution; or,

d) such other persons as may be prescribed who perform work or supply services to the City for no monetary compensation.

9.3 Reservist – An Employee who is deployed to a Canadian Forces operation outside of Canada. This includes participation, whether inside or outside of Canada, in pre-deployment and post-deployment activities that are required by the Canadian Forces in connection with the operation.

9.4 Reservist Leave – An unpaid leave granted to a Reservist who will not be performing the duties of their position due to the reasons specified in the [Employment Standards Act, 2000](#).

10. References and Resources

This Council Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publicly available.

10.1 External references

- [Employment Standards Act, 2000](#)

10.2 References to related bylaws, Council Policies, and administrative directives

- [Respectful Workplace Policy](#)

11. Revision History

Date	Description
yyyy/mm/dd	New. Approved by Council Resolution (tbd).
yyyy/mm/dd	Next Scheduled Review (typically three years after approval)