



Reserve Forces Policy and Procedure 2020-21

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1. Introduction

- 1.1 NMITE is committed to supporting Military Reservists and recognises the vital role that they play as part of UK Armed Forces. The Reserve Forces, also known as the reservists, train and serve alongside the Regular Forces, combining a military role with a civilian career. As reserves, they may be mobilised at any time for the full-time operations and will be required to attend training.
- 1.2 The following guidance is provided for:
- Managers of staff who are members of Reserve Forces and
 - Staff who are members of the Reserved forces.

2. Notification

- 2.1 Under the Employer Notification System (ENS), Reservists must give the MOD permission to write directly to NMITE. The ENS will confirm the employee's membership of the Reserve forces, details of mobilisation obligations; the rights of the Reservist employee and employer; details of financial assistance available if an employee is mobilised, and, where possible, the Reservists annual training commitments. NMITE will then receive annual follow up letters, confirming the Reservists continued support
- 2.2 NMITE would like to encourage open dialogue with Reservist members of staff. Therefore, we ask that Reservists inform their Manager and HR, whether they are a member of the Reserve Forces, considering renewing their Reservists commitments or are interested in joining the Reserve Forces.



3. Training & Time Off

- 3.1 Although there is no legal obligation for employers to give Reservists paid leave to engage in their Reservist duties, NMITE values their transferable skills gained by members of staff who are Reservists and will therefore grant 10 days paid leave (pro-rata for part time employees) per leave year for attendance at annual camp or equivalent continuous training exercises (this is in addition to the employees' normal leave entitlement). Any additional period should be taken from annual leave.

4. Mobilisation

- 4.1 If you are a reservist who is mobilised, you should speak to the HR Department at the earliest opportunity and provide them with a copy of the 'Call out for Mobilisation' notification letter. This will normally be approximately 28 days' notice of the date of mobilisation, however, NMITE recognises that this may vary depending on the severity and immediacy of the crisis.
- 4.2 NMITE will comply with its responsibilities under the Reserve Forces (Safeguard of Employment) Act 1985 in respect of staff who are reservists who are mobilised.
- 4.3 NMITE will normally grant unpaid leave to staff who are reservists who are mobilised but reserves the right to apply for exemption or deferral or revocation in appropriate circumstances. If unpaid leave is approved, this will be confirmed in writing by HR.
- 4.4 Departments which are considering applying for exemption or deferral or revocation of the mobilisation (on the grounds that "the Reservist's absence will cause serious harm to your business") should consult with the HR Dept. Applications will be made by Human
- 4.5 Resources and need to be made within 7 days of the Reservist being served with a call out notice. Details of the process are included in the call out pack.

5. During Mobilisation

5.1 Annual Leave

- i. In line with MoD guidelines, Reservists are encouraged to take any accrued annual leave before mobilisation.
- ii. Reservist members of staff will not accrue annual leave during the period of mobilisation. This is because Reservists accrue annual leave with the MoD whilst they are in full time service - when they demobilize Reservists are entitled to a period of post-operational leave paid by the MoD.
- iii. While there is no entitlement to carry forward leave, the NMITE recognises certain situations where it is not possible for employees to take their leave entitlement. In such cases they may, with the permission of their Manger and HR carry forward up to 5 days leave to the following year. Any leave carried forward must be taken by 31st July in the following year or it will be lost.



5.2 Pay

During mobilisation, the employee will receive no salary from NMITE. The MoD will assume responsibility of the Reservists salary, paying a basic rate according to the Reservist's rank. It is the Reservist's responsibility to claim the difference from the MoD if Service pay is less than what the Reservist would receive from NMITE.

5.3 Pension

While you are on unpaid leave for military service, no employer or employee contributions will be made. However, on your return from leave, you can choose to pay back employee contributions for the period you have been on leave so that this period counts as pensionable service. If you choose to pay the employee contributions, NMITE will pay the employer contributions.

6. Reinstatement

- 6.1 After being demobilised, Reservists are entitled to a period of leave from the MoD. This is accrued at the rate of 2.5 days per month of service. During this period of leave it is the Reservist's responsibility to contact NMITE and ask for reinstatement to their former job. In line with MoD guidelines this must be no later than the third Monday after demobilisation. At the same time, or within 21 days of this third Monday following demobilisation, the Reservist must contact the HR Department to give a date on which they will be available to return to work. NMITE will ensure that the member of staff is reinstated in their former job as soon as reasonably practicable from that date.