

Accommodating Canadian Forces Reservists in the Workplace and in Educational Institutions

Issue

Dedicated young Canadians are being asked to volunteer to take military training, as well as take on up to an unlimited personal liability in active service, in the Canadian Forces reserves without any meaningful protection for their employment, and/or their continuing education that is actively supported by their government.

Background:

Presently in Canada men and women are contributing their personal time and energy serving their country in a part-time capacity. These are Canada's Primary Reserves - individuals who volunteer to serve in the Canadian Forces (CF) on a part-time basis. Most have either have civilian employment or are students. Currently, there are at most 25,000 primary reservists serving in the CF (versus up to at most 60,000 regulars, i.e. full-time, soldiers). The CF is planning to increase the strength of the Primary reserves by a further 10,000 and the regulars by a further 13,000 over the next few years. In short, a greater reliance will be placed on reservists to meet our growing national and international security commitments. The reason is easy to understand. It is overall far less expensive for the government to use, when practicable, reservists who are usually otherwise gainfully employed in civilian life rather than maintain an equal number of full-time regulars.

Primary reservists are required to take the same levels of training to qualify for their trades and/or their ranks as do regular soldiers. This often involves attending training courses and/or exercises up to two consecutive weeks or more at least once per year. A significant number of individuals in the reserves are often forced into using their vacation time to attend this required training. As a result, the reservist may not have any time left for their personal relaxation or spending quality time with their families.

Many, if not most, currently employed reservists rely almost entirely on the goodwill of their employers, and indeed their families, to help them meet their military training commitments. Many employers do realize that an employee being a member of the Reserve Force represents ongoing professional development and a personal commitment to their country, above and beyond that normally demonstrated of an average citizen. In supporting their employees serving in the reserves, they have gone the extra mile in terms of their human resources policies governing time off for military service and/or their willingness to grant individual reservists time off and their recognition of the extraordinary demands of modern military service. Reservists should not have to risk losing their civilian employment or their educational credits.

Reservists do, in fact, receive military pay when they are actively training or on active service. However, quite often it is substantially lower than what they would earn in their regular civilian position. (A current schedule of the rank and pay rate applicable to a specific reservists situation can be obtained through your local CFLC – see below).

At present, Canada shockingly has absolutely no standing job protection legislation for reservists who serve in the military, either to meet our international commitments, such as in Afghanistan, or even if they are called out for the reasons permitted under the National Defence Act. (i.e. as an aid to civil power in the event of disaster assistance.) And, at times, they sadly face the risk of unlimited personal liability in taking these assignments on our behalf. (At least 4 of the 55 Canadian soldiers who have been killed to date [May/07] in Afghanistan were in fact Reservists.)

By way of comparison, in the United States reservists enjoy legislated job protection similar to “parental leave” requirements here in Canada. Such a policy for Canada, however, is not recommended as in the US it actually leads to significant job discrimination by some employers against the hiring of known reservists.

In addition, Canada does not accommodate reservists who are attending educational institutions. As such, dedicated individuals who serve in the reserves have lost school credits and/or jobs in order to give their time to reserve activities. Another issue is for reservists who are completing a college or university program. If they need to take time off for reserve activities, they may run the risk of losing credit for the academic units they have already achieved because they need time off for reserve activities.

A civilian group, supported by, but independent of the CF, called the Canadian Forces Liaison Council (CFLC) have sought to actively outreach and partner with individual businesses, and educational institutions across Canada to make people aware of the needs of people serving in the reserves and encouraging them to adopt reserve-friendly H/R policies which grant such things as unpaid leaves of absence of up to 2 weeks, in addition to paid vacation, for reservist to attend required training. Some employers have further agreed to top up the military pay their employees would receive while on such training (i.e. pay them the differential between their civilian and military pay rates.) Some employers even guarantee the jobs of their reservist employees who do volunteer for longer term assignments, such as Afghanistan, paying their benefits for up to a year while they are away akin to a “parental leave” programme. Air Canada was one of the first to adopt such a comprehensive military leave H/R policy and is the ultimate model encouraged by the CFLC in its voluntary programme. However, the hard fact is that not all employers, particularly small employers, can afford to be as unilaterally generous as Air Canada.

Employers who have made these kinds of commitments comment that people in the reserves make excellent leaders and workers in their civilian jobs. Reservists constantly develop and use personnel management, communication, and administrative skills. As a result of their military training, reservists become more experienced, capable, and very motivated employees. As well, military service prepares students for the civilian workplace. We encourage all members to actively encourage their members to adopt such policies. You can contact your local CFLC for some ideas and literature in this regard. But, in summary, the basic package of reserve friendly H/R polices should consider these preferred options:

For Educational Institutions:

When reservists have activities during the school year the recommendation would be to give the student extra time to complete assignments and reschedule exams if needed.

For Employers:

1. We recommend Employers pay their employee(s) partial salary to top up their pay they receive in the reserves. This would apply to tours lasting 2-3 weeks only.
2. Employers should consider granting the employee(s) a pro-rated amount of time off so they do not need to use up all of their earned vacation time to create a better work/life balance so reservists can continue completing their reserve activities while still being able to enjoy some vacation.
3. Employers should consider holding the jobs of the reservists so they are able to serve Canada on active service while knowing their job is secure upon their return.

Notwithstanding the above, it is time now for the Canadian government to come to the table and develop some concrete incentives to assist businesses to allow reservists to make a valuable contribution to the Canadian Forces, to their fellow Canadians and to our national defence.

Recommendations

That the federal government develop, in consultation with the CFLC and the Canadian Chamber of Commerce, specific meaningful incentives, perhaps in the form of income tax credits that would, at a minimum, reimburse employers for all out of pocket expenses involved in instituting effective military leave policies for reservists and otherwise encourage educational institutions and businesses to accommodate the special needs of reservists. Such incentives could be limited to an appropriate maximum per reservist employed per annum, fiscal conditions permitting.

SUBMITTED BY THE HAMILTON CHAMBER OF COMMERCE

THE ECONOMIC POLICY COMMITTEE SUPPORTS THIS RESOLUTION WITH THE ABOVE NOTED AMENDMENTS.