

## 14. DEFENCE SERVICE LEAVE

### Entitlement

- 14.1 The CEO may grant an employee leave (with or without pay) to enable the employee to fulfil Australian Defence Force Reserve and Continuous Full Time Service obligations.

*(Note: The entitlement to leave for Reserve Service is prescribed under the Defence Reserve Service (Protection) Act 2001. Section 17 of that Act requires that an employer must not hinder or prevent an employee from volunteering for, or rendering, defence service.)*

*(Note: The Employer Support Payment Scheme (ESP Scheme) is designed to help employers offset the costs of releasing employees for most categories of Defence Reserve service. Under the ESP Scheme the employers are entitled to receive a fixed weekly payment for the period during which the full time employee engages in Defence service. The ESP is paid on a pro rata basis for part time employees. Further information on the ESP Scheme can be obtained from the Defence Reserves Support Council website.)*

- 14.2 The CEO may grant to an employee Australian Defence Force Reserve leave with pay, for up to four (4) weeks during each financial year for the purpose of fulfilling service in the Australian Defence Force Reserve. These purposes include training and operational duty as required.
- 14.3 During the employee's first year of Australian Defence Force Reserve service, a further two (2) weeks paid leave may be granted to facilitate the employee's participation in additional training, including induction requirements.
- 14.4 An employee may also apply for recreation leave, long service leave and leave without pay for the purpose of fulfilling Australian Defence Force Reserve and Continuous Full time Service obligations.
- 14.5 An employee is required to notify the CEO at the earliest opportunity once he/she has been notified of the requirement to undertake Australian Defence Force Reserve or Continuous Full Time Service.
- 14.6 The CEO will not grant leave under this by-law unless the employee produces to the satisfaction of the CEO, advice of the requirement for his or her attendance and the dates of the attendance.
- 14.7 Paid leave granted under this by-law will count as service for all purposes. Unpaid leave will count as service for long service leave purposes only.

### No liability for injury during defence service leave

- 14.8 Where an employee has a claim for compensation for injury or illness as a result of leave granted under this by-law, the claim will not be recognised

by the Territory and the employee will submit any claim to the Australian Department of Defence.