

Public Sector Industrial Relations

Level 4 75 William Street Brisbane QLD 4000
Telephone 3225 2381 Facsimile 3229 5943

Title Reserve Forces in East Timor
Date 18 October 1999 Circular No. 10/99

The Australian Government has committed personnel from the Australian Defence Force to serve in the United Nations multinational force in East Timor. The Australian contingent may include members of the Reserve Forces. This circular explains the Queensland Government's policy for employees of the Queensland public sector who are members of the Reserve Forces (reservists) electing to join the Australian contingent in East Timor.

Voluntary Nature of Service

A reservist can only be deployed by direction after he or she has been "called-out" by Proclamation. Under the *Defence Force Act 1903* a reservist can only be called out for operations in the defence of Australia or in a declared state of defence emergency or war. The Federal Government has stated that the call-out provisions under the *Defence Force Act* do not apply to reservists participating in the United Nations multinational force in East Timor. Therefore if a reservist is to be deployed to East Timor it must be as a volunteer; a reservist cannot be compelled to go to East Timor.

A reservist must provide appropriate documentary evidence from the Australian Defence Force (ADF) stating he or she has been requested to provide volunteer service in East Timor and the period of leave sought.

A reservist who volunteers will be engaged as an employee of the ADF and will be treated as such by the ADF.

Release of a reservist from the public sector to serve in East Timor is at the discretion of the chief executive of a department (or delegated officer).

Leave is Without Pay

Leave for a reservist released by the chief executive to participate in the United Nations multinational force in East Timor is without pay. However if the reservist is required to attend

training prior to service in East Timor and if the reservist provides a training notice, the leave for the training may be with pay in accordance with Directive 14/99 Special Leave (Reserve Forces Training).

Leave Credited as Service

All leave without pay is to be counted as service for all purposes except recreation leave. However, the first three months of leave without pay will count as service for recreation leave.

Superannuation

In accordance with the rules of funds administered by the Queensland Government Superannuation Office, no superannuation contributions will be made while employees are on leave without pay for this purpose.

When a reservist is on leave without pay, the Queensland Government employer will not make superannuation contributions to the Queensland Government Superannuation Office.

The Commonwealth Government will make superannuation contributions on behalf of a reservist to the Military Superannuation and Benefits Scheme.

Responsibility of reservist

Reservists should obtain comprehensive details from the ADF about their employment conditions and rates of pay when considering whether to volunteer their services.

Please ensure when distributing this information within your agency that a contact officer from your agency is nominated for further enquiries.



GEOFF KENNEY

Director

The Division of Public Sector Industrial Relations provides policy advice and consultancy and training services to Queensland Government departments and agencies. It is part of the Department of Employment, Training and Industrial Relations.

- ❖ Enquiries about this circular should be directed to Helen Ceron of Public Sector Industrial Relations on: telephone (07) 3225 2381.
- ❖ General enquiries about public sector industrial relations matters should be directed to telephone 07 3225 2342.
- ❖ Written enquiries should be addressed to:
The Director
Public Sector Industrial Relations
GPO Box 69
BRISBANE Q 4001

Copies of all current circulars issued by Public Sector Industrial Relations are available from the department's web site at www.detir.qld.gov.au/ir/ir.htm

Ref:PSC/1999/0173

PSIR Title Reserve Forces in East Timor
Date 18 October 1999

Circular No. 10/99

