



CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 8 OF 2003

**MILITARY SERVICE WITH RIFLE COMPANY BUTTERWORTH IN MALAYSIA – EFFECT ON EMPLOYEE ENTITLEMENTS**

A number of public sector agencies have been requested to approve leave for employees, who are members of Defence Force Reserves, to complete their reserve service obligations with Rifle Company Butterworth. This leave enable employees to enter full time military service as part of Australia's commitment to the Five Power Defence Agreement for service in Malaysia from approximately 25 October 2003 to 15 February 2004.

Agencies are advised that the following conditions apply to all employees who undertake full time military service in Malaysia as part of Rifle Company Butterworth:

- a) **Leave of absence:** Chief Executive Officers may approve all applications for leave for military service in Malaysia as part of Rifle Company Butterworth. Applicants should provide evidence from the Defence Force of the extent of the leave requirement;
- b) **Payment of wages:** Except for periods of approved annual or long service leave, leave for full time military service in Malaysia as part of Rifle Company Butterworth is without pay. In circumstances where Defence Force pay is lower than an employee's public sector pay there is no entitlement to make-up pay;
- c) **Increments:** The period of military service will count as service for increment progression. Increments falling due whilst the employee is absent should be processed as usual;
- d) **Annual Leave:** Service with the military in Malaysia as part of Rifle Company Butterworth will not count for annual leave purposes as annual leave is accrued with the relevant Defence Force during the period of service;
- e) **Sick Leave:** Service with the military in Malaysia as part of Rifle Company Butterworth will not count as service for sick leave purposes as sick leave is accrued with the Defence Force during the period of service;
- f) **Long Service Leave:** Service in Malaysia as part of Rifle Company Butterworth will count as service for long service leave purposes;

- g) **Superannuation:** The effect of military leave on superannuation is detailed in the attached information sheet prepared by the Government Employees Superannuation Board;
- h) **Resumption of Duty:** In order to preserve employment entitlements, an employee must resume duty as soon as reasonably practicable and not more than 30 days after the completion of the period of service in Malaysia as part of Rifle Company Butterworth.

Nothing in this policy diminishes the right of employees to utilise other forms of paid leave such as annual leave or long service leave for this purpose.

Details of the financial benefits for employers of Reservists provided under the Australian Defence Force Reserves Employer Support Payment (ESP) Scheme can be obtained from the Defence Reserve Support Council on 1800 803 485.

If you require any further information on this issue please contact your DOCEP labour relations adviser. Enquiries concerning superannuation should be directed to the Government Employees Superannuation Board.

**JEFF RADISICH  
EXECUTIVE DIRECTOR  
LABOUR RELATIONS**

1 October 2003

Att.