



ADF
Australian Defence Force



AUSTRALIAN DEFENCE FORCE
RESERVES AND EMPLOYER SUPPORT

Call out of the ADF Reserves

Frequently Asked Questions
(for employers and educational institutions)

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Call out of the ADF Reserves

Overview

At the request of Government, the Governor-General of Australia may issue a call out order to some or all of the Australian Defence Force (ADF) Reserves for defence service.

A call out order is made under [section 28](#) of the *Defence Act 1903*, and all identified reserve members are required to report to their ADF Unit and render defence service.

A call out may occur in circumstances ranging from war to assistance to government authorities in matters of national security, support to community activities of national interest, or civil aid and humanitarian assistance.

Call out is used to increase the size of the available forces, such as when available permanent ADF members or volunteers from the ADF Reserves is not sufficient. It is a mechanism that is used in exceptional circumstances.

Identified reserve members

Unless the Governor-General of Australia has called out *all* of the ADF Reserves, the Chief of the Defence Force (CDF) will specify 'who' is being called out. This may be achieved by naming individual reserve members or formations, or by any other means the CDF deems appropriate.

Period of defence service

Reserve members covered by a call out order are required to render defence service during the period or periods that have specified in writing by the CDF and this will be dependent on the reason the call out has been ordered.

When a call out ends

A call out ends when the Governor-General of Australia revokes the call out order.

Call out rehearsal - Operation Civil Assist

Operation Civil Assist is conducted annually to test Defence's preparedness through the rehearsal of a call out. This means it's not an official call out, but it is exercised like one.

Defence service on 'call out'

When a reserve member is rendering defence service under 'call out' arrangements under [sections 28](#) and [29](#) of the *Defence Act 1903*, defence service is compulsory. In other words, a reserve member has been directed to and is legally bound to render defence service. A call out is used only in exceptional circumstances.

All other types of defence service is rendered under [section 26](#) of the *Defence Act 1903*, and is rendered by reserve members voluntarily.

Employers of reserve members

Is civilian employment protected?

Yes. The [Defence Reserve Service \(Protection\) Act 2001](#) makes it unlawful for an employer to discriminate against, disadvantage, hinder, prevent or dismiss an employee, or prospective employee, for rendering defence service.

Do I need to release my employee?

You must release reserve members you employ to undertake defence service on call out, unless you are covered by a *worker group exemption* or an *employer-initiated exemption*.

What is a *worker group exemption*?

A *worker group exemption* is a type of exemption from a call out and reserve members who are employed in worker categories and/or organisations that are covered by a *work group exemption*, are not required to render defence service.

Who has a *worker group exemption*?

There are no standing *worker group exemptions* for call out as the Chief of the Defence Force (CDF) must consider call out requirements on a case-by-case basis but once determined, the names of employers and/or organisations who have a valid *worker group exemption* will be published online on the [ADF Reserves and Employer Support website](#).

I have a *worker group exemption*, can I still let my employee serve?

Reserve members employed in worker categories and/or organisations that are covered by a *work group exemption* can still render defence service, so long as you provide your support in writing.

What is an *employer-initiated exemption*?

An *employer-initiated exemption* is a type of exemption from a call out. Reserve members who are employed by an organisation that has had an *employer-initiated exemption* approved, are not required to render defence service during the specified call out or call out activity.

How are *employer-initiated exemption* requests made?

Where there are **extenuating 'business-related'** reasons, you may request that your organisation, or an individual reserve member you employ, be *exempt* from the call out.

Employer-initiated exemptions can be requested by contacting ADF Reserves and Employer Support via the [Contact Us](#) page, or by contacting 1800 DEFENCE.

Note. If the basis for making an *employer-initiated exemption* request is based on financial reasons, you should consider the following FAQs before making your request:

- [Do I have to pay a reserve member when they are rendering defence service?](#) and
- [What financial support is available?](#)

Do I have to pay a reserve member when they are rendering defence service?

Employers are not obligated to pay a reserve member when they are absent on defence service unless the reserve member is using a form of paid leave.

Example. A reserve member renders two-weeks of defence service and elects to use annual leave during the first week. In this scenario, an employer is obligated to pay the reserve members wage during the first week only.

What type of leave should a reserve member use?

There is no requirement for a reserve member to take any type of paid or unpaid leave while absent on defence service. However, most employment contracts contain provisions that some sort of leave be used. In the absence of an employment contract and at a minimum, employers may release a reserve member on *leave without pay*.

Can I direct a reserve member to use leave?

No. It is unlawful for an employer to direct a reserve member to use any personal leave (e.g. annual leave, time off in lieu etc.) while rendering defence service. However, if a reserve member initiates a request to use personal leave, you may consider the request in accordance with your leave policy and the provisions of the [Fair Work Act 2009](#).

Do reserve members accrue leave entitlements?

This depends on the nature of a reserve members defence service. If the reserve member is rendering:

- **continuous full-time service** (herein SERVOP C), then the absence is to be no less beneficial than if the reserve member was on *leave without pay*. If *leave without pay* is not defined in the contract or Workplace Agreement, you should refer to your State/Territory legislation to ascertain whether *leave without pay* accrues leave entitlements as this will vary state-to-state.
- **other defence service** (ie. not SERVOP C), then the period is to be taken as paid service regardless of whether the reserve member is using *paid leave* or *leave without pay*. This means the reserve member will continue to accrue leave as if they are in the workplace.

Do I need to make superannuation payments?

Unless a reserve member is using paid leave, there is no obligation to make superannuation contributions.

What financial support is available?

The [Employer Support Payment Scheme](#) (ESPS) provides financial assistance to employers when reserve members are absent from their civilian workplace on eligible periods of defence service.

To make the ESPS more accessible for employers of reserve members rendering defence service on call out (or call out activity), the Chief of the Defence Force has modified some of the normal eligibility requirements, including:

- reducing the minimum period of continuous defence service from five-days to two-days,
- setting aside the three-month employment requirement and
- waiving some of the evidentiary requirements.

Once a call out (or call out activity) ends, standard eligibility requirements apply.

How do I apply for the Employer Support Payment Scheme?

Applications must be submitted online via the [ESPS Online Claim System](#).

To ensure applications for defence service on call out benefit from modifications approved by the CDF, applications should be made in accordance with instructions provided in Fact Sheet – Call out - Applying for the Employer Support Payment Scheme (ESPS).

Australian educational institutions

Do I need to release my student?

You must release reserve members enrolled in your educational institution to undertake defence service on call out.

Are there any *exemptions*?

Australian educational institutions cannot seek an *exemption* or direct a reserve member covered by a call out order to submit a request for an *individual exemption*.

What happens if exams/assignments are due?

Australian educational institutions must make reasonable adjustments for reserve members who render defence service on call out.

What are *reasonable adjustments*?

A reasonable adjustment might include:

- not failing a reserve member
- recognising assessment or practical work undertaken by a reserve member before starting to render defence service
- allowing a reserve member to defer undertaking or completing assessment or practical work
- refunding or crediting fees paid by or for the reserve member.

Where can I get more information

Contact

In the first instance, reservists should review the [ADF Reserves and Employer Support \(ADFRES\)](#) website which has a range of resources applicable to both reservists and their employers.

Personnel can also contact the Defence Service Centre, via phone 1800 DEFENCE (1800 333 362), or via email YourCustomer.Service@defence.gov.au. The service centre staff can respond to most enquiries and also put you in touch with ADFRES if needed.

Clearance Chart

	Name	Appointment	Date
Drafted	Jodie Enslow	Assistant Director, Employer Support and Service Protection	1 Sep 26
Reviewed	Paul Thomson	Strategic Engagement Manager	1 Sep 26
Cleared (EL1)	Jodie Enslow	Assistant Director, Employer Support and Service Protection	4 Sep 26
Cleared (EL1)	Isabella Davies	Legal Officer (see OBJ ID BN131631591)	9 Sep 26
Approved (EL2)	Elyssa Comer	Director ADF Reserves and Employer Support	11 Sep 26