



Reserve Forces (Safeguard of Employment) Act 1985

1985 CHAPTER 17

Reinstatement in civil employment after whole-time service

7 Obligation after reinstatement.

- (1) Where an applicant has been taken into the employment of his former employer in pursuance of section 1, the former employer is under an obligation to employ the applicant for the following 26 weeks, subject to subsection (2), of for so much of that time as is reasonable and practicable—
 - (a) in an occupation not less favourable to him than that in which, and on terms and conditions not less favourable to him than those on which, the applicant is so taken into employment; or
 - (b) if, at any time during the period for which he has under this section to be employed, it ceases to be reasonable and practicable for the applicant to be employed in that occupation and on those terms and conditions, in the most favourable occupation and on the most favourable terms and conditions which are for the time being reasonable and practicable in his case.
- (2) If, when the applicant last ceased to be employed by his former employer before the beginning of his whole-time service, he had been in the continuous employment of that former employer—
 - (a) for a consecutive period of not less than 52 weeks, then subsection (1) has effect as if 52 weeks were substituted for 26;
 - (b) for a consecutive period of less than 13 weeks, then subsection (1) has effect as if 13 weeks were substituted for 26.
- (3) In computing the period of continuous employment for the purposes of this section—
 - (a) where the employment is in an undertaking, and any change has taken place in the person carrying on that undertaking or any other undertaking has become comprised in that undertaking, periods in the employment of the person for the time being carrying on the undertaking or the other undertaking, as the case may be, shall be treated as periods of employment by the former employer;

Changes to legislation: There are currently no known outstanding effects for the Reserve Forces (Safeguard of Employment) Act 1985, Section 7. (See end of Document for details)

- (b) a person shall not be treated as otherwise than continuously employed by reason of any temporary absence from work.

Changes to legislation:

There are currently no known outstanding effects for the Reserve Forces (Safeguard of Employment) Act 1985, Section 7.