

# Question on the implementation of the Working Time Directive (national regulation) for the reserve forces

*Are there specific regulations on the WTD for the reserve in your country's armed forces? If so, how is this regulated? (specific regulation for the reserve or by using the working time regulation for active serving personnel, how is the combination between service in the private/public sector and the reservist activities, etc.).*

Question launched by EUROMIL in December 2023 by request of RDFRA - Ireland.

## Belgium

---

Reservists follow exactly the same working time regulations as the soldiers on active duty. A reservist who performs a service activity, be it training, training, exercise or operational development, still has to make an arrangement with his employer (both in the private and the public sector): this ranges from taking holidays and overtime with the employee, to leave without pay to a temporary dismissal/contract interruption. Unless the reservist can combine the service performance with the normal period of leave with the employer, of course (e.g. education).

## Denmark

---

The reserve forces in Denmark are covered by the same national regulations as permanent defence personnel during the periods when they are called up.

## France

---

For the French operational reserve, the Working Time Directive is not applied. In addition, the reserve serves in the same way as an active soldier in France. They have the same regulations and same status, only the compensation paid under the reserve is tax-exempt.

## Greece

---

The reserve in Greece is divided into two categories, namely the Reserve Officers and the Reserve NCOs. Both are trained in specific reserve candidate schools, within a certain period of time.

Candidate Reserve Officers are trained within four months on their tactics and mission, and finally on the requirements of the specialty given when they are transferred to the Expeditionary Units. They usually serve at the border (Western Thrace, North and South Aegean Islands).

Reserve Non-Commissioned Officers are trained within two months in Companies of Ranks Candidates, and as a distinction, they are given the rank of Reserve Corporal. They are not considered executives but conscripts, unlike Reserve Officers. Reserve NCOs complete their military service as scheduled in 9 or 12 months, and are honored with the rank of Reserve Sergeant. The Reserve is called to refresher training every 5-8 years with the aim of reminding the basic knowledge or presenting new weapon systems, mainly to the Army. The training lasts from one day to 9 weeks, and they are properly equipped for any action they have to carry out.

For the entire time they are on active duty, they follow the working hours of permanent military personnel with all the obligations deriving from their rank and duties.

## Ireland

---

The WTD is not in place for serving members as of yet so no regulations exist for Reserve.

## Italy

---

In Italy, there are no rules regarding the reservist.

## Luxembourg

---

There are no specific regulations on the Working Time directive for the reserve in the Luxembourg armed forces, as there is no reserve.

The working time agreement for Luxembourgish troops in general can be found [here](#).

## Montenegro

---

In Montenegro, there are regulations in the Law on the Army in which it is defined that there is a contractual reserve and a strategic reserve.

Admission of persons to service in the Army, to the contractual reserve of the Army is done on the basis of a public announcement in accordance with the Rulebook on the method of recruitment of persons in the Army of Montenegro and the reserve composition of the Army and the method of selecting cadets (Official gazette no. 18/08 and 47/22). However, no person has been hired on this basis, so far.

The strategic reserve is represented by retired military personnel and persons who have served their military service on a voluntary basis.

By law, the rights of reservists do not differ much from the rights of professional members of the Army.





## Serbia

---

According to the Law on the Serbian Armed Forces, the working hours of professional members of the armed forces are prescribed to be 40 hours per week. Daily working hours are 8 hours, and overtime can amount to a maximum of 4 more hours per day. By law, weekly overtime can amount to a maximum of 8 hours. This work allowance also applies to the active reserve when called up for military service. The same applies to the reserve team when it is mobilized.

In practice, regulations on working hours in the Serbian Army are often violated. Professional members of our army, as well as reservists during military exercises, often work overtime beyond the statutory working hours.



## Spain

---

### **AUGC:**

In the Civil Guard, reserve personnel with destination have a work day equal to that of active personnel. Furthermore, since 2014, the working day regulations for civil guards have incorporated the community regulations relating to the organization of working time, thus, the preamble of General Order 11/2014 that regulates the working time of the civil guards, says:

"On the other hand, the rules of community law relating to the organization of working time establish the minimum health and safety provisions in this matter and apply, among others, to daily rest, weekly rest, breaks, to the maximum duration of weekly work and to certain aspects of night work. These regulations must be transposed into national law, and they also provide exceptions to the aforementioned aspects, depending on the autonomy of the staff over their working time and the uninterrupted nature of the activity to be carried out."

The transposition of the Working Time Directive (2003/88/EC) was the result of the complaint of AUGC before the European Commission, presented in October 2010, which led to the European Commission's request to Spain in January 2013.

### **AUME:**

There are no specific regulations on working time for Reserve forces in Spain.



## Sweden

---

In Sweden, there are no specific regulations for the reserve forces. They have the same working time regulations as the active serving personnel.

