



FIRE & RESCUE NSW



HEAD OFFICE

Level 10, 227 Elizabeth Street Sydney NSW 2000

PO Box A249 Sydney South NSW 1232

Telephone: (02) 9265 2999 Facsimile: (02) 9265 2988

www.fire.nsw.gov.au

info@fire.nsw.gov.au

ABN: 12 593 473 110

File No: NFB 08276

04 October 2011

Mr Darin Sullivan
Acting State Secretary & President
Fire Brigade Employees' Union
1-7 Belmore Street
SURRY HILLS NSW 2010

Dear Mr Sullivan

Logistics Support Vehicles (LSV)

I refer to your letter of 29 September 2011 concerning the subject matter and requiring a reply by 5pm on Friday 30 September 2011. Given the complexity of the issues raised in your letter, the Service was unable to respond by your stipulated timeframe; albeit an interim reply was faxed to your office at 17:25 that day. I might add that I find the regular practice of unilaterally imposing often unreasonable "deadlines" in Union correspondence to be both unhelpful and unprofessional, given the clear implied threats attached to such deadlines.

The Service takes appropriate steps to identify established and funded positions within our organisation's structure that can be used to accommodate 'suitable duties' staff. In addition, obligations under the Occupational Health and Safety Act to rehabilitate workers who are injured on duty often result in short term ad hoc arrangements to accommodate individual requirements. As you have pointed out, the Service and the Union jointly identified the LSV function as an avenue for potential placement for staff requiring 'suitable duties' on a short or long term basis, albeit that such arrangements have not always been able to meet operational requirements.

While your letter states that there was a formalised agreement between the Union and the Service following from Mr Casey's letter of 27 October 2010, such an assertion fails to take into account additional correspondence between the parties including: 3 November 2010 (the Service), 15 November 2010 (FBEU), 22 November 2010 (the Service), 3 June 2011 (the Service), 8 July 2011 (FBEU) and 14 September 2011 (the Service). These letters indicate that a series of discussions took place between us following the October 2010 letter that you have referred to.

The arrangements identified by the Acting Commissioner in correspondence dated 14 September 2011 will be placed on trial, due to my concerns about critical operational needs that must be able to be met on a 24/7 basis. Plans are in place to publish a suitable expression of interest this week.

PREVENT PREPARE PROTECT

I understand that separate discussions are taking place between the parties on the issue which the Union has sought to tie to this matter – that is, the medical retirement of employees who have been found to be permanently unfit for operational duties.

Should you have further queries regarding this matter, please contact Jodie Camden, Manager Industrial Relations on 9265 2639.

Yours sincerely



Greg Mullins AFSM
Commissioner