

A fax authored by former FBEU Official Simon Flynn has been circulated through fire stations over the last week. The fax makes a series of erroneous claims regarding proposed changes to the Union's Rules 14 (Meetings of the State Committee of Management), 25 (Candidates) and 51 (Sub-Branches), and then requests that members sign a petition to call for a plebiscite to reject these changes.

While the Union's officials have chosen to ignore the former official Flynn's previous divisive publications, his claims in this instance are so factually wrong that they demand correction in each instance.

Rule 14 – Meetings of the State Committee of Management

- (1) The State Committee of Management shall meet at such times, dates and places as it resolves or as shall be fixed by the State Secretary after consultation with the President, provided that it shall meet at least once each quarter each year. A State Committee of Management meeting may also be held by means of telephone, radio or any other means by which members of the Committee are able to communicate orally with each other without being physically present at the meeting. Decisions of the State Committee of Management shall be taken on the basis of the majority of votes cast in accordance with these Rules.
- (2) Meetings of State Committee of Management shall be summonsed by the State Secretary giving to each member of the State Committee of Management reasonable notice by telephone, telex, facsimile, **email** or certified mail of the time, date and place or manner of holding the meeting.
- (3)
 - (a) The State Secretary, after consultation with the President, may submit any **question motion** or matter to the members of the State Committee of Management for resolution by **telephone**, telex, facsimile, **email** or postal vote.
 - (b) In submitting such a question or matter the State Secretary shall allow a period of time reasonable in the circumstances of the case for members of the State Committee of Management to record their vote.
 - (c) **A resolution in writing under this sub-rule shall be as valid as if it had passed at a State Committee of Management meeting if, and only if, it is signed by all members of the State Committee of Management. Such resolution may consist of several documents in like form.**

Flynn's fax claims that these amendments will *"allow the four person executive to run the union if the current leadership lose the majority of votes on the committee of management at next year's election by running these meetings electronically, not in person"*.

The truth is that these amendments do the EXACT OPPOSITE of what Flynn claims.

The current Rule 14 allows a State Secretary who has the support of at least 7 of the other 13 State Committee officials to ride roughshod over the other six members of the State Committee by forcing decisions through sub-rule (3) without holding any meetings, and without any debate.

The new Rule 14(3) does not disturb the current requirement for the State Committee to meet at least once each quarter (it actually meets once each month), it simply ensures that any motion from the State Secretary that does not enjoy the unanimous support of the State Committee cannot be passed until is presented to, and debated by, a regular face to face meeting of the State Committee. The proposed amendment empowers alternative viewpoints on the State Committee at the expense of the power of the State Secretary.

Simon Flynn has at best totally misunderstood this amendment. At worst he is deliberately misrepresenting it for his own political ends. Either way, his concerns are unfounded and his call to oppose this important democratic reform deserves no thinking member's support.

Rule 25: Candidates

- (1) A candidate for any position in the Union ~~other than the position of State Secretary~~ shall be a financial member as at the closing date of nominations, or a ~~life~~ Life member of the Union still employed in the industry.
- ~~(2) Candidates for election to State Secretary need not be members of the Union. A person who is not a member of the Union shall automatically become a member of the Union upon election or appointment to that position and shall be liable to pay any amounts in respect of admission to membership, and shall have the same rights, duties and liabilities as members who are admitted upon application.~~
- ~~(3 2)~~ In order to become a candidate for election to any position, a person shall be nominated for the office in writing signed by two financial members of the Union. Every candidate shall on the same paper as contains the said nominations, accept the nomination for the relevant office.
- (3) No member shall be entitled to contest more than one Officer position. Where a member is nominated for more than one Officer position the Returning Officer will invite the member to withdraw their multiple nominations so as to limit their nomination to one position. If the member fails to do so before the time stipulated in Rule 28(10)(c), all nominations for that member shall be deemed to be withdrawn.

The State Committee makes no apologies for these rule amendments, the intention of which are ensure that the leader of our union is elected by our union's members and from our union's members. Nothing more, nothing less.

Simon Flynn displays a deep lack of faith in the abilities of firefighters by insisting, as he did in the last election campaign (and apparently will in the forthcoming one as well), that after 102 years we cannot find at least one capable firefighter from amongst 6,300 members to lead us.

Flynn's fax claims that this amendment will *"deny us the option to choose to elect a union leader who is not a firefighter – no matter how suitable they might be"*.

Again, this is not correct and Simon Flynn knows it. The UFUA adopted a similar rule change to block non-member candidates back in 2005 and Flynn simply stepped around that rule by secretly admitting Mark Erwood, who was not a firefighter, as a Union member the week before the nominations for Secretary closed.

The current State Committee does not think it necessary but in the unlikely event that a standout candidate from outside of the FBEU wished to run for State Secretary, and had the support of FBEU members, it would be similarly possible to admit them to membership to allow them to run. What this amendment does prevent, however, is an unexpected takeover from any well funded non-FBEU group.

Rule 51 – Sub-Branches

Flynn's fax claims that these amendments will *"deny most permanent members who are on shift a vote allowing only one meeting per sub branch. This will hit Sydney, Newcastle, the Central Coast and Wollongong hardest"*.

This is not only incorrect, it is hypocritical. In 1995 the then-President Flynn oversaw an overhaul of the Union's rules which removed the requirement for the Union to hold a day and night general meeting every quarter in Sydney, Newcastle and Wollongong. And more recently, during his 2006-2009 term as State Secretary, Flynn held no more than one meeting per General Meeting per Sub-Branch.

The truth is that these amendments will have no impact on most members except to expand their options in attending meetings. These rule amendments increase the number of metro sub-branches, up from the current 7 to 10, including three new Sydney Sub-Branches for members in Zones MW1, MS3 and MS2. It follows that it will now become easier, not harder, for members to attend a meeting both on and off-duty.

In any case, the current Rule 51 is so hopelessly out of date that it does not even allow Sub-Branches to exist within Sydney at all, let alone to hold meetings to consider General Meeting motions. That we have been operating outside of this Rule for over a decade is a primary reason for these amendments.

But the proposed amendments go much further than increasing the number of Sub-Branches in Sydney from four to seven, in order to make the Sydney Sub-Branches a workable size. They also introduce a mechanism to allow Sub-Branch meetings to amend General Meeting motions rather than simply voting yes or no.

This is a major reform. Members have not had the ability to change State Committee presented motions from the floor since the Sub-Branch structure was introduced. By changing the way in which motions are presented to the membership this State Committee is handing power back to the membership.

With the increase in the Sub-Branches this amendment, if passed, will result in more meetings being held rather than less. Flynn's fax claims that members will be denied the opportunity to vote. Instead this amendment means more members will have more opportunities to participate in the general meeting process.

It is difficult to understand why Comrade Flynn struggles with such basic democratic reforms. Again, he has either failed to understand it, or has chosen to deliberately misrepresent it.

The proposed Rule amendments make our Union more democratic, and your officials more accountable. If you believe that the FBEU should be a member driven Union, as your current officials do, then these changes deserve your support. They are modest, effective, and will serve us all well into the future.