



Hitch Hiker's Guide to Annual Leave in FRNSW

The following is a general guide to the accrual and operation of annual leave for FRNSW firefighters. It might look heavy at first, but it's actually quite straightforward - really!

Annual Leave Roster

The Annual Leave roster operates over a cycle of 64 weeks during which time an employee works for 24 weeks, has four weeks leave, then works for 32 weeks followed by a further 4 weeks leave.

Those firefighters operating in an even numbered leave group (ie: 2, 4, 6 or 8) will operate in the cycle starting with 24 weeks on, 4 weeks off, 32 weeks on and then 4 weeks off.

Those firefighters assigned to an odd numbered leave group (1,3,5 or 7) will work the same cycle in reverse, ie: 32 weeks on, 4 weeks off, 24 weeks on and then 4 weeks off.

The leave period of 172 hours is made up of 14 rostered shifts (day shifts being 10 hours, night shifts being 14 hours), ie: NN..DDNN..DDNN..DDNN.

The leave period of 164 hours being made up of 14 rostered shifts, ie: DDNN..DDNN..DDNN..DD.

Effectively then, each member receives 336 hours of leave in the 64 week cycle.

It is important to note also that the Rostered Annual leave Groups also incorporate what was previously known as 38 Hour Leave. This amounts to two hours of leave which members accrue each week, by virtue of working an average of 42 hours per week

Annual Entitlement

The annual entitlement to leave is calculated as follows:

35 days annual leave ie: 5 weeks x 38hrs = 190 hours

13 days 38 hour week leave. ie: 13 x 7.6 hours (38/5) = 98.8

98.8 - 7.6 = 91.2 (13th day surrendered as per 38 hour agreement signed on 2 May 1985 - see **38 Hour Leave** below)

TOTAL 190 + 91.2 = 281.2

Upon converting to a 64 week basis, this entitlement is as follows:

281.2/52.1785 (weeks) x 64 = 344.91 hours

A discrepancy exists between entitlement and the leave that the roster allows to be taken. this discrepancy is 344.91 - 336 = 8.91.

When transferred back to a yearly amount, this residual becomes 7 hours and 15 minutes (or 7.25 hours). This residual amount is credited to employees' consolidated leave balances on the anniversary of appointment each year, as prescribed by subclause 8.10 of the Award.



continued from Page 1

38 Hour Leave

Upon the introduction of the 38 hour week firefighters became entitled to two additional hours of leave for working the 39th and 40th hours above 38. A further two hours was paid as rostered overtime to reflect the 41st and 42nd hours of the average 42 hour week.

The leave is aggregated and automatically added to the annual leave entitlement. A residual of 7 hours and 15 minutes above and beyond the leave which is debited by the taking of rostered leave is credited to consolidated leave as described above.

The 13th day of 38 Hour Leave was surrendered as a cost offset necessary to facilitate the introduction of the 38 hour week. The reasons for this are set out in the Memorandum of Understanding of 2 May 1985, re: the 38 hour week. The operative date of the 38 hour week agreement was 1 July 1985, following the endorsement of the agreement by Union members at a Special General Meeting held on 9 May 1985.

However, on 4 May 2000, the Crown Employees (NSW Fire Brigades Firefighting Staff) Award 2000 was ratified which saw all members move from a 38 hour week to a 40 hour week, with the exception of Recruit Firefighters. Whilst this did not represent an increase in actual hours worked, as members continue to work an average of 42 hours per week, it successfully overcame the problem of Rostered Overtime being excluded from superable salary. Instead, members were deemed to work 40 ordinary hours per week and received a Roster Allowance, which was equivalent to the overtime premium previously paid on the two hours of Rostered Overtime. For further details about this change, members should refer to the article entitled "Waiting for the Great Leap - Backward?" in the Summer 2001 edition of the NSW Firefighter.

Recruit Firefighters & 38 Hour Leave

With the introduction of the Crown Employees (NSW Fire Brigades Firefighting Staff) 2001 on 7 August 2001, recruit firefighters were also shifted to a 40 hour week. Where Recruits only work 40 hours per week for the duration of their training, they previously received payment for 38 ordinary hours, and 2 hours of 38 Hour Leave.

The net effect of this arrangement was that Recruit Firefighters, upon leaving the college, may or may not have had an entitlement to be credited with leave (as per the system described under **Changing Annual Leave Groups** below). However, under the 2001 Award, Recruit Firefighters will receive payment for the full 40 hours per week that they work and will not have to worry about 38 Hour Leave adjustments upon leaving the college.

Changing Annual Leave Groups

Typically, if a member started on the correct Annual Leave Group at the correct time and stayed on that leave group for their entire career, the Annual Leave roster would just work away in the background and there would be no need for any adjustments. The reality however, is that most members will change leave groups during their career, particularly since a change of platoon necessarily means a change in Annual Leave Groups, as does a change of station in many cases.

When these changes occur it necessarily means that adjustments may need to be made to members'



continued from Page 2

leave balances. Unfortunately it is difficult to make adjustments for the actual annual leave component as this can vary wildly throughout a member's career going from being in debit, to being in credit. If, however, at the conclusion of a member's employment, he/she has an annual leave balance which is in credit, he/she will be paid for that balance.

The 38 hour leave (or that which was previously known as 38 hour leave) can be tracked and adjustments for this component can be made. Because members accrue 2 hours of leave per week, one can determine how much of that balance is not exhausted in the period of leave following a change of leave groups.

As stated above, the two leave periods in the Annual Leave Cycle provide for leave periods of 164 and 172 hours. The component of these groups which is 38 hour leave is determined by reference to the roster and, in particular, the number of weeks preceding a given leave period in the roster. For example, if a leave period of 172 hours follows a rostered work period of 32 weeks, the 38 Hour leave component of that leave period will be 64 hours (because $32 \text{ weeks} \times 2 \text{ hours} = 64 \text{ hours}$) and the annual leave component will be 108 hours. However, a 172 hour leave period which follows a rostered work period of 24 weeks will only contain 48 hours of 38 Hour Leave ($24 \times 2 = 48$) and 124 hours of Annual Leave.

A change in Annual Leave Groups which results in a member accruing 62 hours of 38 Hour Leave prior to taking a Leave Group which only has a 38 Hour Leave component of 48 hours, will mean that the member needs to be credited with 14 hours of consolidated leave (since $62 \text{ hrs} - 48 \text{ hrs} = 14$). But another member with 62 hours of 38 hour leave, whose next leave period after the change has a 38 hour leave component of 64 hours, will inadvertently gain an advantage of 2 hours of leave and if the change of annual leave group was not at their request will not require a credit to his/her consolidated leave balance.

To assist members in calculating any leave credit they may be entitled to as a result of a change in Annual Leave Groups, the Union has developed a worksheet. Members wishing to obtain copies of the worksheet should contact the Union office on 9218 3444, or you can download a pdf version of the worksheet from the Union website at www.fbeu.net.