



11 October 2012

Mr Greg Mullins AFSM
Commissioner
Fire and Rescue NSW
PO Box A249
SYDNEY SOUTH NSW 1232

Dear Mr Mullins,

Re: 10 October intranet item "*Urgent information re new structural firefighting uniforms*"

As you are already well aware, serious doubts have arisen as to the integrity of the new structural firefighting ensemble. It is clear that the failure to issue appropriate duty wear along with the structural firefighting ensemble is at best impacting upon firefighter amenity, at worst upon firefighter safety, through excessive and unnecessary exposure to heat.

Consequently it is the view of the Union that until complementary light-weight duty wear has been issued, and the other identified problems with the ensemble rectified, the new structural firefighting ensemble should:

- a) be immediately withdrawn from service; and
- b) cease to continue to be issued.

I note that you have already acted on (b).

The sourcing and provision of the new duty wear should allow the Department sufficient time to rectify the problems already identified with the structural ensemble, including tunic zipper defects and excessive heat build up. Unfortunately, it appears that the Department has already ordered thousands of pairs of these lighter duty wear trousers.

It may be that these new trousers are both appropriate and acceptable to the Union and its members, in which case we will have no complaint. However, it may also be the case that they are not, in which case they will not be worn and the new ensemble will remain unworn as well. Suffice it to say that the urgency of the situation does not override the need to consult and the sooner the Department does so, the less likely the chance of further controversy.

Please be advised that in the absence of an order from the Department to withdraw the ensemble from service or alternatively, a sound argument as to why this should not occur, the Union will tomorrow issue its own instruction to members to do so. I therefore look forward to your earliest response.

Yours sincerely,

Jim Casey
State Secretary

Fire Brigade Employees' Union (FBEU)

1-7 Belmore Street Surry Hills NSW 2010

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12 October 2012

Mr Jim Casey
Fire Brigade Employees' Union
1-7 Belmore Street
SURRY HILLS NSW 2010

Dear Mr Casey

I refer to your letter dated 11 October regarding issues identified with the new structural firefighting uniform ("the uniform"). As you are aware, Deputy Commissioner Smith and I met with the State Committee of Management on 27 September to discuss emerging issues. In particular since the incident at Bella Vista last Friday 5 October, I have provided you with regular updates by e-mail on progress in relation to lighter weight duty wear trousers (which SCOM clearly indicated is an urgent priority), the problems identified with the uniform, and proposed remedial measures.

As indicated to you in those e-mails, with assistance from the Department of Finance and Services, it has been possible to place an order for 2000 pairs of lighter duty wear trousers, with between 700 – 900 due for delivery by 9 November, and the balance by 30 November. An urgent tender process is being conducted for supply of sufficient garments to outfit all firefighters issued with the new uniforms. The design of the trousers is identical to those trialled in consultation with the FBEU, with the exception that the "cargo" pockets will be retained in accordance with feedback from trial participants. The FBEU representative attended all but the last meeting of the Working Group formed for this purpose, and at no stage has there been any indication of disagreement or problems by the FBEU. Indeed, and as indicated at the SCOM meeting, it was evidently expected that Fire & Rescue NSW would proceed quickly with procurement of the lighter duty wear trousers. I also note that samples of the trial wear and prototypes were available and were viewed by FBEU representatives on a number of occasions over the life of this project.

On the basis of the urgency expressed by SCOM and my genuine understanding that the FBEU has been fully consulted and involved in all aspects and stages of the PPC project, I directed on Monday that procurement proceed.

In relation to the reports of increased heat load when wearing the new uniforms, this too was identified as an unavoidable consequence of moving to uniforms that comply with the more stringent requirements of AS/NZS 4697/2009. You will recall that one of the possible remediations, as suggested by Wollongong University, was not to include a moisture barrier as this would inevitably impede the release of metabolic heat away from the body. The FBEU however demanded that the moisture barrier be included, and this was agreed by the parties. Every other fire service that has moved to new ensembles has had to deal with the added heat load through education and some changes to wearing practices, as stipulated in the interim Recommended Practice provided to all staff. In summary, the trade off for higher



levels of protection from external factors such as flame, steam and thermal radiation, is that the uniform is thicker, and therefore hotter. The agreed remedy for this, as well as education and different wearing rules, was to be provision of the lighter duty wear.

I am pleased to advise that today FRNSW met with senior executives from Pacific Brands Workwear. I have received a letter from Pacific Brands Workwear advising that they will take responsibility for any defects in material or workmanship, and a remediation program has been agreed.

Given the lack of response to my several invitations, I must assume that the FBEU does not wish to participate in the Expert Panel which I appointed this week to advise me on all aspects of the uniform and duty wear. The Panel will meet for the first time on Monday 15 October to review all actions to date. The Panel includes experts from Wollongong University, Queensland Fire & Rescue Service, and the South Australian Metropolitan Fire Service.

Lastly, in relation to your request for a "sound argument" as to why the uniform should not be withdrawn from service immediately, the following has been taken into consideration:

1. Those uniforms which have passed the "zipper test" (96%) offer better protection than the current PPC
2. Firefighters have been given the option, should they have any concerns whatsoever, to revert to the older uniform
3. Some firefighters have donated their old uniforms so that they can be sent to fire services in developing nations, and therefore have no alternative PPC to wear (although some stocks are available to cover this eventuality)
4. The main safety issue, the zipper, is the subject of unequivocal agreement with the supplier to remediate the problem as quickly as possible
5. The lighter duty wear trousers will start to be issued within 3-4 weeks
6. There is independent expert oversight of all aspects of this program to ensure that it is appropriate and timely.

For these reasons I do not propose at this time to withdraw the uniforms from service, and trust that the comprehensive measures that are in place to deal with the identified and any other potential problems, are to the satisfaction of the FBEU. I remain available to discuss any issues of concern at short notice, including over the weekend.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Mullins', written in a cursive style.

Greg Mullins AFSM
Commissioner



12 October 2012

Mr Greg Mullins AFSM
Commissioner
Fire and Rescue NSW
PO Box A249
SYDNEY SOUTH NSW 1232

Dear Mr Mullins,

I refer to your letter of 12 October regarding the new structural firefighting ensemble.

Firstly, you have identified the moisture barrier as the cause of increased heat load in the new uniform. You have then asserted that the Union "demanded" the inclusion of the moisture barrier. Not only is this not correct, but your letter implies that the Union is responsible for this increased heat load.

The Union's position has been as consistent as it has been clear in expecting the best protection for our members. This has not at any stage extended to demanding the inclusion of a moisture barrier, being a question on which we remain open. What is not clear is the Department's view. The Union has proceeded on the assumption that the Department supports the inclusion of a moisture barrier. If we are mistaken, and you have misgivings about the moisture barrier, then now would be a good time to let us know.

What is beyond debate is that structural firefighting gear that includes a moisture barrier is far hotter to work in than uniform that does not include such a barrier. The question then becomes how best to ameliorate this heat stress?

I am pleased to hear that some type of lightweight duty wear will be made available shortly, however my reservations expressed in yesterday's letter remain. Suffice it to say that your understanding of the consultation between the parties on this item does not marry with mine.

I am not, however, convinced by your arguments against the immediate withdrawal of the new PPC pending the rectification of the problems identified and the issuing of the new duty wear. A 4% failure rate may be acceptable to the Department, but it is not acceptable to the FBEU. Consequently I am advising all members to not wear the new ensemble until further notice.

Finally, I thank you for your invitation to participate in the independent oversight panel. If, as I suspect, this panel is going to make recommendations to you then the Union will not sit upon it. Instead I expect that the Union will be provided with the panel's recommendations prior to genuine discussion between the parties. Such an approach from the outset may well have avoided some of the issues we now face.

Yours sincerely,

Jim Casey
State Secretary

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