



# SITREP 36/13

## 2013 AGM

In accordance with Rule 11(3), notice is hereby given of the 103<sup>rd</sup> Annual General Meeting of the Fire Brigade Employees' Union of New South Wales. The meeting will be held commencing 1000 hours on Thursday 24 October 2013 at the Union Auditorium, 1-7 Belmore Street Surry Hills.

The agenda and Sub-Branch meeting details will be notified in SITREP 38/2013.

### **TOLing: Advice and instructions for permanent members**

Members are reminded that the Union's comprehensive advice and instructions on TOLing, as published on 20 December last year, remains in force. While the online version of today's SITREP 36/2013 provides a link to last year's notice and full advice, members are once again advised and instructed that:

- Officers cannot act-down, but may be directed to staff heavy hazmat and rescue appliances.
- Officers cannot be directed to perform outduties, but may agree to do so.
- The minimum rank required to act as OIC at a retained station is Senior Firefighter.
- There is no ban or restriction on "leap-frogging" of relievers and/or outduties.
- Leading Firefighters cannot act-up to Station Officer rank unless they have successfully completed the SOPP.
- Fully staffed appliances are not to be taken off line, and members are instructed to not perform relieving/outduties if doing so will cause that station to fall below safe and effective minimum staffing levels.
- Fully staffed appliances are not to be taken off line to staff TOLED appliances, which are not to be "cross-crewed".
- Members of the oncoming shift should not staff or respond on a TOLED appliance prior to the change of shift.
- While there is no limit on the number of times an appliance may be TOLED or directed to stand by for a TOLED appliance elsewhere, outduty limits and other Award provisions may operate to prevent either happening.
- Members who stand by for a TOLED appliance elsewhere will have performed an outduty if, after completing the stand by duty, they do not finish duty at their own station prior to the conclusion of their rostered shift.

### **Department asking for too much**

The Department is advising members claiming for workers compensation or seeking a fitness for duty assessment that they must sign either a "Medical Review Consent" or "Authority to obtain and or release of information related to your injury" form before their matter can progress. Despite the claims (and threats) made in the forms, employers are not entitled or required to know all of your health details, nor do they have the right to access your medical records or doctors. **Do not sign these forms.**

The Union has written to the Department seeking that these forms be withdrawn. That was six weeks ago and the Department is yet to reply. Members asked to sign these (or similar) forms should decline to do so and immediately contact the Union for further advice. Copies of the disputed forms and the Union's correspondence can be viewed on the website version of today's SITREP.



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## **On-shift rescue training to commence**

The issue of on-shift rescue training returned to the IRC this week after another tranche of negotiations. Whilst the parties narrowed some points of contention, there were still some significant matters unresolved. Justice Backman expressed a concern that arbitration would result in further delays to training, potentially until mid 2014, and on that basis issued a recommendation, which both the Union and the Department agreed to accept.

As a result, members of QF rank and above who are attached to a rescue station will now complete a series of pre-assessment assignments followed by an 8 day face-to-face assessment phase in order to qualify for the Rescue Allowance. A Rescue Instructor will attend the member's station to carry out the assessments unless a specialist facility (eg, train lift) is required, in which case the rescue appliance, and its minimum crew, will attend the facility. It was agreed that the assessment phase could be reduced for firefighters who are able to demonstrate that they satisfy the competency requirements.

The Union has also secured the backdating of the Rescue Allowance to the date that the firefighter completes their pre-assessment assignments and applies to be assessed. This will result in payment from the date of completion of the pre-assessment assignments, as certified by the Station Officer, and not the completion of the Rescue Instructor's final assessment unless the firefighter is deemed not yet competent, in which case the commencement date for payment of the allowance will be delayed by one month (ie 28 days) for each reassessment required.

It was a long time coming, but this is a sensible, efficient and reasonable result for members and FRNSW.

## **Check before you sign**

SITREPs 13/2012 and 15/2011 warned members not to answer questions, write reports or sign statements without the benefit of Union advice. This includes any document arising out of disciplinary matters and any document related to medical retirement (especially consent to medical retirement), workers compensation or general release of medical information before consulting the Union. Signing before seeking advice may seriously prejudice your situation if things go wrong, which they all too often do.

## **Disposition Forms banned**

Station Officers in Region West were this week directed to complete new "Disposition Forms" which required members to document their intended movements and work plans for the coming shift. This had not been discussed with, nor agreed to, by the Union and consequently is banned until further notice.

In Orders 2001/22, which came out of the settlement of the 2000 Permanent Award, sets station work routine guidelines, rightly leaving it to the initiative of crews to arrange for each shift's work to be performed as and when it is most appropriate.

**Jim Casey**  
State Secretary

Friday 20 September 2013