



SITREP 44/13

Public think we're frontline - who knew?

Not Premier O'Farrell apparently.

"We will need more public servants, not less," and "our plans for NSW include hiring more frontline staff". That was Barry O'Farrell before the March 2011 state election. It was only after his election victory that the Premier revealed that when he said "frontline staff", he really meant only nurses, teachers and police.

Channel 7 News this week aired a two-night investigation into the O'Farrell Government's budget cuts that are causing the ongoing closure of fire stations, confirming that most people think O'Farrell has broken his promise on frontline services.

O'Farrell hospital-passed Channel 7's questions to Minister Gallacher, who responded with this confidence-inspiring gem: *"In relation to that poll that you've done, I don't know exactly what has caused people to give those answers that they have."* Commissioner Mullins looked as surprised as we were by that. See for yourself at:

(for Tuesday night's segment) www.youtube.com/watch?v=DejTM3ArlzI

(for Wednesday night's segment) au.news.yahoo.com/nsw/a/19812044/anger-over-closed-fire-stations/

Retained award negotiations - update #6

Further to our last update in SITREP 39, the Union's application for a new Retained Award returned to the IRC this morning for a report (albeit brief) on the progress of negotiations.

Continued review of the SITREP 39 availability proposal and ongoing feedback from members has led the Union to amend and refine our proposal in several ways. Leading the list of revisions is our decision to make any change to an availability payment optional.

The Union is now proposing that the current workforce would continue under the existing retainers and payment arrangements unless and until such time as they opted to come under the new retainer/availability arrangements. In other words, if you didn't like the new system then you wouldn't have to sign up for it. This would be a once-only election (ie, a firefighter could not return to their previous retainer, etc. once they had opted into the new system).

Another significant development since the SITREP 39 proposal is our decision to separate the kilometre payments from the proposal altogether. While this reduces the potential funding for an availability payment by \$3M pa, it also removes the uneven impact of the availability proposal on higher call-rate brigades. We may still pursue a kilometre cap and redistribute those savings to all retained, or we may not, but whatever happens will occur independently of the availability proposal.

Being aware that many members were asking what would happen if they failed to respond while they were receiving the availability payment, the Union has developed the following for members' discussion and feedback. It is proposed that firefighters who failed to respond within 20 minutes of the time of call would then be denied the availability payment from either the time the firefighter last signed off at their station or the time that particular period of declared availability commenced (whichever was later). Availability payment would then resume either at the time of the next call actually attended by the firefighter, or after 12 hours (whichever was earlier).



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Retained award negotiations – update #6 (continued from Page 1)

A firefighter who failed to respond within 20 minutes of the time of call during a period of declared availability on three or more occasions within any rolling 12 month period would be denied the ability to declare availability for 4 weeks following each such failure. Reasons for failure to respond during periods of declared availability would not be taken into account but equally, firefighters who failed to respond would not be required to explain their non-response and would not be subject to disciplinary action as a result of their non-response.

The IRC's Vice President, Justice Walton today declined the Department's request for a deferral of next Wednesday's conciliation. In doing so, His Honour made it clear to both parties that the time was fast approaching when he would decide that conciliation had failed, at which point the Judge would then determine any non-agreed matters by arbitration. More to follow in next week's SITREP 45.

Retained strike teams and Clause 29 – update #2

The Union today notified the IRC of another dispute after the Department promised, but failed, to respond to the Union's request for confirmation of agreement or otherwise with our advice to members in SITREP 42/2013, so more to follow. In the meantime, members whose claims are rejected or questioned are reminded to contact the Union for further advice and assistance.

Problems taking Long Service Leave

Commissioner's Orders 2012/27 devolved the management of permanent firefighters' Long Service Leave (LSL) from Head Office to the Areas. The Union's in-principle agreement for this change was conditional on its "real world" operation and impact on our members (for a copy of our letter of 14 March 2013 see the online version of this SITREP), but it is already obvious that the new system has made it neither easier nor fairer for members to take LSL. We are aware of at least one instance where an application was rejected because, to quote management, "*this will incur considerable expense to the Zone due to relief requirements*".

The Union wrote to the Department in September (copy also available online) with suggestions to overcome the difficulties being encountered, but the Department's failure once again to reply left the Union with no choice but to lodge yet another dispute with the IRC. A compulsory conference has been listed before the IRC's Commissioner Newall next Thursday, 21 November. More to follow.

Balmain rally for firefighters and public services

A rally in defence of firefighters and public services is being held on Saturday 23 November at 12 noon, opposite Balmain Fire Station. The Union endorses this rally and I will be speaking. It's another way that the FBEU is keeping up the pressure on the O'Farrell Government's public sector budget cuts and consequential rolling closures of fire stations across Sydney. If you're off-duty and you want to make your voice heard, come and join me on 23 November in Balmain.

Jim Casey
State Secretary

Friday 15 November 2013