



SITREP 20/14

2014 Retained Award explained

The Union has today issued a follow-up notice to last Friday's Union notice titled "*Availability, attendance and the new 2014 Retained Award*" that was faxed to all stations and posted to our website on 30 May. This second notice, which is titled "*Business as usual: the new 2014 Retained Award explained*" has also been faxed and posted to our website today. We encourage all members (and managers) to read both.

New Award "the end of an era"?

The new 2014 Retained Award took effect last Friday, 30 May. The Department has seen fit to call this "the end of an era", but it's nothing of the sort. The new Award makes numerous changes to retained members' working conditions however none of these changes - including the new availability arrangements - amount to anything even vaguely approaching "the end of an era".

If it is the end of anything then it is the Department paying piss-poor retainers and taking members' availability 24/7 for granted. The new Award makes a clear connection between Retainer payments and availability, with higher Retainers now available in return for higher hours of declared availability. If the Department wants more availability certainty then the new Award allows management to pay for it.

As members will see first hand over the coming weeks and months, even these availability changes are little more than a tweaking of the current retained system. The Union is concerned that the Department's attempt to pitch the new award as "the end of an era" is more about what management might now have in store for retained firefighters than it is about the new Award. Already rumours abound that retained time penalties, restricted response, the loss of appliances and even station closures and are all just around the corner.

None of these threats are due to the new Award. Indeed far from driving them, the new Award will allow us to better hold the Department to account. New consultative provisions at Clause 27 mean the Department can do nothing "*which will result in, or is likely to result in, a substantial and ongoing reduction in the work collectively available to a brigade's employees*" without prior consultation and Union agreement or, if agreement cannot be reached, determination by the IRC. Members who think that any change proposed (or worse still, already implemented) by management has the potential to result in a loss of wages at your station should contact the Union.

Permanent Award update #3

Further to our last update in SITREP 17, the Union today filed a revised Permanent Award application in advance of the conciliation set down for 19 June. A copy of the new application (with all of the changes from our last application shown in yellow block highlights for members' ready identification) can be found as a link from the online version of this SITREP.

Our revised application does two things. First, it incorporates and supersedes the main aspects of our now discontinued Conditions Award application (see SITREPs 36 and 44 of 2012). It also takes a different approach to the first responder (MFR) issue with a MFR Station Allowance for members attached to designated MFR Stations, and a separate MFR Incident Allowance for members who are not attached to an MFR Station but who are responded to MFR-type incidents anyway.



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Permanent members' backpay deadline

In March 2013 the Department agreed to pay an interim wage rise before a new award was finalised (to quote Commissioner Mullins) *"to enable negotiation for a new retained award to continue without any distraction about when salary increases are due, and to ensure that Retained Firefighters are not disadvantaged by any delay in negotiations"*. The Union has until recently operated on the not unreasonable expectation that the Department would take a similar approach for its permanent firefighters this year. Not yet. Having waited patiently for months the Union today sought and received the IRC's assistance. Justice Boland has set the matter down for 4pm next Friday with the clear expectation of an answer. More in SITREP 21.

High Court super challenge back on

SITREP 19 reported that public sector unions had decided against a High Court appeal on the Baird Government's inclusion of super increases in its 2.5% pa wages cap. A further meeting of the unions subsequently decided otherwise, so an appeal to the High Court was filed on Tuesday.

HSR training - you decide, not them

Training of the new Health and Safety Representatives (HSRs) is underway after recent elections held across FRNSW. The Work Health and Safety Act (WHS Act) allows HSRs to choose the training they wish to undertake. The Department is offering HSRs a one-day internal "workshop" but HSRs are entitled to a full 5-day, face-to-face Workcover-approved course. The Union recommends that if HSRs are able to do this then they certainly should, not least because only HSRs who have completed the 5-day course can direct unsafe work to stop and issue Provisional Improvement Notices.

HSRs who choose the Workcover-approved course are also entitled to choose a course Workcover-approved provider. HOSTA (www.hosta.org.au) is one such provider recommended by Unions NSW. Courses are run in other locations around the state provided there are sufficient course participants.

The bottom line is that while HSRs are required to consult with the Department on their course selection, the final decision rests with the HSR, not the Department. HSR members who require any assistance with training - or indeed, in their role as an HSR generally - are encouraged to contact the Union.

Bust the Budget: all-union delegates meeting on 12 June

Opposition to the Abbott-Hockey budget continues to grow. This vicious budget will hurt firefighters and their families through massive cuts to health and education funding, and directly to the states (\$8 billion) that will give Baird further reason to gut the NSW public sector. Next Thursday, 12 June there will be an all-union delegates meeting run by Unions NSW to plan the response commencing 1200hrs at the Sydney Masonic Centre, Goulburn St. Interested delegates and members are encouraged to attend.

Jim Casey
State Secretary
Friday 6 June 2014