



**Amendments to Permanent Award Clauses 4, 6, 7, 13, 14, and 28 and Part C,
as negotiated to 28 August 11 September**

4. Definitions

"~~Firefighter~~ Non-Officer" means an employee classified as a Recruit, Firefighter ~~Level 1, Firefighter Level 2~~, Qualified Firefighter, Senior Firefighter or Leading Firefighter.

"Outduty" means a period of duty performed by ~~a~~ an Operational Firefighter, not being a Relieving Employee, where the Operational Firefighter either commences or ceases duty at a station/location other than the station/location where the Operational Firefighter normally reports for duty, but does not include an employee on suitable duties.

"Stand By" means a period of duty up to and including four hours performed by ~~a~~ an Operational Firefighter at a station/location other than the station/location at which the Operational Firefighter commenced duty and where the Operational Firefighter finishes duty at the station at which duty commenced.

6. Rates of Pay and Allowances

6.6.2 The Kilometre Allowance set at Item 2 of Table 3 of Part C, per kilometre:

6.6.2.1 for Operational Firefighters who perform a "Stand By" and who are required to use their private vehicle to perform such "Stand By". The distance shall be the agreed distance or, if the return distance travelled by the employee from the station at which duty commenced to the station at which the "Stand By" is performed is not contained in the Matrices, the actual distance necessarily and reasonably travelled; and

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Amend subclauses 6.6.3 to 6.6.13 to by replacing each instance of "Firefighters" with "Non-Officers".

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6.6.16 The Operational Support Allowance set at item 10 of Table 3 of Part C, per week, for the occupants of Operational Support positions.

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6.7.1 The allowances set at subclauses 6.6.3 to 6.6.~~13-16~~ (inclusive) shall not be payable to the occupants of Operational Support positions who are being paid pursuant to subclause 14.10.

6.7.2 The allowances set at subclauses 6.6.3 to 6.6.~~13-16~~ (inclusive) shall be paid in full, regardless of the number of shifts actually worked by the employee within that week.

7. Higher Duties

- 7.1 ~~An~~ Subject to subclauses 7.2, 7.3, 7.4 and 7.7, an employee shall not be permitted to perform ~~Higher~~ higher ~~Duties~~ duties unless, firstly, the employee is qualified to perform such duties and, secondly, where a rank or classification structure applies, the employee is at the rank or classification immediately below the rank or classification of the position in which the relief is to be performed.
- 7.2 Where a Station Officer is temporarily absent (on leave or for any other reason), that Station Officer's position may be filled by a Leading Firefighter performing higher duties, provided that no absent Station Officer's position may be filled by a Leading Firefighter performing higher duties (either by election or direction) for more than 28 days of any such absence.
- 7.3 Where an Inspector is temporarily absent (on leave or for any other reason), that Inspector's position may be filled by a Leading Station Officer performing higher duties, provided that no absent Inspector's position may be filled by a Leading Station Officer performing higher duties (either by election or direction) for more than 28 days of any such absence.
- 7.4 Leading Firefighters and Leading Station Officers may elect or be directed to temporarily perform higher duties in the circumstances described in subclauses 7.2 and 7.3 and subject to subclause 7.5, shall not perform higher duties otherwise.
- 7.5 The limitations of subclauses 7.2, 7.3 and 7.4 shall not apply where:
- 7.5.1 a vacancy in a Country position arises and is advertised in Commissioner's Orders pursuant to subclause 28.7 within 28 days of such vacancy occurring, in which case a Leading Firefighter or Leading Station Officer (as the case may be) may elect or be directed to perform the duties of the vacant position until the position is filled, or the expiration of three months, whichever occurs first.
- 7.5.2 a Leading Firefighter or Leading Station Officer successfully applies for a Country or Operational Support position pursuant to subclause 28.7, in which case the Leading Firefighter or Leading Station Officer (as the case may be) shall be transferred to that station/location and shall perform the duties of the vacant position until such time as he or she is either promoted, or ceases to be eligible for such promotion pursuant to subclause 13.8.3 or 13.10.3 (whichever is the case). An employee who ceases to be eligible for such promotion shall cease to hold that position and, if located outside of the GSA, be transferred to the GSA.
- 7.6 For the avoidance of doubt, the intention of subclauses 7.2, 7.3, 7.4 and 7.5 is to ensure that Station Officer positions are ordinarily filled by employees holding the rank of Station Officer, and that Inspector positions are ordinarily filled by employees holding the rank of Inspector.
- 7.27 An employee performing ~~Higher Duties~~ higher duties shall be paid, ~~for the period of relief~~, the difference between the employee's usual rate of pay and the minimum rate of pay for the rank or classification in which the higher duties are performed. ~~Such~~ An employees ~~shall not be~~ who is ordinarily entitled to an allowance ~~s-in~~ at subclauses 6.6.3 to 6.6.15-16 (inclusive) ~~where~~ shall continue to be paid such allowance while they are performing higher duties but shall not become entitled to any such allowances as a consequence of performing higher duties unless the higher duties are being performed in an Operational Support position, in which case the employee shall also be entitled to be paid the Operational Support Allowance at subclause 6.6.16.
- 7.8 An employee performing higher duties who proceeds on any form of leave shall be paid during such leave at the employee's usual rate of pay and not at rate of pay of the rank or classification in which the higher duties were being performed.
- 7.389 While a Senior Officer who relieves an Executive Officer shall be remunerated for the period of relief in terms of subclause 7.27, such employee shall, with the exception of provisions relating to hours of work and overtime, retain the conditions of employment applicable to a Senior Officer. In relation to hours of work and excess hours such an employee shall, for the period of relief, be covered by subclause 8.12 of Clause 8, Hours of Work.

7.4910 In selecting employees to perform ~~Higher Duties~~ higher duties the following procedures shall apply:

7.4910.1 Where the period of relief is to be less than one month, merit selection need not be applied. However, the Department shall have regard to the principles of equitably sharing career development opportunities.

7.4910.2 Where the period of relief is one month or more and the need for the relief is known in advance, expressions of interest shall be called for and determined by merit selection.

7.49.3 Where the need for the relief is not known in advance, but it subsequently becomes known that the duration of the relief is anticipated to be for two months or more, the initial appointment shall be made in accordance with subclause 7.4910.1. However, immediately following that initial appointment expressions of interest are to be called for and determined by merit selection.

~~7.4.4 For the purposes of this clause, merit shall be determined consistent with the principles and processes underlying merit based selection in the NSW Public Service.~~

13. Progression and Promotion Provisions

13.1 This clause prescribes:

13.1.1 progression and promotion provisions, and;

13.1.2 the constitution and operation of the Training Review Committee.

Progression and Promotion Provisions

13.2 All employees shall commence and remain on probation until the expiration of six weeks following their progression to Firefighter and shall thereafter be required to satisfy and maintain the competencies specified, by the Commissioner on the advice of the Training Review Committee for the classification to which they are appointed.

Recruit Firefighter to Firefighter ~~Level 1~~

13.3 ~~Recruit Firefighters shall be on probation until they have progressed to Firefighter Level 1, or for a period of six months, whichever is the lesser.~~ Progression from Recruit Firefighter to Firefighter ~~Level 1~~ shall be subject to the satisfactory completion of the training and/or training competencies undertaken at the Fire and Rescue NSW Training College and specified, by the Commissioner on the advice of the Training Review Committee, for progression to Firefighter ~~Level 1~~.

Firefighter ~~Level 1~~ to Qualified Firefighter ~~Level 2~~

13.4 Progression from Firefighter ~~Level 1~~ to Qualified Firefighter ~~Level 2~~ shall be subject to twenty four (24) months service from the date of commencement as a Recruit Firefighter and ~~to the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to~~ ~~Firefighter Level 2~~ Qualified Firefighter.

~~Firefighter Level 2 to Qualified Firefighter~~

~~13.5~~

~~13.5.1 Progression from Firefighter Level 2 to Qualified Firefighter shall be subject to thirty six (36) months service from the date of commencement as a Recruit Firefighter and to the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Qualified Firefighter.~~

~~13.5.2 For Recruit Firefighters employed on or after 1 January 2010 progression from Firefighter Level 2 to Qualified Firefighter shall be subject to the attainment of Certificate III Public Safety (Firefighting and Emergency Operations) and to the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Qualified Firefighter.~~

~~13.6 13.6.1~~

13.5 Progression to Qualified Firefighter is a mandatory achievement required for all Firefighters. Failure to achieve progression to this classification within a reasonable time; will result in the employee being considered unsuitable for continued employment ~~in the Department~~, and the employment of such an employee will be terminated accordingly. In such circumstances, the Department will advise the Union that the services of the employee are to be terminated.

~~13.6.2 The reference to "reasonable time" in subclause 13.6.1 means a period in excess of thirty-six (36) months. The excess time to be allowed shall be determined by the Commissioner after taking into account all the circumstances of the case of the employee concerned.~~

Qualified Firefighter to Senior Firefighter

13.76 Progression from Qualified Firefighter to Senior Firefighter shall be subject to ~~a minimum of~~ at least seventy two (72) months service from the date of commencement as a Recruit Firefighter and ~~to~~ the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Senior Firefighter.

Senior Firefighter to Leading Firefighter

13.87 Progression from Senior Firefighter to Leading Firefighter shall be subject to: firstly; at least ~~three years~~ twenty four (24) months service as a Senior Firefighter as of the closing date ~~of the relevant Pre-Entry Test~~ for applications pursuant to subclause 13.7.1; secondly, acceptance as a result of the tests conducted pursuant to subclause 13.7.3; thirdly, the ~~acquisition~~ satisfactory completion of the ~~necessary Station Officer~~ training and/or training competencies specified, by the ~~Department following consultation between~~ Commissioner on the ~~Department and~~ advice of the Union; ~~and thirdly, acceptance into the coming year's Station Officers' Promotion Program~~ Training Review Committee, for progression to Leading Firefighter; and finally, in the case of a Senior Firefighter who applies pursuant to subclause 13.7.2.2, transfer to the GSA.

13.87.1 Applications for ~~entry into the coming year's Station Officers' Promotion Program~~ progression to Leading Firefighter shall be called for from eligible Senior Firefighters in ~~In~~ Commissioner's Orders ~~in July each year~~, with the closing date for applications to follow six weeks thereafter. The number ~~of~~ and location of Leading Firefighter positions available ~~in that coming year's Station Officers' Promotion Program~~ shall be specified in the same ~~In~~ Commissioner's Orders, and ~~will~~ shall be solely dependent on the ~~forward planning~~ staffing needs of the Department.

~~13.8.2 The order of merit for entry into the Station Officers' Promotion Program shall be determined by the level of achievement of applicants in an annual Pre-Entry Test, which shall be held each September. This Pre-Entry Test shall consist of two components. The first component shall be directed at assessing the current knowledge of the applicant. This test shall be focussed on the knowledge that an eligible Senior Firefighter should reasonably be expected to have after 9 years of service and shall comprise 70% of the total score of the Pre-Entry Test (40% technical/general knowledge and 30% on incident scenarios). The second component shall focus on the knowledge and understanding of Station Officers' management and supervision issues. This component shall be conducted by an independent party and shall be based on pre-reading supplied to the applicants. This component shall comprise 30% of the total score of the annual Pre-Entry Test.~~

~~13.8~~13.7.2 A Senior Firefighter shall be eligible to apply for any Leading Firefighter position except where:

13.7.2.1 the Leading Firefighter position available is located within the GSA, in which case the applicant must be either:

13.7.2.1 permanently attached to a station within the GSA; or

13.7.2.2 the permanent occupant of an Operational Support position; or

13.7.2.2 the Leading Firefighter position available is located outside of the GSA, in which case the applicant must be permanently attached to a station within the Transfer Register area in which the Leading Firefighter position is available.

13.7.3 The successful applicants for ~~a given year's Station Officers' Promotion Program~~ progression to Leading Firefighter at each location shall be ~~drawn from the top of the~~ determined by order of ~~merit list referred to~~ the scores achieved by applicants for that location in ~~subclause 13.8.2~~ tests conducted by an independent assessment centre and specified by the Commissioner following consultation between the Department and the Union. The Department shall accept ~~and promote to Leading Firefighter~~ the same number of ~~those~~ eligible applicants as there were positions advertised in accordance with subclause 13.87.1.

13.7.4 Senior Firefighters accepted at subclause 13.7.3 who subsequently fail to satisfactorily complete the training and/or training competencies specified for progression to Leading Firefighter within a reasonable time shall cease to be eligible for such progression unless and until such time as they successfully re-apply pursuant to subclauses 13.7.1, 13.7.2 and 13.7.3.

Leading Firefighter to Station Officer ~~Level 1~~

13.98 Promotion from Leading Firefighter to Station Officer shall be determined by the merit selection process specified by the Commissioner following consultation between the Department and the Union and shall be subject to the occurrence of a vacancy and ~~in accordance with the following provisions:~~ the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Station Officer.

~~13.9.1 Subject to the provisions of 13.9.2, promotion to Station Officer Level 1 shall be subject to the successful completion of the Station Officers' Promotion Program, the content and format of which shall be specified by the Commissioner following consultation between the Department and the Union. The order of promotion of Leading Firefighters who successfully complete the Station Officers' Promotion Program shall be determined by their placement on the order of merit list arising from assessments forming part of that Station Officers' Promotion Program.~~

~~13.9.2 Leading Firefighters who do not successfully complete their initial Station Officers' Promotion Program shall gain automatic entry to the next subsequent Program and, provided this second Program is successfully completed, such employees shall take precedence in the order of promotion of that Program's successful participants. If a Leading Firefighter does not successfully complete the Station Officers' Promotion Program upon this second attempt then that employee will be returned to the classification of Senior Firefighter.~~

Station Officer Level 1 to Level 2

13.8.1 Applications for promotion to Station Officer shall be called for from eligible Leading Firefighters in Commissioner's Orders, with the closing date for applications to follow six weeks thereafter. The number (and, if located in areas outside of the GSA and Regional

Transfer Register areas listed at subclause 28.2.2, both the number and the location) of Station Officer positions available shall be specified in the same Commissioner's Orders, and shall be solely dependent on the staffing needs of the Department.

- 13.8.2 The reference to "eligible Leading Firefighters" in subclause 13.8.1 means all Leading Firefighters unless the Station Officer vacancy is an Operational Support position, in which case it means Leading Firefighters with at least twelve (12) months operational service at that rank.
- 13.8.3 Leading Firefighters who successfully apply pursuant to subclause 13.8.1 and who subsequently fail to attain promotion to Station Officer within a reasonable time shall cease to be eligible for such promotion. Nothing shall prevent such Leading Firefighters from re-applying pursuant to subclause 13.8.1.

Station Officer to Leading Station Officer

13.409 Progression from Station Officer ~~Level 1~~ to Leading Station Officer ~~Level 2~~ shall be subject to ~~the completion of two years satisfactory~~; firstly; at least twenty four (24) months service as a Station Officer; as of the closing date for applications pursuant to subclause 13.10.1; secondly, acceptance as a result of the merit selection process specified by the Commissioner following consultation between the Department and the Union; thirdly, the satisfactory completion of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Leading Station Officer ~~Level 2~~; and finally, in the case of a Station Officer who applies pursuant to subclause 13.9.2.1.2 or 13.9.2.1.3, transfer to the GSA.

- 13.9.1 Applications for progression to Leading Station Officer shall be called for from Station Officers in Commissioner's Orders, with the closing date of applications to follow six weeks thereafter. The number and location of Leading Station Officer positions available shall be specified in the same Commissioner's Orders, and shall be solely dependent on the staffing needs of the Department.
- 13.9.2 A Station Officer shall be eligible to apply for any Leading Station Officer position except where:
 - 13.9.2.1 the Leading Station Officer position available is located within the GSA, in which case the applicant must be either:
 - 13.9.2.1.1 permanently attached to a station within the GSA; or
 - 13.9.2.1.2 permanently attached to a station located both outside of the GSA and outside of a Regional Transfer Register Area; or
 - 13.9.2.1.3 the permanent occupant of an Operational Support position; or
 - 13.9.2.2 the Leading Station Officer position available is located outside of the GSA but within a Regional Transfer Register Area, in which case the applicant must be permanently attached to a station within that Regional Transfer Register area; or
 - 13.9.2.3 the Leading Station Officer position available is a Country Officer position (as defined by subclause 28.7.2.1) and there is no Station Officer vacancy at that station, in which case the applicant must be permanently attached to that station.
- 13.9.3 The successful applicants for progression to Leading Station Officer at each location shall be determined by the merit selection process conducted at each location and specified by the Commissioner following consultation between the Department and the Union. The Department shall accept the same number of eligible applicants as there were positions advertised in accordance with subclause 13.9.1.

- 13.9.4 Station Officers accepted at subclause 13.9.3 who subsequently fail to satisfactorily complete the training and/or training competencies specified for progression to Leading Station Officer within a reasonable time shall cease to be eligible for such progression unless and until such time as they successfully re-apply pursuant to subclauses 13.9.1, 13.9.2 and 13.9.3.

Leading Station Officer to Inspector

- 13.10 Promotion from Leading Station Officer ~~Level 2~~ to Inspector shall be determined by the merit selection process specified by the Commissioner following consultation between the Department and the Union and shall be subject to the occurrence of a vacancy and the ~~successful~~ satisfactory completion of the ~~Inspectors' Promotion Program, the content and format of which shall be specified by the Commissioner following consultation between the Department and the Union~~ of the training and/or training competencies specified, by the Commissioner on the advice of the Training Review Committee, for progression to Inspector.

- 13.10.1 Applications for ~~entry into each~~ promotion to Inspectors' ~~Promotion Program~~ shall be called for from eligible Leading Station Officers ~~Level 2~~ in ~~In~~ Commissioner's Orders, with the closing dates of applications to follow six weeks thereafter. The number (and, if located in areas outside of the GSA and the Newcastle, Central Coast and Illawarra Transfer Register areas, both the number and the location) of Inspector positions available ~~in each Inspectors' Promotion Program~~ shall be specified in the same ~~In~~ Commissioner's Orders, and ~~will~~ shall be solely dependent on the forward planning needs of the Department.

~~13.11.2 The order of merit for entry into each Inspectors' Promotion Program shall be determined by the level of achievement of applicants in a Pre Entry Test, the content and format of which shall be specified by the Commissioner following consultation between the Department and the Union.~~

~~13.11.3 Subject to the provisions of subclause 13.11.4, the successful applicants for each Inspectors' Promotion Program shall be drawn from the top of the order of merit list referred to in subclause 13.11.2. The Department shall accept the same number of those applicants to the Inspectors' Promotion Program as there were positions advertised in accordance with subclause 13.11.1. The order of promotion of Station Officers Level 2 who successfully complete the Inspectors' Promotion Program shall be determined by their placement on the order of merit list arising from assessments forming part of the Inspectors' Promotion Program.~~

~~13.11.4 Station Officers Level 2 who do not successfully complete their initial Inspectors' Promotion Program shall gain automatic entry to next subsequent Inspectors' Promotion Program and, provided this second Program is successfully completed, such employees shall take precedence in the order of promotion of that Program's successful participants. If a Station Officer Level 2 does not successfully complete the Inspectors' Promotion Program upon this second attempt then that employee will be required to undertake the Pre Entry Test as described in sub-clause 13.11.2.~~

13.10.2 The reference to "eligible Leading Station Officers" in subclause 13.10.1 means all Leading Station Officers unless the Inspector vacancy is an Operational Support position, in which case it means Leading Station Officers with at least twelve (12) months operational service at that rank.

13.10.3 Leading Station Officers who successfully apply pursuant to subclause 13.10.1 who subsequently fail to attain promotion to Inspector within a reasonable time shall cease to be eligible for such promotion. Nothing shall prevent such Leading Station Officers from re-applying pursuant to subclause 13.10.1.

Inspector to Executive Officer

- 13.12.11 Promotion from Inspector to Chief Superintendent or Superintendent shall be determined ~~solely~~ ~~on~~ ~~by~~ ~~the~~ ~~basis~~ ~~of~~ ~~competitive~~ ~~merit~~ ~~selection~~ ~~and~~ ~~is~~ ~~subject~~ ~~to~~ ~~process~~ ~~specified~~ ~~by~~ ~~the~~ ~~occurrence~~ ~~of~~ ~~a~~ ~~vacancy~~. ~~Selection Committees shall be constituted in accordance with~~ Commissioner following consultation between the ~~Recruitment and Employment Guidelines and Procedures of~~ Department and the ~~N.S.W. Public Service~~ Union.

General Provisions

- 13.12.12 While the progression/promotion provisions specified in this clause refer to minimum periods of service as one of the requirements for such progression/ promotion, the Department and the Union acknowledge and accept that:
- 13.12.1 as the competency standards/levels required by Fire and Rescue NSW are determined and established for each classification, the requirement for minimum periods of service may, on specification by the Commissioner following consultation between the Department and the Union in each case, no longer apply.
- 13.12.2 the competency standards/levels required by Fire and Rescue NSW for each classification shall be those as determined from time to time by the Commissioner on the advice of the Training Review Committee.
- 13.13.13 In all cases, progression/promotion shall, in addition to the provisions specified for such progression/promotion, also be subject to satisfactory service.
- 13.14 The date that an employee satisfactorily completes the required training and/or training competencies shall be the date that the employee applied to be assessed and not the actual date of their assessment. Where an employee is assessed as not yet competent in any of the required training and/or training competencies then, provided the firefighter requests re-assessment within one month of the 'not yet competent' assessment, the date of satisfactory completion will be set back by one month after the date the firefighter first applied to be assessed.
- 13.15 The reference to "reasonable time" in subclauses 13.5, 13.7.4, 13.8.3, 13.9.4 and 13.10.3 means, in each instance, a period in excess of twelve (12) months. The excess time to be allowed shall be determined by the Commissioner after taking into account all of the circumstances of the case of the employee concerned.
- 13.16 The reference to "operational service" in subclauses 13.8.2 and 13.10.2 means time spent in a position that is not an Operational Support position.

Training Review Committee (TRC)

- 13.17.17 The TRC shall provide advice to the Commissioner on an effective and equitable system of training in Fire and Rescue NSW using the principles of Competency Based Training.
- 13.18.18 The structure of the TRC will consist of 3 representatives of the Department and 3 representatives of the Union.
- 13.19.19 The Chairperson of the Committee will alternate every 12 months between a nominee of the Department and the Union.
- 13.20.20 The role of the TRC will include (but not be limited to):
- 13.20.1 advising on the further development of training throughout Fire and Rescue NSW;

- 13.~~18~~20.2 advising on the implementation of a Competency Based Training regime throughout Fire and Rescue NSW;
- 13.~~18~~20.3 considering Recognised Prior Learning (RPL) policy generally and in particular, the consideration of individual applications for RPL.

13.~~19~~21 Procedure

- 13.~~19~~21.1 The TRC will meet at least once every four weeks, ~~or as otherwise agreed between the parties;~~
- 13.~~19~~21.2 Members who are on shift on the day of the meeting will be released from day to day operations, except in the event of an incident or other emergency circumstances, for the purposes of fulfilling the above roles;
- 13.~~19~~21.3 The TRC will be adequately resourced by the Department so that it can effectively fulfil the above roles.
- 13.~~20~~22 The Commissioner is not bound to accept the advice of the TRC and may act independently of the TRC to implement changes to training, competencies and other matters covered by Clause 13 within Fire and Rescue NSW provided that notice of any such decision to implement change is notified in accordance with clause 36.6 in which case clauses 36.7 to 36.9 inclusive shall apply.

14. Operational Support Positions

Establishment of Operational Support Positions

- 14.1 Operational Support positions shall be identified and established as such by ~~the~~ Commissioner.
- 14.2 The format and content of each Position Description referred to in subclause 14.4 shall be determined by the Commissioner, but shall include, for each position:
- 14.2.1 Title;
- 14.2.2 Statement of duties;
- 14.2.3 Essential ~~and desirable~~ qualifications, which shall in all instances include ~~a~~ the minimum operational rank ~~of Qualified Firefighter~~ required to apply for and perform the duties of the position, as specified by subclause 14.9; and
- 14.2.4 Hours of work, specifying which roster is to be worked pursuant to Clause 8 of this Award; ~~and~~
- ~~14.2.5 Operational Support classification, ranging from Level 1 to Level 3, which shall be determined by the Commissioner using the Hay job evaluation system.~~
- 14.3 ~~Upon completion of the evaluation, a~~ A copy of ~~the each~~ proposed new or varied Position Description ~~and the evaluation~~ will be forwarded to the Union which may elect to provide a response within 14 days, and the Commissioner shall take any response into account before making a ~~final~~ determination. Subject to any orders of the Industrial Relations Commission, a new or varied Position Description will take effect 7 days following written notification to the Union of the Commissioner's determination.
- 14.4 ~~14.4.1~~ A register of established Operational Support Position Descriptions shall be maintained by both parties. Once established, Position Descriptions may only be varied by the Commissioner, subject to 14.2 and 14.3.

~~14.4.2 The Commissioner will provide the Union with written notice of any variation to a Position Description.~~

General Conditions for Operational Support Positions

- 14.5 Appointment to Operational Support positions will be determined ~~solely on the basis of competitive~~ by merit selection and will be subject to the occurrence of a vacancy. ~~Selection Committees shall be constituted in accordance with the Recruitment and Employment Guidelines of the NSW Public Service.~~ Applications for Operational Support positions shall be called for from eligible employees in Commissioner's Orders, with the closing date of applications to follow six weeks thereafter.
- ~~14.6 The rates of pay for employees occupying Operational Support positions are as specified in Tables 2.1 to 2.45 of Part C, Monetary Rates.~~
- 14.76 Unless expressly provided elsewhere within this Award, the general conditions of employment for occupants of Operational Support positions shall be the same as those applying to Operational Firefighters generally pursuant to subclauses 1.4- and 1.5 of this Award.
- ~~14.8 All time spent from the commencement date of this Award by an occupant in an Operational Support Position shall count for the minimum periods of service in each rank pursuant to Clause 13 Progression and Promotion.~~
- ~~14.9 Occupants of Operational Support positions temporarily reassigned or otherwise attending any incident (as defined by this Award) shall revert to, and function in the capacity of their substantive operational rank for the duration of that time.~~
- ~~14.10 Occupants of Operational Support positions may at any time elect to resume duty in, and be paid the rate for, the employees' substantive rank.~~
- 14.7 Urban Search and Rescue Training (only) may be delivered by "casual" instructors, who will be paid the Operational Support Allowance at Item 10 of Table 3 of Part C, per week, in addition to their substantive rank's rate of pay and any other applicable allowances while performing USAR instructor duties.
- 14.118 The classification of Operational Support ~~levels~~ Levels 4 and 5 were deleted on 19 September 2008 with the occupants of these positions reverting to the ranks of Superintendent and Chief Superintendent from 19 September 2008.
- ~~14.12 Occupants of level 4 Operational Support positions as at 19 September 2008 who revert to the rank of Superintendent under clause 14.11 shall continue to receive the rate of pay applicable to level 4 Operational Support positions as at 19 September 2008 indexed as shown at Table 2.4 of Part C unless and until promoted or otherwise no longer holding that position.~~
- 14.9 The classifications of Operational Support Levels 1, 2 and 3 were deleted on 1 November 2014, with the occupants of these positions remaining in place and future vacancies in these positions being restricted to applications from employees holding: in the case of a former Operational Support Level 1 position, the rank of Qualified Firefighter, Senior Firefighter or Leading Firefighter; in the case of a former Operational Support Level 2 position, the rank of Leading Firefighter, Station Officer or Leading Station Officer; and in the case of a former Operational Support Level 3 position, the rank of Leading Station Officer or Inspector.
- 14.10 Occupants of Operational Support Level 4 positions as at 19 September 2008, or of Operational Support Level 1, 2 or 3 positions as at 1 November 2014, shall continue to receive the appropriate rate of pay specified at Tables 2.1 and 2.2 of Part C unless and until such time as they voluntarily cease to occupy that position, or they cease employment.

- 14.11 Employees paid pursuant to subclause 14.10 who involuntarily cease to hold an Operational Support position because the position is deleted or because its Position Description is varied to the extent that the position is effectively deleted, shall continue to receive the appropriate rate of pay specified at Tables 2.1 and 2.2 of Part C until the expiration of 12 months, or until they otherwise become entitled to higher rate of pay, or until they cease employment, whichever occurs first.
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28. Transfers Outside of the GSA

- 28.3.1 The Department shall establish and maintain a General Transfer Register and a Residential Transfer Register for each category of Operational Firefighter employees as follows:
- 28.3.1.1 in the case of ~~Firefighters~~ Non-Officers, for each of the Country Transfer Register areas and Regional Transfer Register areas listed at subclauses 28.2.1 and 28.2.2;
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- 28.1.4 Leading Firefighters shall ~~not be eligible~~ entitled to apply for placement on any Officer Transfer Register but shall not be entitled to a transfer as a consequence of that placement unless and until such time as they have been promoted to Station Officer rank. Similarly, Leading Station Officers shall ~~not be eligible~~ entitled to apply for placement on any Senior Officer Transfer Register but shall not be entitled to a transfer as a consequence of that placement unless and until such time as they have been promoted to Inspector rank. ~~Employees so promoted shall be required to submit a new report pursuant to subclause 28.1.1 in order to be placed on the corresponding Transfer Register for their new classification.~~
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- 28.3.4 Subject to the arrangements applying to Leading Firefighters and Leading Station Officers at subclauses 28.1.4 and 28.3.5, ~~Upon the occurrence of a vacancy,~~ transfers shall be offered to employees upon the occurrence of a vacancy in the following order:
- 28.3.4.1 Firstly, by reference to the relevant Residential Transfer Register, with the first offer to be made to the highest placed employee on that Register and, if declined, to the next highest placed employee and so on until such time as the vacancy is filled.
- 28.3.4.2 In the event that no employee exists on the relevant Residential Transfer Register, or that all employees on that Residential Transfer Register decline the offer of transfer, the vacancy shall then be offered to all employees on the relevant General Transfer Register, with the first offer to be made to the highest placed employee on that Register and, if declined, to the next highest placed employee and so on until such time as the vacancy is filled.
- 28.3.4.3 In the event that no employee exists on the relevant General Transfer Register and/or all employees on that General Transfer Register decline the offer of transfer, the vacancy shall then be advertised for and open to all eligible employees.
- 28.3.5 Declining an offer of transfer shall not affect an employee's position on the relevant Transfer Register, provided that employees who decline three successive offers of transfer shall be removed from that Transfer Register. Employees who are so removed and who subsequently re-apply for placement on that Transfer Register will be required pursuant to subclause 28.4.6 to seek and hold residential priority for two years following their re-application in order to be elevated to that Residential Transfer Register.

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- 28.4.7 In the case of ~~Leading Senior~~ Firefighters who are ~~promoted~~ progressed to ~~Station Officer,~~
~~or Station Officers who are promoted to Inspector~~ Leading Firefighter :
- 28.4.7.1 if stationed within a Regional Transfer Register area at the time of their ~~promotion progression~~, then such employees ~~shall be transferred to the GSA.~~
~~Provided that employees so transferred~~ who make application pursuant to subclause 28.1 ~~for return transfer~~ within three months of the date of their ~~promotion progression~~ shall be placed on the corresponding Residential Transfer Register for ~~their new classification~~ Officers as of the date of that ~~promotion progression~~;
- 28.4.7.2 if holding a position on a Regional area's Residential Transfer Register for ~~Firefighters~~ at the time of their ~~promotion progression~~ then such employees shall be entitled within three months of the date of their ~~promotion progression~~ to submit a further report pursuant to subclause 28.1, following which they shall ~~also~~ be placed on the corresponding Residential Transfer Register for ~~their new classification~~ Officers as of the date of that ~~promotion progression~~;
- 28.4.7.3 if holding a position on a Regional area's General Transfer Register for ~~Firefighters~~ at the time of their ~~promotion progression~~, and holding residential priority status for that area, then such employees shall be entitled within three months of the date of their ~~promotion progression~~ to submit a further report pursuant to subclause 28.1, following which they shall ~~also~~ be placed on the corresponding General Transfer Register for ~~their new classification~~ Officers as of the date of that ~~promotion progression~~ and recognised for the purposes of subclause 28.4.6 for that period of residential qualification already accrued.
- 28.4.7.4 if holding a position on a Regional area's General Transfer Register for ~~Firefighters~~ at the time of their ~~promotion progression~~, but without holding residential priority status for that area, then such employees shall be entitled within three months of the date of their ~~promotion progression~~ to submit a further report pursuant to subclause 28.1, following which they shall ~~then also~~ be placed on the corresponding General Transfer Register for ~~their new classification~~ Officers as of the date of that ~~promotion progression~~.
- 28.4.8 In the case of Station Officers who are progressed to Leading Station Officer:
- 28.4.8.1 if stationed within a Regional Transfer Register area at the time of their progression then subject to subclause 28.3.1.3, such employees who make application pursuant to subclause 28.1 within three months of the date of their progression shall be placed on the corresponding Residential Transfer Register for Senior Officers as of the date of that progression;
- 28.4.8.2 if holding a position on a Regional area's Residential Transfer Register for Officers at the time of their progression then subject to subclause 28.3.1.3, such employees shall be entitled within three months of the date of their progression to submit a further report pursuant to subclause 28.1, following which they shall also be placed on the corresponding Residential Transfer Register for Senior Officers as of the date of that progression;
- 28.4.8.3 if holding a position on a Regional area's General Transfer Register for Officers at the time of their progression, and holding residential priority status for that area, then subject to subclause 28.3.1.3, such employees shall be entitled within three months of the date of their progression to submit a further report pursuant

to subclause 28.1, following which they shall also be placed on the corresponding General Transfer Register for Senior Officers as of the date of that progression and recognised for the purposes of subclause 28.4.6 for that period of residential qualification already accrued;

28.4.8.4 if holding a position on a Regional area's General Transfer Register for Officers at the time of their progression, but without holding residential priority status for that area, then subject to subclause 28.3.1.3, such employees shall be entitled within three months of the date of their progression to submit a further report pursuant to subclause 28.1, following which they shall also be placed on the corresponding General Transfer Register for Senior Officers as of the date of that progression.

28.4.8.9 Employees who are stationed within a Transfer Register area at the time of their appointment to an Operational Support position and who make application pursuant to subclause 28.1 within three months of the date of their appointment shall be placed on that area's Residential Transfer Register as of the date of that appointment.

28.4.10 Subject to subclause 28.7, employees who are promoted to either Station Officer or Inspector and who are not stationed within the GSA at the time of their promotion shall be transferred to and remain within the GSA until such time as they are again transferred outside of the GSA in accordance with the other provisions of this Clause.

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28.7 Country Officers, Country Senior Officers and Operational Support Staff

28.7.1 Vacancies which occur amongst any of the positions listed at subclause 28.7.2 shall be advertised though ~~In Commissioner's Orders~~ and filled ~~on the basis of competitive~~ by merit selection. ~~Selection Committees shall be constituted in accordance with the Recruitment and Selection Guidelines of the NSW Public Service.~~

28.7.2

28.7.2.1 Country Officers, being all Station Officer positions located in areas outside of the GSA and the Regional areas listed at subclause 28.2.2, for which Station Officers, Leading Station Officers and Leading Firefighters shall be eligible to apply; and

28.7.2.2 Country Senior Officers, being all Inspector positions located outside the GSA and the Newcastle, Central Coast and Illawarra Transfer Register areas, for which Inspectors and Leading Station Officers shall be eligible to apply; and

28.7.2.3 Operational Support staff, being all positions defined as such by Clause 14 of this Award.

28.7.3 Where an employee who successfully applies for and takes up a Country Officer, Country Senior Officer or Operational Support position (as the case may be) is subsequently offered a transfer pursuant to subclause 28.3.4 and the employee accepts that offer, the employee shall be released and transferred within twenty eight (28) days of that acceptance.

PART C

Table 2.1 - Rates of Pay effective on and from 21 February 2014 (2.27% Increase)

Deleted Classification	Rate
Operational Support Level 1	\$1,599.06 per week
Operational Support Level 2	\$1,890.27 per week
Operational Support Level 3	\$2,297.67 per week
Operational Support Level 4	\$138,043 per annum

Table 2.2 - Rates of Pay effective on and from 20 February 2015 (2.5% Increase)

Deleted Classification	Rate
Operational Support Level 1	\$1,639.04 per week
Operational Support Level 2	\$1,937.52 per week
Operational Support Level 3	\$2,355.11 per week
Operational Support Level 4	\$141,495 per annum

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Table 3 – Allowances

The following allowances are effective on and from the date shown.

Item	Clause	Description	Unit	Amount 21/02/14	Amount 20/02/15
10	6.6.16	Operational Support Allowance	\$ per week	21.14	21.67