



## Default rosters, Alternative rosters and Changes of shift

New Award provisions have been developed and negotiated by the Union to allow exponentially greater flexibility for members who seek it. They also ensure that members who do not want to work 24 hour shifts cannot be forced to, and that the 10/14 Roster remains the principal roster within FRNSW.

These FAQ's are provided to help members better understand the new arrangements, and should be read in conjunction with the new Award provisions and accompanying notes that were attached to the online version of SITREP 6/2015 on 20 February.

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### Q1. What's a default roster?

A1. The 2014 Permanent Firefighting Staff Award requires every FRNSW station/workplace with permanent members attached to have a roster that is agreed between the Department and the Union or, if the Department and the Union do not agree, by the IRC. This is now known as the default roster for that station, and is in most cases the Standard 10/14 Roster.

### Q2. Do I have a default roster?

A2. Yes. The Award also requires every permanent member below the rank of Superintendent to be attached to a station/workplace, so every member has a default roster – ie, your station's default roster (see A1 above).

### Q3. What about alternative rosters and changes of shift?

A3. The default roster applies to all members attached to a station, but individual members can now apply to work different hours by either:

- an alternative roster; or
- a change of shift agreement.

### Q4. What's the difference?

A4. There are several. They both have their own benefits and weaknesses, relative to the other, and their own rules.

An alternative roster is an agreement between a member, or a group of members, and the Department that will usually operate on a longer term basis. An alternative roster agreement will operate for a set period of time until ended by the member or the Department with 28 days (or sometimes 14 days) notice.

A change of shift is an agreement between two or more members that will usually operate for shorter periods (and often for only single shifts), although it could theoretically operate continuously for months or even years on end. A change of shift agreement can be suspended or cancelled by the Department with "good and proper reason" and "sufficient notice" (which will depend on the particular circumstances).

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**Q5. What's a "full change of shift" and a "part change of shift"?**

A5. A "full" change of shift occurs when a member works another member's entire shift. A "part" change of shift occurs when a member works part of their own shift and another member works the balance of that shift (either before or after) in their stead. Each has different rules for the payment of the Relieving Allowance and crediting of outduties.

**Q6. Is there a minimum period required to work either?**

A6. No. There is no minimum or maximum number of shifts that an alternative roster must be worked, although some alternative rosters (like the 24 hour "Ryde" Roster) must commence and finish at the start/end of each 8 week roster cycle.

This will be less important for other members with individual rosters that do not rely on or work in concert with other members' rosters, who will have more flexibility in the duration and starting dates for their alternative rosters.

Similarly, there is no minimum or maximum number of changes of shift that must be worked. It's possible, for example, for two or more members to apply for (say) a 12 month change of shift arrangement that, if approved, will then operate for the full year after that one change of shift application only.

**Q7. How many change of shift hours can I accumulate? How long do I have to pay these hours back?**

A7. There is no limit, although one of the examples given (see point 10 of the agreed notes) of "good and proper reason" for the Department to decline or cancel a change of shift is where *"an employee develops a significant imbalance in the number of changes of shift worked on their behalf versus the number of changes of shift worked by that employee on behalf of other employees"*. Provided you both agree then there is also no minimum or maximum time within which you have to repay a change of shift - this is entirely between you and the other member(s).

**Q8. Can double (ie 24 hour) shifts by change of shift start at either 0800 or 1800 hours?**

A8. Yes. Rumours circulating that double shifts commencing at 1800 hours are not permitted are incorrect. The Department is required to approve a change of shift application unless it has good and proper reason not to and starting a double shift at 1800 hours rather than 0800 hours is not good and proper reason. Members whose applications are declined for this reason should contact the Union.

**Q9. Can a member work a double shift (24 hours) in lieu of a recall?**

A9. Yes. There is no restriction on this other than the requirement for both the member concerned and the Department to agree, but management will often not agree due to the extra hour's pay that results from paying at the rate of time-and-one-half for two hours rather than four. Subclause 8.11 makes it clear that a member cannot be directed to work beyond 16 hours. You can choose to but you cannot be required to, even if it is to cover a staff shortage.

**Q10. How does a long change of shift agreement work? What if I take leave, or the member who agreed to work for me takes leave?**

A10. The old change of shift Standing Orders left it up to the two members involved to make a change of shift work. If a member who agreed to work for you didn't show then they were in trouble and your pay was docked.

The new Award provisions change all of that: firstly, by roping the Department into the bargain; and secondly, by making the member who agreed to work responsible for that shift. Now, if you agreed to work a change of shift for someone else and you take leave – either rostered (eg, annual leave) or not (eg, sick leave) - then your leave is docked, not theirs, and it's the Department's responsibility to cover the gap, not the member who you were working for. And if the member who agreed to work your shift doesn't turn up? Not your problem.

If you proceed on annual leave in the middle of a change of shift agreement, then you'll be docked the annual leave hours for both your own rostered and the shifts of the other member(s) who you agreed to work for, but you'll also then be re-credited with the annual leave hours of any of your rostered shifts that were worked by the other member while you were on leave. If your agreement with the other member was on a shift for shift basis then your leave balance will end up exactly the same as it would normally.

If you take sick leave (including an nmc) when you were meant to work for someone else then you'll be docked the sick leave hours (and nmc) for that shift, not the other member who was rostered to work, however the other member will be paid for that shift and not you.

**Q11. What about part time work?**

A11. Members do not need to work full time in order to work an alternative roster. The Award provides pro-rata pay for members who work an alternative roster with fewer hours than provided by their default roster, so it is open to members to devise their own rosters, including part-time work rosters, to suit their own personal circumstances.

**Q12. Are these alternative rosters only available to member on the 10/14?**

No. With the possible exception of members at S/O and 3 Special Roster stations (and provided all members at the station agreed, even these might be possible), any member can apply to work an alternative roster. This includes members on (say) the Back to Back Roster, in Operational Support and stand-alone officers who do not relieve or require relief at the beginning and end of their shifts.

**Q13. I'm interested. How do I apply?**

A13a. Changes of shift

Change of shift applications will continue to operate as they always have. Subclause 8.14.1 sets out the requirements of an application.

8.14.1 Employees shall apply in writing at least 24 hours prior to performing a full or part change of shift. This application, which may provide for multiple and/or recurring changes of shift, shall include the number of hours, the relevant times and date(s) and the names and signatures of both the employee(s) seeking the change and the employee(s) who shall be working in their stead.

Members who wish to enter into an extended change of shift agreement with one or more other members (eg, from 1 April to 30 June) can apply by way of report rather than the standard change of shift pro-forma. Just make sure you include all of the information required by subclause 8.14.1.

A13b. Alternative Rosters

Members who wish to work an alternative roster should apply by report stating that you are applying to work an alternative roster in accordance with subclause 8.2.3 of the Award and setting

out your proposed alternative roster together with its proposed commencement and cessation times and dates.

Your alternative roster can work in any way you like provided it complies with the five rules of subclause 8.2.3:

- it must operate over an eight-week cycle;
- it must allow at least eight consecutive hours between the cessation of one rostered shift and the commencement of the next rostered shift;
- it must not allow split or broken shifts;
- it must not allow more than five days' work, or more than five rostered shifts, in any seven day period; and
- it must not average more than forty two ordinary working hours per week over the eight-week cycle.

But Union members don't need to be experts in the rosters or the Award. If you're interested in working an alternative roster then we can help you develop one. Call the Union office and ask to speak to one of our Industrial Officers.

#### **Q14. How can I start working the 24 hour "Ryde" roster?**

A14. It's important to understand that a station doesn't work an alternative roster, individual members do. Even at a station like 42 Ryde, whose members have all been working a 24 hour roster since December, the station's default roster is still the 10/14 – it's just that all of the individual members attached there have agreed to work a 24 hour alternative roster.

If four members (one on each platoon) agree to work a 24 hour roster and one member (Member A) later requests to return to their default roster (ie, the 10/14) then the Department may (but not must) also return the other three who originally agreed to work the 24 hour roster to the 10/14 after 28 days.

If you want to work a 24 hour roster then you don't need to apply in conjunction with anyone else, but if you do apply with three other members at your station (one member from each of the other three platoons) then it will definitely increase the chances of the Department approving your application. It's also possible that the Department will make approval of your application conditional upon you finding one or more other members to work it with you.

#### **Q15. Can I start working the 24 hour roster at anytime?**

A15. No. The 24 hour "Ryde" Roster operates over minimum 8 week cycle and must commence and finish at the start of each roster cycle, which commences at 0800 hours on the first A Platoon Friday day shift following a pay day. If that sounds confusing then a quick check of the 10/14 roster calendar will show that the next possible start date is 0800 on Friday 17 April, followed 8 weeks later by 12 June, 7 August, 2 October and 27 November.

If you want to start working the 24 hour "Ryde" Roster then these are the dates that you should be looking at. B Platoon works the first 24 hours, followed by A, followed then by D, A, D, C, B, C and finally B, and then repeats.

#### **Q16. If two or more members wish to work a 24 hour roster between themselves at a station do they have to put in PCOS forms for each and every shift for the duration of that arrangement?**

A16. No. Doing that would be a pointless waste of time and paper. See A13a.

**Q17. Does everyone at my station have to agree to work the same alternative roster before we can work it?**

A17. No. There is no need for everyone at the station to be on the same roster. In fact it's possible for two members per platoon to be working the 10/14, one member per platoon to be working a 24 hour roster and the fourth member on each platoon to be working an entirely different roster again.

**Q18. Who decides if my application is approved or rejected?**

A18. The new award subclause says only "the Department", so this is a matter for management. The Union supports these applications being determined as far and as often as possible at a local level. We're confident that most issues that do arise will be able to be resolved through discussion and common sense.

**Q19. What if my application is rejected?**

A19. There is no right or entitlement for members to work either an alternative roster or a change of shift agreement - both are subject to approval by the Department – although the Department is required to approve a change of shift agreement unless there is "good and proper reason" not to.

The Union can assist members and make representations to management on your behalf if your application for either is declined. We will attempt to work with the officer who declined your application to understand and hopefully address their concerns/reasons, or perhaps to negotiate a different roster that both are happy with, but you'll improve your chances of approval if you seek our advice and assistance *before* your application is submitted.

**Q20. Can I get out of an alternative roster or change of shift agreement?**

A20. The Award expressly provides a right for members who no longer wish to work an alternative roster to return to their default roster, so members cannot be forced into and/or stuck working part-time if they no longer want to.

Similarly, the insertion of a new Award provision that expressly restricts default rosters to no more than 14 hours duration means that no station can ever be given a default roster that includes (for example) 24 hour shifts. It follows that the only way a member will ever work a 24 hour shift is because they agreed to and further, that a member who initially agreed to work a 24 hour alternative roster but who then changes their mind has a guaranteed right of return to their default roster (the 10/14 in most cases) within 28 days, and in some cases within 14 days.

Members will remain bound by changes of shift agreements unless and until they agree otherwise, or the Department cancels that agreement. Members should therefore think carefully before entering into a long-term or ongoing change of shift agreement with another member (or members) because, unlike an alternative roster, you may find yourself stuck in a different work pattern that no longer suits you.

**More questions?**

This FAQ will be added to and updated as members ask more questions. If you have a question that isn't answered here, let us know so we can include it and the answer here.