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TRIM Ref. No: D15/078352

15 October 2015

Mr Jim Casey  
State Secretary  
Fire Brigade Employees' Union of NSW  
1-7 Belmore Street  
Surry Hills NSW 2010

Dear Mr Casey

Re: Firefighters' Health and Fitness

I write in relation to your letter received 4 August 2015 (dated 14 July 2015) and our meeting on 23 September 2015.

We agree that firefighters will visit their nominated medical practitioner for a Health and Fitness check as per the agreement in Annexure A of the Crown Employee (Fire and Rescue NSW Firefighting Staff Death and Disability) Award 2015.

We cannot agree with the proposed FBEU program due to the lack of review by an Independent Occupational Physician and an assessment of fitness for duty which was agreed to in the Award.

The Auditor-General's Report of Fitness of firefighters indicated a gap in identifying if a firefighter is currently fit to perform the full range of operational duties. The FBEU's proposed model would only provide de-identified information which does not meet the purpose of the Health and Fitness check.

I will concede your suggestion to make the Physical Aptitude Tests voluntary, which will allow firefighters to identify areas they wish to improve and to access the suite of health promotion activities currently available. We agree to the FBEU suggestion at the meeting on September 23 of mandating on-shift fitness and would like further discussions on this issue.

In reference to your points:

1. FRNSW has a legal obligation under the Work Health and Safety Act 2011 (WHS Act) to ensure, as far as reasonably practicable, the health and safety of employees while at work. In managing employees' health and fitness, FRNSW is obligated to do whatever is reasonably practicable to manage the risk. Firefighting is a hazardous and difficult role and places strain on the body not experienced in other occupations. The commencement of Health



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and Fitness checks is therefore an integral component of managing risk given that FRNSW is aware of the range of risk factors and mitigations that are "reasonably practicable".

2. & 3. Employee related savings from this program cannot be estimated or quantified, however the implementation costs and ongoing program will incur a substantial financial burden.
4. As per the Auditor General's reports and extensive medical research, fitness declines with age whilst health risks increase, hence the need for age based assessments. FRNSW is confident that increased frequency of testing with age is not age-based discrimination but rather a medically and scientifically prudent way of ensuring firefighters' health and fitness.
5. FRNSW, as the PCBU under the WHS Act, has an obligation to put in place safe systems of work for FRNSW employees and any other person under our direct control. The other emergency services have the same obligations to their employees and must manage these risks.
6. As discussed earlier in the letter the PAT will be a voluntary tool used for health promotion, not as an assessment tool.
7. FRNSW already has a health and fitness program which encompasses infrastructure, support and education (see Appendix A). However, as the Auditor-General's report highlights, a voluntary system of monitoring health and fitness has not been effective. Firefighters will receive payment as provided for in the Award for their attendance at a Health and Fitness check.
8. The Health Standard is based on medical risk, taking into consideration the inherent requirements of the role and the known occupational risk factors. The Health Standard has been developed to incorporate expert advice and is structured to ensure consistency of its application. For many conditions, scope for clinical judgement and additional specialist opinion is incorporated into the standard. The Health Standard was forwarded to the FBEU on 28 March 2014 and we await any comment.
9. The Health Standard applies to all firefighters and the Independent Occupational Physician will advise FRNSW of the firefighter's medical fitness to perform their ordinary duties which of course vary with rank. FRNSW will then be able to make reasonable adjustments if required, taking into account the inherent requirements of the firefighter's ordinary duties.
10. This point has previously been agreed in the Award. The Independent Occupational Physician will provide a certificate of medical fitness for each firefighter advising their ability to perform their ordinary duties as per Annexure A.

The FBEU has indicated disagreement with the Health Standard yet no specific feedback has been received since the Standard was provided over 18 months ago.

At our recent meeting the estimated impact of health checks, a maximum of 5% requiring referral for possible medical retirement, was explained, and that this was a proportion of a proposed annual sampling of 20% of the workforce. This is entirely manageable.

FRNSW does not have the capacity to test the entire workforce in the first year. We also cannot ignore findings of life threatening illnesses or conditions given FRNSW's duty of care, we therefore cannot agree to the proposed 2 stage implementation.

I hope that the clarification provided at our meeting, i.e. that testing will be based on health measures, has allayed most of your concerns.

I look forward to your response, as well as any feedback on the Health Standards and would ask that feedback be provided by 24 October 2015 to assist us achieve a timely implementation of the program.

If you require further information please contact A/ADHS A/Chief Superintendent Wayne Phillips on 9265 2642.

Yours sincerely

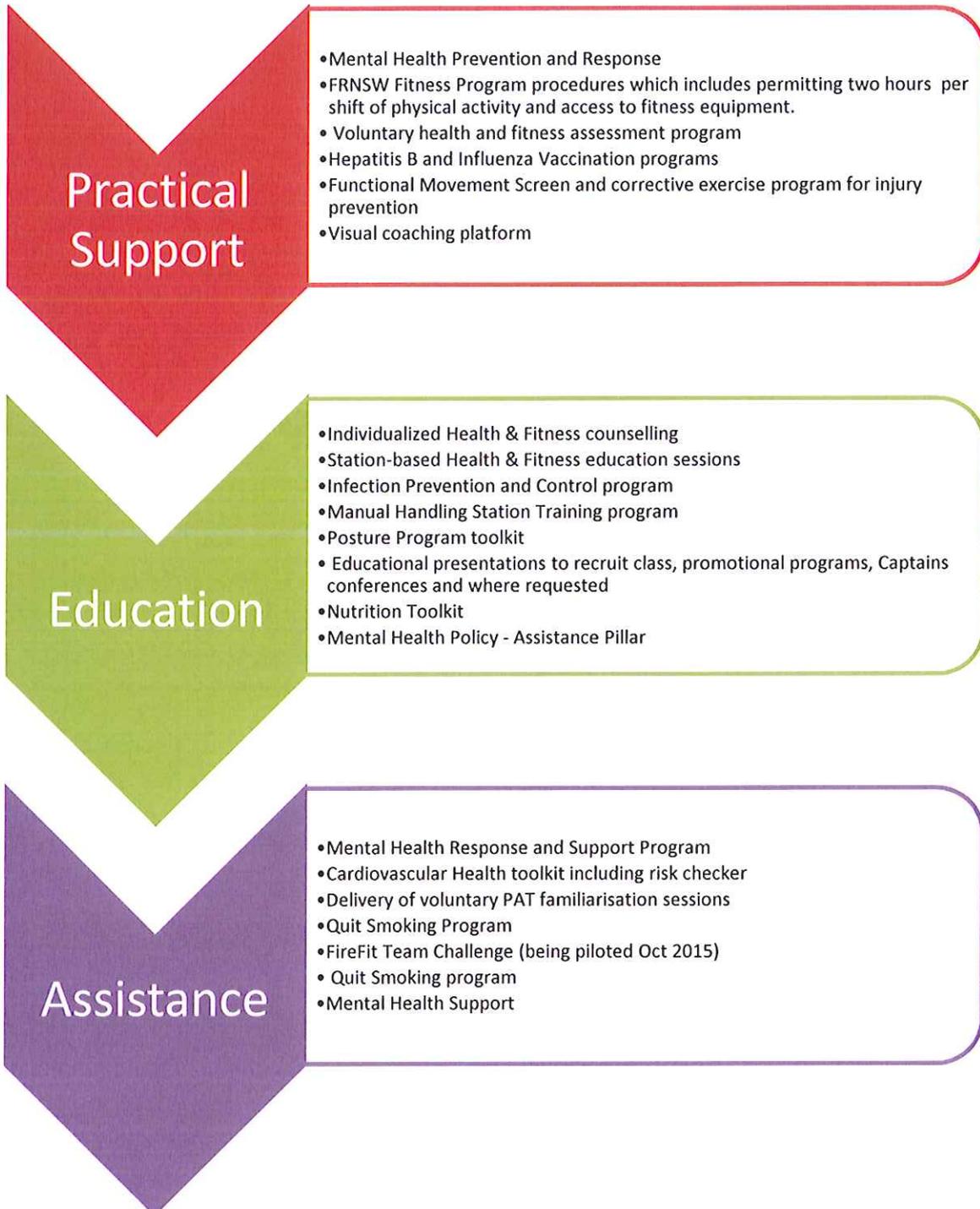
A handwritten signature in black ink, appearing to read 'G. Mullins', with a large, sweeping flourish extending to the right.

Greg Mullins AFSM  
Commissioner

## APPENDIX A. Health and Fitness Support program

Annexure A of the Death & Disability Award outlines the principles and procedures of the firefighters Health and Fitness Program. This lists a 'Support Program' as a focus area, which is a comprehensive program designed to support firefighters in their efforts to improve personal health outcomes.

The well-established FRNSW Health & Safety Branch already provides practical support, education and assistance to firefighters through the following key areas as part of a Support Program:



### Mental Health Prevention and Support

FRNSW recruits (permanent & Retained) receive initial training in the form of the FIT MIND program, a series of three 15 minute videos shown during the BA training phase of recruitment. Ongoing education takes the form of a 90 minute education session delivered at stations by members of the Peer Support team; this session focuses on mental health first aid. The goal of the Peer Support program is to deliver this session at all stations at least once every 3 years.

### FRNSW Fitness Program Procedures

This outlines the specific procedures governing the safe and effective use of FRNSW Fitness Room equipment as well as activities approved under the Fitness Program, as well as Jogging and Touch Football procedures. As part of the Fitness Program, Health and Safety have provided Fitness Equipment to 216 stations across the State – all Permanent Fire Stations have fitness rooms (except 2 which Health & Safety have bought gym memberships for) and Retained Fire Stations either have a fitness room or are eligible for a 25% subsidisation on their gym membership. The Fitness Program procedures permit firefighters to conduct up to two hours of physical activity per shift (pending operational requirements).

### Voluntary Health and Fitness Assessment Program

Fire & Rescue NSW Health & Fitness Assessments (H&FA) are voluntary and open to all Fire & Rescue NSW employees. The primary aim of the H&FA is to reduce the incidence of cardiovascular disease by assessing cardiovascular health and providing recommendations on how this can be maintained or improved. 1,031 assessments have been conducted since the program was launched in 2004.

### Vaccination Program

The Health Advisors offer a voluntary vaccination program, which includes annual influenza vaccination as well as a course of Hepatitis B vaccinations. 1,500 employees participated in the 2015 influenza vaccination program.

### Functional Movement Screen

The FMS is used with individual firefighters or firefighter groups (platoons, specific operational sections (e.g. HAZMAT, USAR) to ensure mobility, stability and strength form the foundation of a firefighter's fitness and operational skills. It is essentially a 'movement screening and capability' tool used by Health and Fitness to reduce injury risk and improve firefighter durability and longevity. Since January 2014 there have been 895 Functional Movement Screen's conducted by the Health and Fitness team.

### Visual Coaching Platform

VC is the platform Health and Fitness use to provide exercise prescription to suit individual or group fitness requirements. Programs can be detailed or simple, for fitness maintenance or for specific goals including rehabilitation and return to work. The platform allows firefighters to access their program over any internet/smart device, in PDF and video formats.

### Posture Program Toolkit

This is a toolkit of reference information to better understand how to maintain the health of the spine through good posture and body mechanics.

### Nutrition toolkit

An online educational resource which provides information about dietary guidelines, incident ground meal management guidelines, healthier food choices, healthier takeaway choices and a firefighter cookbook. Health & Fitness can also provide nutritional advice as part of the station based or individualised education sessions.

### Mental Health Policy – Assistance Pillar

As a preventative measure two specific programs have been rolled out to provide supervisors and managers with the skills to identify staff with a mental health concern and the confidence to engage them in a conversation about their mental health. The first of the programs is the SANE Mindful Employer program, offered to all Station Commanders and Deputy Captains, the program consists of three 40 minutes online sessions focusing on mental health literacy, mental health in the workplace and managing staff with mental illness. The second program RESPECT is delivered to Inspectors and above and consists of a 4 hour face to face program that increases mental health literacy and up skills managers to initiate difficult conversations.

The main FRNSW response program is the Critical Incident Support Program which has been in place since 1990; this program provides structured interventions to crews and members who have attended a critical incident. This program is complemented by the FRNSW Chaplain.

FRNSW has also rolled out a Well Check program to sections that have higher levels of exposure to traumatic incidents or increased workplace stressors. A Well Check is a voluntary face to face consultation with a Clinical Psychologist where specific workplace issues are discussed. This service is also offered to members of USAR teams when they return to Australia.

### Individualised or stations based Health and Fitness Education Sessions

The Health and Fitness team is available to provide Health and Fitness education sessions, either to individual firefighters, retained stations or permanent platoons. This may include general education or counselling on cardiovascular and lifestyle risk

factors, instruction on correct use of fitness equipment or advice on how to improve and maintain musculoskeletal health as well as exercise prescription. Since January 2014 Health and Fitness have conducted 47 education sessions which has engaged 665 individuals.

#### Infection Prevention and Control Program

The recently released Infection Prevention and Control manual and education package is designed to educate firefighters to prevent the transmission of disease from occupational and environmental exposures. Understanding the modes of transmission of these infectious organisms and knowing how and when to apply the basic principles of infection prevention and control, is critical to the success of the FRNSW Infection Prevention and Control Program.

#### Manual Handling Station Training Program and Guidelines for Hazardous Manual Tasks

The HMT Toolkit outlines the responsibilities of all staff as well as direction on the use of FRNSW educational resources designed to assist in the development and maintenance of necessary skills to identify, assess and control HMTs.

As outlined in the HMT toolkits, Manual Handling is a topic B module of the Station Training Program. The training is conducted at stations every 2 years.

#### Cardiovascular Health toolkit

Information, screening tools and platforms or programs aimed at improving cardiovascular health through improved lifestyle choices, including physical activity and weight loss. The programs provide a means for increasing awareness and reducing the risk of developing a range of chronic health diseases i.e. cardiovascular disease, stroke and diabetes. As part of the cardiovascular health program firefighters are offered a 'cardio check', which involves a finger prick test of random glucose and cholesterol levels. In 2014 113 firefighters underwent a cardiocheck.

#### FireFit Team Challenge

The FireFit Team Challenge, to be piloted in October 2015, aims to improve firefighter's cardiovascular health through a broad range of achievable lifestyle improvements, mainly increased fitness and improved nutrition, in an environment that encourages peer interaction. The FFTC will be structured to accommodate varying goals or challenges which will also encourage lifestyle changes outside of work and with the family.

#### Quit Smoking Program

The Quit Smoking program was launched in collaboration with FBEU to assist firefighters to effectively quit smoking through the provision of nicotine replacement therapy.

### Voluntary PAT familiarisation sessions

Voluntary PAT familiarisation sessions allow firefighters to engage with a scientifically designed test of the inherent requirements of firefighting. Firefighters who complete the familiarisation session are also able to interact with Health & Safety staff and request specific advice or exercise prescription following completion of the PAT. So far this year 120 firefighters have completed a PAT familiarisation.

### Mental Health Support

FRNSW provides three levels of support, the Chaplaincy service which was initiated in 1980; this was supplemented by the Employee Assistance Program (EAP) which commenced in 1983. The EAP program is confidential service that provides solutions focused counselling (3 – 6 per year). For more complex mental health problems a new program has been implemented where staff is encouraged to consult their GP and obtain a Mental Health Treatment Plan, this plan offers up to 10 sessions with a Clinical Psychologist per calendar year and is the gold standard treatment for depression, anxiety and substance abuse problems.

Furthermore, listed below are the key strategies which have allowed the Support program to be imbedded:

### Infrastructure

The organisational infrastructure which allows the Support Program to be offered has been established over time through the development of the Health & Safety Branch. This includes a Health Promotion team which consists of Health and Fitness, Health and Medical, Wellbeing and Occupational Physicians.

The Health and Fitness team is responsible for:

- Providing education, information, screening tools and exercise prescription platforms targeted at increasing the physical durability of firefighters to reduce the risk of acute and chronic musculoskeletal injuries.
- coordinating a range of health promotion initiatives for all Fire & Rescue NSW employees to raise awareness on the importance of healthy lifestyles
- conducting training sessions on the safe and effective use of all exercise equipment
- prescribing personalised or group exercise programs
- assisting with exercise rehabilitation programs following injury
- the purchase and installation of exercise equipment in fire stations across NSW
- conducting lectures and seminars on various topics in relation to health and fitness
- providing instructional posters for exercise equipment in station gyms (also available on Fire Fit)
- offering of voluntary health and fitness assessments for all Fire & Rescue NSW staff

- designing and conducting the Physical Aptitude Test (PAT) for firefighter applicants

The Health and Medical Team comprised of Health Advisors and Occupational Physicians performs the following roles:

- Coordinate health promotion initiatives to increase awareness of medical issues of relevance to firefighting and public health.
- Perform fitness for duty assessments.
- Provide advice to the injury management section regarding alternate duties and specific modifications that may be needed to safely accommodate staff medical conditions.
- Ongoing monitoring and surveillance of staff health as a result of hazardous exposures to comply with WHS legislative requirements.
- Follow up of medical certificates for firefighters with serious medical conditions.
- Provide or refer Hepatitis B vaccination to all operational personnel
- Organise and implement the seasonal flu vaccination program

FRNSW Wellbeing programs are focused on promoting good mental health. The Critical Incident Support Team offers help to employees who are affected by individual traumatic incidents or a cumulative effect over their career. The Critical Incident Support Program (CISP) can provide the following services:

- attendance at major incidents involving multiple fatalities or prolonged exposure
- one to one sessions and follow up either face to face or telephone
- on scene support, defusing, demobilisation for lengthy operations
- group interventions
- referral to professional counselling
- ongoing support and training

The Injury Management team consists of Return to Work Advisors, Workers Compensation Technical Advisors and Workers Compensation Officers. Our focus is to effectively manage the rehabilitation process for employees following a work related injury to ensure a safe and durable return to work as quickly as possible.

They perform the following tasks:

- Contact employees following a work related injury or illness to ensure appropriate treatment is received and the rights and obligations of the employee under workers' compensation is understood.
- Assisting employees manage a graded return to work through liaison with you, your treating doctors and specialists, and organising suitable duties.
- Liaising with line management to offer appropriate and meaningful work opportunities.
- The Workers Compensation Technical Advisors and Officers ensure correct procedures are followed to process claims and payments.

The Safety team develop proactive systems and strategies for the prevention of workplace injuries and facilitate a WHS risk management approach for the continuous improvement of the WHS management system. This includes the following tasks:

- Provide expert advice and guidance on work health and safety risks.
- Develop and implement policies, and systems to prevent or minimise workplace injuries.
- Facilitate WHS risk management through ad hoc and strategic work health and safety risk assessments for FRNSW equipment, facilities, processes and organisational risks.
- Monitor implementation of policy, procedure and systems for compliance with WHS legislation and FRNSW safety management system.
- Evaluate WHS performance and develop strategies to reduce WHS risk.
- Investigate serious safety incidents and provide recommendations to senior management for reducing risk.
- Provide advice and investigate workplace hazards and minor safety incidents.
- Develop and implement the WHS consultation framework to facilitate WHS communication, participation and resolution of WHS issues.
- Communicate and collaborate with WorkCover on WHS issues, workplace incidents and regulatory compliance.

### Education

The Health and Safety Branch has dedicated the past 10 years to increasing awareness and understanding of general and firefighter-specific health issues, evident by the programs listed above. There has been a focus on physical activity, the provision of nutrition advice and education, smoking cessation, occupational and environmental exposures and critical incident stress.

### Environments

The Health & Safety Branch has assisted in creating a healthy work environment and organisational culture, particularly through the provision of fitness equipment, a plethora of support services available and the permission of physical activity to be conducted for up to 2 hours per shift.

### Monitoring/Evaluation

All programs discussed have been voluntary. In order to maximise participation by firefighters it is often not feasible to collect data. Of the programs for which data is available (e.g. voluntary Health and Fitness Assessments) Health and Safety have analysed this to identify trends and implemented programs accordingly (e.g. Waste the Waist program which targeted cardiovascular risk factors). This information is however not reflective of the entire FRNSW population – anecdotal evidence shows that it is the 'worried well' which continually participates in such programs and

therefore analysis of their health information underestimates the health risks of the workforce.

All injury data collected through NIENMs and Workers Compensation Claims is also analysed to determine underlying causes of injury and preventative programs are then implemented (e.g. Manual Handling Program which was delivered to all stations in 2011-12).

The results of the health and fitness checks will be collected and collated by an agreed independent third party who will provide both FBEU and FRNSW with a workforce health profile, allowing programs to be developed which target the specific health risks impacting FRNSW firefighters.