



SITREP 19/16

Leading ranks acting up

Over 50 permanent members have now progressed to the new Leading Firefighter rank, giving rise to numerous queries from members about how and when acting up could and should occur. The following 8 rules and explanations are provided in clarification (not replacement) of the provisions of the Award's Clause 7, Higher Duties and should therefore be read in conjunction with that clause.

1. An LF (or LSO) can be directed to act up

Provided the other rules here are observed then an LF (or LSO) can be directed to act up to a temporarily vacant Station Officer or Inspector position, provided further that:

- no member can be directed to act up outside of their Fire District unless they are a Reliever; and
- an LF cannot be directed to perform more than 12 outduties per calendar year;
- an LSO can be directed to perform more than 12 outduties, but only for the purpose of acting up.

2. An LF (or LSO) does not have to be "spare" in order to act up

Provided the other rules here are observed then an LF who is making up minimum staffing can be replaced by another firefighter (either relieving, or on outduty, or on overtime) in order to act up. The same principle applies to LSOs, who can be released by another SO (or LF) in the same way in order to act up to Inspector.

In both cases, if overtime is required then it will ordinarily now be worked at firefighter ranks rather than at the SO and Inspector ranks. This was intended when we negotiated these changes, with the resultant savings now being used to fund the higher wage increases that were paid to Station Officers (4.14%) and Senior Firefighters (4.47%) in February 2015.

3. An LF (or LSO) cannot act up into a vacant position

The Award is clear about prohibiting acting up into a vacant position for any duration (even one shift). This is an important rule because it requires the Department to promote LFs to SO (and LSOs to Inspector) instead of perpetually acting them up.

What is vacant position? Any position that does not have a permanent occupant.

A vacant position is not a position held by a permanent occupant who is *temporarily* absent on leave, or on secondment, or interstate or international deployment or for any other reason that results in them *temporarily* not working in their position.

Every firefighter is attached to a base station/workplace and platoon. You cannot be attached to two stations/workplaces/platoons at once. For example, if you are given notice of transfer to another station then the point will come when your transfer from one to the other officially takes effect, but at no stage can you be at both.

How can you tell if a position is vacant? In most cases it will simply be known, but if in doubt then rely on SAM, which records every member as being in one position - and one position only.

4. A Station Officer cannot perform an outduty to fill a vacant position

Consistent with the above two points, a Station Officer must not perform an outduty if the purpose of that outduty is to cover a vacant position. This includes Leading Station Officers.



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5. Acting up cannot be used for absences of more than 28 days' duration

An LF (or LSO) cannot act up to an SO (or Inspector) absence for longer than 28 days. To be clear, it is not the number of LFs (or LSOs) that count, but the length of the absent officer's absence.

For example, a Station Officer who is *temporarily* absent on 4 weeks' annual leave may be replaced by one or more LFs on higher duties, but a Station Officer who is *temporarily* absent on 3 months' long service leave may only be replaced by LFs for the first 28 days. A Relieving Officer (or recalls) must then be used for the remaining two months.

There has been some misunderstanding that one LF may be used for the first 28 days and then a second LF for the next 28 days, and so on. This is not correct.

There are some limited exceptions to this 28 day rule at Award subclause 7.5 for certain Country Officer and Operational Support Inspector positions. Members requiring advice on these provisions should contact the Union office.

6. An offgoing firefighter must not be held back to release an oncoming LF to act up elsewhere

Firstly, LFs are still firefighters, not officers. Secondly, a stay back can only be worked for a shortage at your own station. And thirdly, so long as the required staffing (aerials, rescue or hazmat) levels for the station's appliances are maintained then a firefighter who is relieved by another firefighter has been dismissed and is free to leave the station.

That said, a member who has been relieved may nonetheless still be *requested* and *agree* to remain on duty until the 0800 official change of shift and, if management then decides to use an oncoming LF to act up elsewhere, on overtime until relieved by another firefighter (relieving, outduty or recall).

7. An LF who covers a retained staff shortage is not acting up

Permanent firefighters who relieve/perform recalls at retained stations are not performing higher duties unless they are replacing a temporarily absent Station Officer.

8. An LF (or LSO) cannot perform a PCOS for or with a Station Officer (or Inspector)

While an LF (or LSO) can act up for a Station Officer (or Inspector), the reverse cannot apply unless we agree to acting down. Which we have not.

By the same token, LFs may arrange PCOS and Annual Leave swaps with any other firefighter rank (and likewise for LSOs and SOs). Leading rank members are not confined to swapping only with each other and should contact the Union for assistance if directed otherwise.

Sub-Branch planning day a success

I was pleased to spend yesterday with our newly elected Retained, Senior Officers' and area Sub-Branch Executive Committees planning the work we will be doing together. Our Sub-Branches can play an integral role in helping shape our response to the challenges we face and yesterday's training and planning sessions helped equip our new Sub-Branch Executive Committees to do just that.

Darin Sullivan, President and Acting State Secretary

Saturday 18 June 2016