



17 May 2016

Mr. Greg Mullins AFSM
Commissioner
Fire and Rescue NSW
PO Box A249
SYDNEY SOUTH NSW 1232

Without Prejudice

Dear Mr Mullins,

I write further to our ongoing discussions concerning the staffing and operation of various Compressed Air Foam System (CAFS) tankers of which it was agreed there were three groups - the heavy (Cat 6) CAFS tankers outside the GSA, the heavy CAFS tankers inside the GSA and the 4x4 (Cat 1) CAFS tankers inside the GSA. The Union now proposes following in final settlement of the issue:

1. Ex-GSA heavy CAFS tankers

- 1.1 One heavy CAFS tanker will be located at Toronto, Kariong, Katoomba and either Springwood, Richmond or Windsor (the actual location of this fourth tanker to be confirmed following further discussions).
- 1.2 All heavy CAFS tankers (including these four) will be considered for all intents and purposes to be permanent appliances, staffed by permanent firefighters if/when available and otherwise by retained firefighters on Relief Duty rates (the Union will agree as per 6.2.2 to their staffing at these four locations in this manner).
- 1.3 When these heavy CAFS tankers are required and spare permanent firefighters are not available to staff them then all Retained members at that station will be alerted, with the two Retained responded on the heavy CAFS being paid Relief Duty rates and the remaining Retained being paid a minimum of one hour at the incident rate and either responded to the incident or dismissed if not required.
- 1.4 The response/deployment of the heavy CAFS tanker with retained staff to any incident (including non-CAFS incidents, or to stand by or move up elsewhere) will result in those retained staff being paid at Relief Duty rates. Balanced against this, the Union will agree to the casual operation of these four heavy CAFS tankers (only) for non-response purposes such as appliance familiarisation, off station drills and/or refueling, as Authorised Duties paid at the retained firefighter's ordinary rate and to facilitate this, these stations will each be allowed an additional 8 hours per month (or an average of 2 retained firefighters at 1 hour each per week) for these non-response purposes.
- 1.5 For the sake of clarity, the reference in Clause 29, *Attendance at Major Emergencies* to "the appropriate rate of pay for the employee's classification" shall mean Relief Duty rates for retained staff attending a major emergency on a heavy CAFS.

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- 1.6 The permanent firefighters attached to these stations will be trained and qualified to operate the heavy CAFS tanker (for which there will be no "CAFS Allowance").
- 1.7 The retained firefighters at each of these four stations will either retain or be allocated a primary appliance (Type 2 or Type 1) to respond with independently of the heavy CAFS.
- 1.8 The 2017 Permanent Award will be amended to introduce a single minimum payment of 3 hours for recall for any purpose (not 2 hours for an incident and 4 hours for a staff shortage as presently applies), and the 2017 Retained Award will be amended to provide a minimum payment for all Relief Duties of 3 hours (not 2 hours as presently applies).

2. GSA heavy CAFS tankers

- 2.1 The aerial platforms at Hornsby and St Andrews will be replaced by the remaining 2 heavy CAFS tankers, which will each then be staffed 24/7 by two permanent firefighters per shift.
- 2.2 The aerial pumper at Horningsea Park will be relocated to St Andrews (and, we presume, the pumper at St Andrews to Horningsea Park) and the pumper at Hornsby replaced by an aerial pumper.
- 2.3 The members at Hornsby and St Andrews who are currently in receipt of the Major Aerial Allowance will continue to receive the Major Aerial Allowance unless and until such time as they are (a) promoted to Station Officer or (b) accept an offer of transfer to another station/position and/or (c) the Union and the Department agree otherwise (for example, as part of a wider review of the qualification allowances).
- 2.4 The members at Horningsea Park who are currently in receipt of the Minor Aerial Allowance will continue to receive the Minor Aerial Allowance unless and until such time as they are (a) in the case of firefighters, promoted to Station Officer or (b) in the case of Station Officers, promoted to Inspector; or (c) accept an offer of transfer to another station/position and/or (d) the Union and the Department agree otherwise.
- 2.5 The reduction in qualification allowance payments currently being made to members at Hornsby, St Andrews and Horningsea Park will be jointly investigated and, once agreed, recognised by the Department as employee-related cost savings that are available to the Union in future wage negotiations. The Union acknowledges that the arrangements at 2.3 and 2.4 will necessarily impact upon the extent of the savings achieved.

3. 4x4 CAFS tankers

- 3.1 The 3 remaining 4x4 CAFS tankers currently located at Kellyville, Miranda, and Lane Cove will remain in situ at those locations and be staffed by permanent firefighters on an as-needs basis (either spare or on overtime) subject to the Department's express undertaking that they will not be staffed otherwise (eg, by reducing the minimum staffing on the other appliance(s) at those stations) and further, that members will not be required to check, maintain or wash these appliances unless there is at least one permanent firefighter allocated (either spare or on overtime) to the appliance for this purpose. This minimum staffing allocation may be achieved by the retention of one or more members per station, per week on overtime following the conclusion of their rostered shift for the lesser of one hour or the time actually taken to complete the task.

3.2 The Union will agree to the relocation of Miranda's 4x4 CAFS tanker to Sutherland (even if the Department's reasons for doing so remain less than clear or convincing) provided the same arrangements at 3.1 apply. The Union is also open to the relocation of the other two 4x4 CAFS tankers to other permanent stations, or even the possible reallocation of all three tankers to retained firefighters (eg, Miranda to Menai, Kellyville to Windsor and/or Lane Cove to Thirroul) but again, these matters can be discussed separately and in due course provided that the principles and arrangements for permanent firefighter staffing as set out at 3.1 are agreed to now.

The Union is confident that this proposal comprehensively addresses all of the necessary detail and, importantly, the operational and industrial considerations of both parties. Please contact me directly should you wish to discuss any aspect of this proposal further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Sullivan', with a stylized flourish at the end.

Darin Sullivan
Acting State Secretary