



12 September 2016

Committee Secretary
Education and Employment Legislation Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary,

Re: Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016

The FBEU is a trade union registered and operating under the *Industrial Relations Act 1996 (NSW)* and has over 6,200 professional firefighter members - over 40% of the national firefighting workforce - employed within both the public (Fire and Rescue NSW and the NSW Rural Fire Service) and private sectors.

The FBEU considers the bill not only unworkable and unnecessary, but also inflammatory and dangerous.

While the FBEU is not associated with the United Firefighters' Union of Australia (UFUA) in any way and has only an arm's length understanding of Victoria's Country Fire Authority (CFA), there are clearly many similarities between the CFA and the RFS here in New South Wales and, it follows, in the interactions and industrial tensions between professional and volunteer firefighters in both states.

The bill is half correct in identifying consultation as the answer to these sectarian tensions, however extending rights to volunteers (who are not employees) to intervene in the industrial arrangements of professional firefighters is not the answer. The FBEU fears that this bill will, if passed, drive a deeper wedge between professional and volunteer firefighters that will set back on-the-ground relations between the two by decades.

And not just in Victoria either. Attached for the Committee's information is correspondence between the NSW Rural Fire Service Association (RFSA), the NSW Minister for Emergency Service and the FBEU on this very matter. The Committee will note from its letter to the Minister that the FBEU supports the consultative framework that exists in this state courtesy of the *Fire Services Joint Standing Committee Act 1998 (NSW)*.

It is not overstating the seriousness of the matter to say that this is bad legislation, and that firefighting operations and firefighter safety will be compromised if this bill is passed.

Yours sincerely,

Leighton Drury
State Secretary

Fire Brigade Employees' Union of New South Wales

1-7 Belmore Street Surry Hills NSW 2010

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RFSA

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The Hon. David Elliott, MP
Minister for Emergency Services
GPO Box 5341
Sydney NSW 2001

22 June, 2016

Dear Minister,

As you know there is considerable unrest within the ranks of the volunteers within the Country Fire Authority (CFA) in Victoria following the actions of the Victorian Government to pursue the adoption of an industrial agreement with the United Firefighters Union (UFU).

It is understood that clauses within the agreement establish UFU influence and control over the CFA to an extraordinary level that could have the potential to destroy the volunteer culture of this emergency service.

This Association, as a member of the Council of Australian Volunteer Fire Associations (CAVFA) has been monitoring the situation carefully in view of the potential impact on NSW given the interstate co-operative fire-fighting arrangements particularly during declared emergencies requiring urgent mobilisation of resources.

I am pleased to say that through the support of the NSW Government and the consultative arrangements put in place with the NSW Rural Fire Service our members currently receive the highest level of respect and recognition throughout the community. The NSW Rural Fire Service is a unique organisation and through these well-established co-operative arrangements, it has a proven record of minimizing the threat of bushfires in this State and saving lives and property.

The Association strongly opposes the political and industrial interference developing in Victoria and has indicated its support for the CFA Volunteers and the CFA Board in their endeavours to protect and manage the valued Australian tradition of volunteerism within the emergency services.

On behalf of our members I seek an assurance from the Premier and you as our Minister that at no time will the NSW Government attempt to register an enterprise agreement that

Supporting Our Members To Protect The Community



overrides State legislation that defines and regulates volunteers/volunteer based emergency services and protects the volunteer rights and operational systems.

I have taken the liberty of referring a copy of this letter to the Premier and I will be writing in similar terms shortly to the Leader of the Opposition as well as the Shadow Minister for Emergency Services seeking similar assurances.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Ken Middleton", is positioned below the "Yours faithfully," text.

Ken Middleton
President



The Honourable David Elliott MP

**Minister for Corrections
Minister for Emergency Services
Minister for Veterans Affairs**

Mr Ken Middleton
President
NSW Rural Fire Service Association
PO Box 845
PENRITH BC NSW 2751

Dear Mr Middleton

Ken

Thank you for your letter concerning the decision made by the Andrews Labor Government to undermine the volunteers of Country Fire Authority through an agreement with the United Firefighters Union.

I want to clearly affirm the Baird Government's support for the excellent work of the volunteer emergency services. I have the highest level of respect and appreciation for the work that volunteers do in protecting their communities in times of emergency.

I am deeply concerned by the developments in Victoria and wish to provide you with my commitment that this Government will always support a strong volunteer fire service.

Finally, I wish to commend the Rural Fire Service Association on its work in supporting members of the NSW Rural Fire Service.

Yours sincerely

David Elliott MP
**MINISTER FOR CORRECTIONS
MINISTER FOR EMERGENCY SERVICES
MINISTER FOR VETERANS AFFAIRS**

June 2016



17 August 2016

The Hon. David Elliot MP
Minister for Corrections, Emergency Services and Veterans Affairs
GPO Box 5341
Sydney NSW 2001

By email: office@elliott.minister.nsw.gov.au

Dear Minister,

I refer to your letter in response to the Rural Fire Service Association's (RFSA) correspondence dated 22 June 2016 regarding their concerns about the proposed industrial agreement between the Victorian Country Fire Authority (CFA) and the Victorian Branch of the United Firefighters Union (UFU).

Specifically, the RFSA sought *"an assurance from the Premier and you as our Minister that at no time will the NSW Government attempt to register an enterprise agreement that overrides State legislation that defines and regulates volunteers/volunteer based emergency services and protects the volunteer rights and operational systems."*

The RFSA's intervention here is both unnecessary and provocative. While I note that the assurance sought from you was not given, I am nonetheless obliged to warn both the RFSA and Government that any attempt to block or interfere with firefighters' industrial arrangements in this state due to the alleged concerns of volunteers will be responded to by the FBEU in the strongest possible terms.

The FBEU supports the consultative framework between the RFS, FRNSW, RFSA and FBEU that is the Fire Services Joint Standing Committee (FSJSC). While far from perfect, the FSJSC has resulted in regular dialogue between the stakeholders where little if any previously occurred, and has led to greater understanding and harmony within the industry. It is model that Victoria would do well to replicate.

If the RFSA held genuine concerns over this matter then it should have raised them at the FSJSC first. The FBEU will be doing so at the next opportunity.

Yours sincerely,

Leighton Drury
State Secretary

cc: Premier, Leader of the Opposition and Shadow Minister for Emergency Services

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