



4 May 2017

Mr Paul Baxter
Commissioner
Fire and Rescue NSW
1 Amarina Avenue
GREENACRE NSW 2190

Dear Mr Baxter,

While it is long-standing Union policy to not ordinarily intervene in transfers, the Union also reserves its right to do so in the event of unreasonable or inappropriate transfers. The Union therefore writes with concern about the intention of FRNSW senior management to transfer most if not all Duty Commanders within Metropolitan Operations, as confirmed in an email to all Duty Commanders on 26 April.

In considering the proposed transfers, the Union's State Committee of Management noted that:

- a) the transfer of members 'on a broader basis' is inconsistent with FRNSW's own Transfer and Mobility Policy (ie, the Policy) which envisages each transfer being considered on an individual, case-by-case basis and not by rank, area, tenure or any other collective basis;
- b) the Policy's Part 5 Principles anticipates each transfer decision being made 'in a manner that is always fair, equitable and transparent, while also taking into account as far as possible individual preferences and requirements', and therefore only after discussions have been held with the affected member;
- c) the Policy's Part 7 Tenure requires management to first consider whether or not to initiate each transfer discussion, including with members who have remained at a particular platoon/location for a period of 5 years or more, and not to automatically and/or universally 'advise of your proposed future position';
- d) if a transfer is considered necessary or appropriate then the location of any transfer should also be discussed with the member and consistent with the Policy's Part 5 Principles, that each transfer should as far as possible seek to progressively transfer the member closer to their residence or, if that is not possible, to locate members as far as practicable on major public transport and/or traffic routes or, for those later in their careers who have been transferred close to home already, limit whenever possible transfers to other platoons at the same station or to nearby stations;
- e) consistent with the Policy's Part 5 Principles, and contrary to management's email advice to members that 'Duty Commanders transfers will be based primarily on organisational needs', transfer decisions are expected to achieve a balance between organisational and individual needs, albeit with operational requirements taking precedence; and
- f) that the reasons for a transfer decision should be documented and those reasons should be provided to the member and that for the various reasons set out here above, a 'transfer of personnel on a broader basis' is not considered to a satisfactory reason.

The State Committee consequently resolved to intervene in the proposed transfers: firstly, by

inviting the Department to explain its intentions and apparent disregard for many of the recently-negotiated Policy's provisions; and secondly, by requesting that no involuntary or disputed Duty Commander transfers occur while negotiations with the Union continue.

As the Union's Senior Officers' Sub-Branch is meeting this Sunday 7 May, your response to both requests beforehand would be appreciated.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'L. Drury', with a stylized flourish at the end.

Leighton Drury
State Secretary



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Commissioner
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1 Amarina Avenue
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Attention: Assistant Commissioner Metropolitan Operations Gerry Byrne

Dear Mr Baxter,

Re: Transfers to City of Sydney Fire Station

I refer to the Union's correspondence dated 17 March 2017 and the Department's reply dated 18 April 2017 regarding the above matter.

Whilst it is long-standing Union policy not to ordinarily intervene in transfers, the Union also reserves its right to do so in the event of unreasonable or inappropriate transfers.

Following receipt of the Department's 18 April correspondence, the Union's State Committee has resolved to intervene in the proposed transfer of a member from 18 Station Glebe to 1 Station City of Sydney because he is working a so-called "exotic" roster, in this case the 10/14 roster.

The reasons for the transfer put forward in the Department's correspondence do not accord with the information provided by the member in question. Nor do they stand up to any reasonable scrutiny, instead they smack of post-event justification.

The proposed transfer is contrary to the Department's own Mobility and Transfer Guidelines, is opposed by the Union and should not proceed.

Yours sincerely,

Leighton Drury
State Secretary