



SITREP 28/17

RBRP threatens Retained system - update #4

The Department yesterday wrote to the Union after months of negotiations to detail its position on new response protocols. A copy of that letter can be found as a link from the online version of this SITREP.

Members will note that the Department has abandoned the 'Risk Based Response Protocol' label and some aspects of the RBRP, like single pump responses to most AFAs. We welcome these shifts, but we have remained unable to reach common ground on response protocols that will curtail retained operations and significantly cut our members' wages.

The Department has presumably written now because it believes negotiations have concluded, so it is invoking the formal consultation provisions of Clause 27 of the Retained Award. The Union has been asked to reply within 14 days and will do so, but nothing has changed since SITREP 1/17 which confirmed that *"it remains our preference to resolve this by negotiation, and we continue to explore alternative avenues, but the Union's officials know that the RBRP means significant pay cuts for at least 1,200 members. Anyone who thinks we will allow that to happen does not know the FBEU."* More to follow in SITREP 29.

Statutory Declarations - NSW or Commonwealth?

Several members have contacted the Union office recently to say that the Department had rejected the Commonwealth Stat Decs they had submitted to support their application for Carer's Leave, and that they needed to re-submit a NSW Stat Dec instead. Why? Because NSW Stat Decs need to be witnessed by a solicitor or a JP, but Commonwealth Stat Decs do not. In fact declarations made under the Commonwealth Act can be witnessed by any public servant with more than 5 years' service - including another firefighter on your shift.

The Union took the Department to the IRC over this issue in 2004 but lost the case, prompting a Union notice at the time to offer *"Congratulations to the Department for making it as hard as possible for you to access this leave to look after your sick spouse or kids"*. So the Department is within its rights to insist upon NSW Stat Decs, but we advise members against using the Department's version that inserts additional, unnecessary wording designed to trap members and to instead use the standard version that we have provided on our website, a link to which can now be found in the online version of this SITREP.

Northern Rivers and Cyclone Debbie – update #3

Further to SITREP 24/2017, the Union's prosecution of the Department for failure to pay the entitlements to members who responded to the Northern Rivers has been listed for hearing on 7 November 2017. The Union will spend the coming weeks preparing and filing our evidence. For members who responded to Cyclone Debbie, the Department has advised that it needs a further 14 days to consolidate its records and to make the outstanding payments. The Union has agreed to this timeframe in the interests of getting members paid as soon as possible, but will monitor the Department's progress over the next fortnight and take further action if necessary.

Leighton Drury
State Secretary

Friday 11 August 2017