



# SITREP 30/17

## **RBRP threatens Retained system – update #5**

It's been two weeks since our last report in SITREP 28, and two weeks since the Department wrote to the Union to detail its position on new response protocols. The Union replied yesterday, and that letter (and therefore our position) can be found as a link from the online version of this SITREP.

I invite members to read our reply rather than re-stating it all here but for those wanting the short answer, the Union had made a number of comments and suggestions and has asked to meet with Commissioner Baxter and his team to discuss and hopefully further explore them. It follows that we do not believe that consultation is over, or that an agreed resolution cannot be reached.

We've had reports of stations recently being told by senior FRNSW management that *"the Union doesn't care"* or *"we run the job and the Union has no say"*, and that *"it is definitely starting on 1 September"*. None of which is helpful, or true. We have also heard rumours of whole stations preparing to declare their non-availability in protest, which is understandable but also premature. While negotiations continue then hope remains for a negotiated settlement. More to follow.

## **Diploma in Leadership**

A dispute has emerged over a new Diploma in Leadership that the Department wants to launch next month. The Diploma is to be open to all staff (permanent and retained firefighters, and trades and admin) and involves 4 x 2 day blocks of face to face training. No problem there. It is management's insistence that the course is undertaken off duty, without any payment where it suddenly unravels.

When asked why only firefighters should be expected to undertake training courses, unpaid, on their days off, the Department replied that trades and admin staff would be using their own leave to attend. It came as a shock to the Department when we pointed out that the Permanent and Retained Awards both require payment for approved off-duty training, and a bigger shock when we pointed out that the clerks' award does so as well. For all the letters on this issue see the online version of today's SITREP.

The Union has not stopped the Diploma in Leadership, we've simply reminded the Department of its legal obligation to pay all employees who do attend, and that our Awards are not optional.

## **Recovery of overpayments – Dept breaching Awards**

Members have contacted the Union complaining that the Department is making deductions from their pay for alleged overpayments without notice. Our Awards, Retained and Permanent, provide a clear process for the recovery of overpayments. Members must first be advised that an overpayment has occurred, and be provided specific details including the amount, how it was calculated and the pay period the recovery will commence. No more than 10% of a member's gross fortnightly pay can be recovered, and this can be reduced further on application. The Department can also be prosecuted by the Union and fined by the courts for Award breaches of kind and members are encouraged to inform the Union whenever they occur.

**Leighton Drury**  
State Secretary

Friday 25 August 2017