



File Ref. No: FRN18/56  
TRIM Ref. No: D18/68274

24 September 2018

Mr Leighton Drury  
State Secretary  
Fire Brigade Employees' Union of NSW  
1-7 Belmore Street  
SURRY HILLS NSW 2010

Dear Mr Drury

**Re: J&Z Relievers**

I refer to negotiations conducted at the FBEU office on Thursday 20 September 2018, concerning alternative arrangements for Z Relievers.

At this meeting Fire & Rescue NSW (FRNSW) supplied a document which detailed a settlement to the Z Reliever issue only, for implementation post 30 September 2018. The FBEU rejected this approach. We then examined the FBEU's proposed settlement, provided to FRNSW on 29 August 2018, which encompasses along with the Z Reliever issue, new ways of applying the conditions expressed in clauses: 7; 13; 29 and 30 of the *Crown Employees (Fire and Rescue NSW Permanent Firefighting Staff) Award 2017* (the Award).

Accordingly, the FRNSW position regarding the FBEU proposal of 29 August 2018, is detailed below:

**Leading Ranks Acting Up**

FRNSW will allocate the following positions at Regional 10/14 stations:

- 2 Leading Station Officers (LSO) (A or C platoon & B or D Platoon); and
- 4 Leading Firefighters (LF) (one each platoon). This staffing will have an in-built LF Reliever.

The one off election by the LSO expressed at 1 a) to work either the Special Roster or the Country Inspector's Roster, should be made clearer that the actual roster the absent Inspector is working (either of those abovementioned) should be followed by the LSO when acting-up.

The notice periods specified at 1 b) and 2 b) should be changed from 28 days to 14 days.



The restriction at 2 e) on a LF electing to perform higher duties at another station than their base station should be removed. For a non-reliever, this will constitute an outduty and attract the relieving allowance expressed at subclause 12.6.1.2 and the kilometre payment expressed at subclauses 12.7.2.1 or 12.7.2.2 (whichever is applicable) of the Award.

Otherwise, the acting up provisions expressed at points 1 and 2 are agreed.

Point 3 is agreed, subject to the restriction of 3 months being changed to "the period of the absence".

Point 4 is agreed. However, at 4a) please add the words "at other than their base station" at the finish of the sentence. It is then clear the definition of outduties at Clause 4 of the Award is maintained.

### **Leading ranks selection processes**

It is agreed that processes for selection to leading ranks, require review and whilst the cost neutrality aspect of the proposal at point 5 is attractive, the entry process for the LF and LSO programs outlined in points 5, 6 and 7 require further discussion between FRNSW and the FBEU, as any change needs to be considered for its the wider impact. Thus, at this stage the proposals are not agreed, however FRNSW representatives are available to discuss.

### **Clause 30**

The withdrawal of the matter presently before the Supreme Court of NSW is a matter for the FBEU.

At present, FRNSW seeks to continue Clause 30 on a case by case basis until it is replaced, possibly through negotiations for the 2020 Award. This replacement maybe by way of the provisions outlined in point 8 or by a different entitlement. In these circumstances, there is no need for a sunseting or determination of a cut-off date for existing recipients.

For your information, an independent audit is currently underway, which is reviewing past applications of this clause. When a report is provided, FRNSW will discuss the outcomes with the FBEU.

### **Clause 29**

FRNSW wrote to you on 6 July 2018, seeking further clarification of this proposal. Consistent with that letter, FRNSW is still unclear how this change is tied to the replacement of Z Relieving and suggests that the proposal should be canvassed in the 2020 Award negotiations.

### **Existing Z Relievers**

At the meeting on 20 September 2018, FRNSW and the FBEU agreed that the 16 existing Z Station Officer relievers, could remain in place and continue to perform the functions of Z relieving, post 30 September 2018, as long as FRNSW did not

permanently replace them. These arrangements like the others agreed to in this letter, can be subject to negotiations and further revision as required and may also be reflected in any 2020 Award.

FRNSW seeks to have the final three single Station Officer positions at Grafton, Taree and Lithgow form a part of this settlement. Therefore, it is proposed they become relieving LSO positions from their respective locations with existing personnel, provided the LSO program after accelerated entry, is completed by February 2020.

I acknowledge the productive consultation which has occurred to resolve this matter and should you require any further clarification or wish to arrange a further meeting, please do not hesitate to contact Stuart McMartin in the first instance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'JH', with a large, sweeping horizontal stroke extending to the right.

Jim Hamilton AFSM  
**Deputy Commissioner Field Operations**