



## Presumptive cancer Bill in the NSW Parliament

As SitRep 26 predicted, Labor's Shadow Minister for Emergency Services, Guy Zangari MP, yesterday gave the 2<sup>nd</sup> reading speech on his **Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018** in support of firefighters suffering occupational cancers. His speech, the Premier's cynical comments later that day and the Bill itself can all be found as links from the online version of this SitRep.

The Berejiklian Government was quick out of the blocks yesterday morning to confirm it would be opposing Labor's Bill, allegedly because they are working on something better that "will not impose a 10-year limit". Wrong, Gladys. There is no 10-year limit on making a claim under Labor's bill. There is a 10-year post-employment period for diagnosis, but there is no limit on the time allowed to make a claim.

We predict that any presumptive bill the Berejiklian Government produces will be far more restrictive than Labor's. Expect a much higher qualifying threshold of time spent in "active firefighting", and probably a denial of the right to presumption for firefighters who are diagnosed after a certain age. The Government has already made it clear that unlike Labor's Bill, their alternative legislation will not cover firefighters who contracted their cancers prior to 27 September 2018. Rest assured that whatever they produce will be worse. Much worse. This Government is simply incapable of drafting beneficial workers comp legislation.

A special shout out to the Office of the Commissioner for the partisan email to all FRNSW staff yesterday that faithfully regurgitated the Government's spin on the issue and conveniently failed to mention that the Opposition had already introduced legislation that morning. The debate was adjourned. More to follow.

## Remedial action is not disciplinary action

In 2013 the Union took the Department to the IRC over the new disciplinary regs and guidelines, fearing that remedial action could cause heavier financial penalties than disciplinary fines, which are capped at \$1,100.

Those fears were recently realised when, in separate and unrelated matters, two officer members found themselves facing significant financial losses as a direct result of remedial action transfers. So we again took the Department to the IRC and we emerged this week, after several appearances, with no financial disadvantage to either member - and proof yet again of the value of Union membership.

Remedial action is not disciplinary action, but members facing either are strongly encouraged to seek the Union's advice before assuming that the Department must know what it is doing, or accepting or agreeing to anything to do with the remedial or disciplinary processes.

## In brief...

- The **recall kilometres** dispute is now proceeding to arbitration on 7 and 8 November.
- **Z Relieving will end on 30 September** (see SitRep 25/17) after the Department overplayed its hand and mis-read a final Union attempt at a new agreement as ambit. It wasn't. See the online version of this SitRep for the final correspondence between the Union and Department on the issue.

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