



2023 Award – Key Changes & Improvements

2023 Permanent, Retained and D&D Award Key Changes and Improvements

The FBEU and FRNSW have reached agreement on new Awards for all 3 Awards which cover professional firefighters in NSW. These new Awards, while only 1 year Awards expiring in February 2024, deliver significant reform and key gains for members going forward into the next Award. Key changes and improvements for all 3 Awards are listed below.

Permanent and Retained Awards – Key Changes

Pay Increase

- Pay increases of 4% backdated to February 2023

Health Checks

- A 36-month trial of a new Health Screening process to replace the current Health Checks.
- Removed from the D&D Award and inserted into separate provisions in the Permanent and Retained Award.
- Members GP to determine the outcome of your Health Screen (which will only be reviewed by an Occupational Physician if you are found unfit for duty).
- The current Independent Occupational Physician, UHG no longer plays a role in the process.
- Will deliver voluntary cancer screening and PFAS/PFOA testing to members.
- Review of the current Health Standard to occur.

Consultation and Productivity Clause

- New Consultation clause to replace the current Organisational Change clause which will increase the scope of the clause from only requiring consultation on 6 topics (Definitions, Hours of Work, Progression and Promotion, Examination and Assessment Leave, Drug and Alcohol Policy and Discipline and Conduct Policies), now requiring consultation on all matters pertaining to the employment relationship.
- A clear and defined process for how consultation will occur giving direct and enforceable rights for us to affect decisions.
- An 18-month trial of comprehensive consultation arrangements which includes a Joint Consultative Committee and various subcommittees to consult on all the matters that are so important to us including:
 - Station Design and Infrastructure;
 - Appliances and Equipment;
 - Training and Promotional Systems;
 - Staffing and Resourcing.
- New Productivity clause allowing us to quantify and claim back productivity gains achieved during the life of Awards.

Duration and Renegotiation

- 1 Year Awards expiring 24 February 2024
- Renegotiation to commence immediately (required to commence 6 months prior to expiry).



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Safe Staffing and Triggers

- Locked in and enforceable appliance based safe minimum staffing.
- Locked in and enforceable safe systems of work providing for 8 FRNSW firefighters to respond to Structure Fires.
- Locked in and enforceable triggers for promotion in the Permanent Award for all ranks from Firefighter to Inspector.

Deployments

- New requirement for all deployments, including in NSW for FRNSW to provide to employee's details including the location, time frame and expected amenities on arrival.

Leave Provisions

- The provisions from standing orders as they relate to Permanent staff regarding quotas during holiday peak periods for long service leave have been included in this clause. It has been made clear that no other quotas may be implemented.
- Parental leave has codified all the relevant changes to parental leave that have occurred over recent years along with including a provision for still birth leave.
- Current requirement in the sick leave provision that your medical certificate must provide the nature of your illness or injury only required if you are off sick for more than 2 days.
- New provision regarding medical certificates for Retained firefighters providing that certificates now go to Health & Safety via ESS rather than the Captain.
- New leave clause to ensure that members participating in consultation committees and subcommittees are either released from duty or appropriately remunerated for attendance.
- New provision for Court Attendance to allow members to attend the Industrial Relations Commission in certain circumstances.

Contracting Out

- New provision clearly stating that the Department does not intend to use contractors and can only do so following consultation in accordance with clause 9.



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Permanent Staff Award – Key Changes

Classifications, Training and Promotions

- Reclassification of Operations/Operational Support to Station Based/Non-Station Based.
- Non-Station Based positions to transition to Rank + Allowance payment.
- Nationally recognised Certificates locked in at specific Ranks.
- Working party to deliver the new promotional structure within 3 months.
- Off-Shift training for specialist and promotional courses allowable.

Definitions

- The definition of “stand-by” has been clarified to clearly provide that multiple stand-by’s cannot be used to fill in lieu of an Out Duty.

Allowances

- CAPs Allowance extended to Officers.

Hour of Work

- Executive Officers now allowed to self-direct their hours of work and claim time in lieu for additional hours.

Higher Duties

- The period for higher duties for the Leading Ranks extended from 28 days to 3 months in the following specific instances:
 - Annual leave
 - Long service leave
 - Sick, carers, workcover or other medical leave
 - Alternative/light duties
 - Parental leave.
- Requirements specified that higher duties cannot be used to fill a vacant position
- Allowable period of higher duties is linked to the amount and type of leave taken by the employee who is to be filled by higher duties rather than a cap on the time of the employee performing the higher duties.
- The clause also contains a provision to ensure that FRNSW cannot direct employees within the GSA to perform higher duties on a different platoon/roster and outside the GSA on a different platoon/roster and/or at a different work location.

Medical First Response

- Provides specific requirements for consultation if FRNSW attempt to implement MFR or any medical work during the life of the Award.
- Recognises SGM motion of 12.5% remuneration for MFR.



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Retained Staff Award – Key Changes

Definitions

- Definition of “authorised absence”, “deemed fortnightly salary”, “employee” and “retained officer” all added.
- Authorised absence definition clarifies situations when your attendance will not be penalised if you miss a fire call, e.g. when you are on relief duties

Higher Duties

- New clause clarifying that individuals on a higher retainer who perform higher duties or are promoted in rank will move to the higher retainer level at their temporary or new rank
- New clause requiring those that act into the role of Deputy Captain or Captain, to be trained in each primary appliance attached to a station.
- New requirement that higher rate of pay for a retainer will be payable for people acting up for 24 hours or more in a position. Currently it is 7 days.
- Clarification that when Captain or Deputy Captain attends at station for an incident, they should NOT mark themselves as “OIC” in GARTAN, the person in the front passenger seat will be marked as the OIC and paid accordingly.

Remuneration, Attendance, Authorised Duties and other Payments

- Working party established to investigate remuneration for Retained Firefighters looking at doubling the minimum 1 hour payment for incident attendance, and a payment for availability system, and the impact on these changes on availabilities, attendance & overtime.
- Clarity added that authorised hours are a minimum and FRNSW can supply more hours in each time period if they desire
- KM allowance is now payable going to & from the station if you attend the station on any moving transportation device with wheels
- Removed the requirement to submit claims within 1 month
- New clause for all stations with 700 or more calls per year to have the incident attendance percentages dropped to 20% from 33%.
- Clarification that make-up drills will be counted towards drill attendance for a missed drill (even if the make-up drill is held outside of the attendance reporting period)
- New working party to deal with the rules for make-up drills.
- Authorised duties table updated to include all tasks currently listed in GARTAN Timesheets as well as tasks performed by staff currently

Transfers

- New clause providing for specified rules regarding Transfers allowing an employee who wants to transfer to a full station to become supernumerary so long as there are Firefighter vacancies elsewhere in the destination zone. If there are no supernumerary spots available, a Firefighter will be placed on an eligibility list for that station and allowed to use their leave for up to 1 year.



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- Employees who are a Retained Officer must relinquish their rank in order to transfer to another station.
- FRNSW will not unreasonably refuse a transfer request.
- Changed this clause to say that any Retained who are part of the Union's State Committee of Management, or who are employed full-time by the Union, will be exempt from attendance monitoring.

Classifications, Promotions and Permanent Pathways

- New classifications for Retained to show each rank and qualifications for progression to that rank.
- New provisions regarding Engine keepers providing that each station will have Engine Keepers by default but can opt out if they wish. If a station has more than one appliance, they may appoint up to two Engine Keepers. Where a station chooses not to appoint an Engine Keeper, they must allocate the duties in the same way SIMS duties are allocated (fairly).
- New clause providing that for progression to Deputy Captain and Captain, the successful applicant should be trained in all primary appliances at the station.
- Retained to Permanent pathway is locked in. The number each recruitment round is up to 25%. FRNSW insisted on this saying "up to 25%".
- New requirement providing minimum conditions for Retained Officers:
 - At single appliance stations, one Captain and one Deputy Captain will be employed at all times
 - Stations may request a second Deputy Captain if the administrative or operational workload warrants it
- New Requirements providing minimum conditions for Retained Rescue Operators
 - The minimum number required to be trained at a station as defined by the State Rescue Board will be trained, with the goal of all staff at a rescue station being rescue trained
 - A minimum of two rescue operators must be available to respond at all times on a rescue appliance.
- Clause 62 - Minimum conditions for Retained Hazmat Operators
 - a. A minimum number of half of the staff numbers at the station will be trained as Intermediate Hazmat operators, with the goal of all staff at a hazmat station being Intermediate Hazmat trained
 - b. A minimum of two Intermediate Hazmat operators must be available to respond at all times on an Intermediate Hazmat appliance.



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D&D Award – Key Changes

- Removal of current Health Checks process at Clause 8 and Annexure A.
- New clauses to provide for Medical Retirement either voluntarily or in line with the Health Screening Provisions.
- Changed PPI payments so that they are not impacted by CPI/inflation and are now pegged to the percentage of the D&D fund that Retained pays compared to Permanent, which increases it from its current amount and keeps it much more stable over time