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05 Nov 2024

**OFFICE OF THE
INDUSTRIAL
REGISTRAR**



**IN THE INDUSTRIAL RELATIONS COMMISSION
OF NEW SOUTH WALES**

Matter: 2024/00068961, 2024/00068970 & 2024/00068974 – Crown Employees (Fire + Rescue NSW Retained Firefighting Staff)
Award 2024 & Ors

Fire Brigade Employees Union
Notifier

Fire + Rescue NSW
Respondent

FBEU Statement of Issues

Award	Clause	Claim	FRNSW position	Summary
Wages				
Permanent	17 & 18	Remuneration taskforce & No extra claims	Opposed	Within 2 months of the making of this Award, a Remuneration Taskforce consisting of equal numbers of FBEU and FRNSW representatives will investigate and report to both FRNSW and the FBEU on the role of a modern day firefighter and the appropriate work value and relativities to be assigned to the classifications/ranks outlined in this Award.

				There is a carve out in the no extra claims clause for the FBEU to seek a variation to this Award in respect of matters in cl.17 if unresolved.
Permanent Retained	20.4 20.2	Cost of living increase & Road Crash Rescue (RCR)	Not agreed	8% increase (consisting of 5% increase to salary and 3% increase in recognition of RCR) from 26 February 2024; 6% increase from 26 February 2025; and 6% increase from 26 February 2026.
Permanent Retained	20.6 20.5	Increase to superannuation	Opposed	Superannuation contributions for all employees at the rate of 15%.
<i>On-call and additional hours</i>				
Permanent	30	Overtime	Opposed	Overtime to be paid at double time, and to set a uniform minimum payment of four hours for all incidents.
Permanent	32	On-call allowance	Not agreed	Monday to Friday 8.00am-6.00pm: \$116.75; Monday to Friday 6.00pm-8.00am: \$175.15; and Public holidays: \$175.15.
Permanent	33	Disturbance allowance	Opposed	Inclusion of a clause compensating for after-hours disturbances at the rate of \$35 per day/shift. This is intended to operate where a firefighter who is not in a role involving on-call rostering, but is asked and agrees to make themselves available for out of hours contact (including while on leave) by telephone.

Retained	20.8.4	Increased retainer	Opposed	Requires FRNSW to offer higher retainers to retained firefighters where a station has four consecutive weeks of more than 24 hours of overtime or relief duties performed at the station.
Retained	20.12.1	Minimum payment for incidents	Opposed	Retained firefighters who attend an incident, hazard reduction or unit training will be entitled to receive a minimum payment of two hours (increased from the current entitlement of one hour).
Allowances				
Permanent Retained	21.2.8 & Sch 2 (Table 1, Item 11) 84.1.3 & Sch 1 (Table 3 Item 8)	General Land Rescue (GLR) allowance	Opposed	Permanent: \$62.45 per week, plus 6% each year ¹ .
Permanent	21.2	Entitlement to various allowances	Opposed	Currently, the rescue allowance (now GLR), Hazmat, Major Aerial and Minor Aerial allowances are only payable for a firefighter who has the relevant qualification and is attached to a fire station with the relevant equipment. This is sought to be varied to those allowances being true qualification allowances that will be payable to all employees who hold the qualification regardless of where they are stationed.

¹ There is an error in the proposed Retained Award – the allowance should be an identical amount to that in the proposed Permanent Award.

Permanent Retained	20.2.11 & Sch 2 (Table 1, Item 21) 84.1.4 & Sch 1 (Table 3, Item 9)	In-water rescue allowance	Opposed	Permanent: \$17 per week, plus 6% each year ² .
Permanent Retained	20.2.12 & Sch 2 (Table 1, Item 22) 84.1.5 & Sch 1 (Table 3, Item 10)	Land based flood rescue allowance	Opposed	Permanent: \$17 per week, plus 6% each year ³ .
Permanent	20.2.13 & Sch 2 (Table 1, Item 23)	Vertical rescue allowance	Opposed	\$17 per week, plus 6% each year.
Permanent	20.2.14 & Sch 2 (Table 1, Item 24)	Urban Search and Rescue (USAR) allowance	Opposed	\$17 per week, plus 6% each year.

² There is an error in the proposed Retained Award – the allowance should be an identical amount to that in the proposed Permanent Award.

³ There is an error in the proposed Retained Award – the allowance should be an identical amount to that in the proposed Permanent Award.

Permanent	21.2.15 & Sch 2 (Table 1, Item 25)	Trench rescue allowance	Opposed	\$17 per week, plus 6% each year.
Permanent	21.2.17 & Sch 2 (Table 1, Item 26)	Hazmat servicing allowance	Opposed	\$17 per week, plus 6% each year.
Permanent	21.2.18	Greater Sydney allowance	Opposed	Allowance is payable per shift worked or when on paid leave to each employee attached to a station based position within the Greater Sydney Area of 2% of the employees' rate of pay.
Permanent	21.2.19 & Sch 2 (Table 1, Item 27)	Partial structure collapse allowance	Opposed	\$17 per week, plus 6% each year.
Permanent	21.2.20 & Sch 2 (Table 1, Item 28)	Large animal rescue allowance	Opposed	\$17 per week, plus 6% each year.
Permanent Retained	21.2.1 & Sch 2 (Table 1, Item 29)	Compressed Air Foam System Pumper (CAFS) allowance	Opposed	\$17 per week, plus 6% each year.

Permanent Retained	21.2.22 & Sch 2 (Table 1, Item 30) 21.9 & Sch 1, (Table 3, Item 13)	Remote Piloted Aircraft System (RPAS) allowance	Not agreed	Permanent: \$17 per week, plus 6% each year ⁴ .
Permanent	21.2.23	Bushfire officer allowance	Not agreed	\$17 per week, plus 6% each year.
Permanent	91.8	Station relocation redeployment allowance	Not agreed	An employee directed to work from a temporary work location or whose current work location is subject to any development will be entitled to a: <ul style="list-style-type: none"> a. disturbance allowance of \$28.10 per week, plus 6% each year (Sch 2 (Sch 2, Table 1, Item 32)); b. kilometre allowance of \$1.53/km, plus 6% each year, for all kilometres between the previous permanent work location and the temporary work location (Sch 2, Table 1, Item 2); and c. if directed to work permanently from the new work location, \$1.53/km for a period of 12 months (Sch 2, Table 1, Item 2).
Permanent	92 & Sch 2 (Table 1, Item 33)	Certificate IV (Training and Assessment)	Opposed	An employee appointed to an Instructor and/or Training Staff role who holds a Certificate IV (Training and Assessment) will:

⁴ There is an error in the proposed Retained Award – the allowance should be an identical amount to that in the proposed Permanent Award.

				have the cost of that qualification reimbursed; and be paid an allowance for holding this qualification (\$17 per week, plus 6% each year in line with salary increases).
Permanent	94 & Sch 2 (Table 1, Item 35)	Driving instructor allowance	Opposed	<p>Employees appointed to a role in Driver Training and Assessment will be:</p> <ul style="list-style-type: none"> a. provided with the opportunity to obtain a Certificate IV in Heavy Vehicle Driving Instruction; b. reimbursed if they already hold a Certificate IV in Heavy Vehicle Driving Instruction or equivalent on entry into such a position; and c. paid a Driving Instructor Allowance for holding this qualification of \$17 per week, plus 6% each year in line with salary increases.
Permanent	99	Fire investigation allowance	Opposed	Firefighters employed in fire investigation will be entitled to an all purpose allowance of 4.5% of their rate of pay, including the relevant qualification allowances and the additional amount payable in accordance with cl.65 for occupying a non-station based role (along with any other payment which form part of their salary, or are payable for all purposes).
Permanent	105	Fire safety qualification allowance	Opposed	Those who work in fire safety will be entitled to an all purpose allowance of 4.5% of their rate of pay, including the relevant qualification allowances and the additional amount payable in accordance with cl.65 for occupying a non-station based role (along with any

				other payment which form part of their salary, or are payable for all purposes).
Permanent	112	Communication allowance for Trainers / Instructors	Opposed	<p>Employees engaged as Trainers or Instructors who, amongst other things, train communications officers, will be entitled to:</p> <ul style="list-style-type: none"> a. the applicable allowance payable to communications officers in cl.111: <ul style="list-style-type: none"> i. Non-Officers: \$206.91 per week; ii. Officers: \$224.35 per week; and iii. Senior Officers: \$261.60 per week. b. benefits provided to instructors at cls. 92 (Certificate IV Training and Assessment) and 93 (Diploma of Training and Assessment).
Retained	26.2	Mixed station meal allowance	Opposed	Various meal allowances in cl.26 to extend to staff at mixed stations (i.e. one where both permanent and retained firefighters are attached to the station).
Retained	82 & Sch 1 (Table 3, Items 5-& 6)	Retained Officer allowance	Opposed	<p>Station management allowance: \$19.06 per week, plus 6% each year.</p> <p>Station commander allowance: \$29.20 per week, plus 6% each year.</p>
Consultation and facilitation				
Permanent	4 & 5	Area Incidence & Renegotiation	3 year award not opposed. Otherwise, not agreed.	The FBEU seeks a 3-year award and renegotiations to commence within nine months of the nominal expiry date.

Permanent	8	Objectives	Not agreed	The FBEU is seeking the inclusion of a clause setting out the broad objectives of the Permanent Award, principally being to work harmoniously to deliver a professional service via a motivated workforce.
Permanent	10 and 12-15	Consultation, MOUs, Legislation and Reform, Technological Change and Policies	Opposed	<p>Clause 10 retains the existing consultation clause, which was developed as part of a collaborative process between the parties.</p> <p>The FBEU seeks the inclusion of specific clauses requiring consultation with the union where:</p> <ul style="list-style-type: none"> a. per cl.12, FRNSW enters into MOUs or interstate agreements; b. per cl.13, changes are proposed arising from legislative reform; c. per cl.14, technological change is proposed; and d. per cl.15, policies external to the award are sought to be changed.
Leave				
Permanent	44	Compassionate leave	Opposed	Increases the current entitlement to compassionate leave from two days to four days.
Permanent	51	Special leave for union activities	Not agreed	Expansion of union activities that will attract special leave, namely, interstate firefighters' union conferences, May Day and Regional Trades Hall meetings and conferences.

Permanent	52	Military leave	Opposed	Provision of military leave to firefighters who are members of the Australian Defence Force Reserves.
Permanent Retained	53 48	Councillor's leave	Opposed	Permit employees who are elected to Local Government as Councillors to be granted paid leave for attendance at meetings, conferences and other activities associated with their duties as a Councillor
Permanent	54	Therapeutic medical donation leave	Opposed	Provision of blood donation leave and bone marrow donation leave.
Permanent	55	Union leave	Opposed	This clause permits an employee to be granted a leave of absence without pay during any period that they occupy a full-time office of the FBEU and, upon vacating office, to resume duty with FRNSW. The clause also contemplates arrangements between the FBEU and FRNSW regarding the accrual of leave and payment of superannuation, amongst other things.
Permanent	56	Jury duty leave	Opposed	Permits FRNSW employees that have been called for jury duty to be released without loss of pay for the period of jury duty.
Permanent Retained	57 51	Pressing necessity leave	Opposed	Leave of absence of up 4 days on full pay at the discretion of FRNSW. The intention of the clause is to provide an entitlement for employees to request leave in particular unique circumstances that are not covered by other leave types
Permanent Retained	58 52	Cultural and ceremonial leave	Opposed	Allows employees leave to observe days of religious or cultural significance by accessing their own

				accrued leave for example long service leave, consolidated leave or some other leave type.
Permanent	59	Study leave	Opposed	Permits employees to be granted study leave for courses approved by FRNSW.
Permanent	60	ANZAC Day leave	Opposed	Employees who are a current or former service person to be granted leave of absence when participating in an ANZAC Day march or service without loss of pay
Permanent	61	Leave for official FRNSW events	Opposed	Permits employees being released from duty to attend important events such as graduation or award ceremonies.
Other claims				
Permanent	3.5	Deletion of clause 3.5	Opposed	Clause 3.5 of the current Permanent Award excludes Executive Officers from the application of various clauses including overtime rates and transfer notice obligations.
Permanent	21.6	Licence reimbursement	Opposed	Entitles firefighters who obtain a Heavy Rigid licence and use same in the course of their work to reimbursement for the costs of obtaining it.
Permanent	21.7	Childcare reimbursement	Opposed	Requires FRNSW to reimburse firefighters who, as a result of being recalled to work overtime or otherwise required to work outside of their normal hours, incur childcare costs.
Permanent	26 & Sch 2 (Table 2, Item 11)	Travelling compensation	Opposed	Clause 26, and correspondingly Items 1 and 11 of Table 2 in Schedule 2, have been amended to: a. increase the kilometre rate payable to:

				<ul style="list-style-type: none"> i. 136.33c/km for engine capacity of 2601cc and over; ii. 125.96c/km for engine capacity of 1601cc and over; and iii. 90.99c/km for engine capacity under 1601cc, plus 6% each year. <p>b. at cl.26.7, address an issue arising where an employee is required to travel that has caused ongoing disputation about travel cost reimbursement (i.e. whether public transport was '<i>reasonably available</i>').</p>
Permanent	34.6.3 & Sch 2 (Table 2, Item 7) 34.6.10	Intrastate, interstate and international deployments	Not agreed	<p>Where an employee is not provided with accommodation that meets the standard prescribed in subclause 34.6.1, and that is not indoors and has no private (personal to that employees use) sleeping and bathroom facilities, the employee will receive an additional accommodation allowance based on location as set out at Item 7 of Table 2 of Schedule 2. In this instance, the employee will receive double the relevant allowance amount.</p> <p>Provision of the same entitlements in cl.34 for members of the Disaster Assistance Response Team (DART), noting they are required to train domestically and overseas in the same conditions as if they were deployed.</p>
Permanent	35	Rest and recline	Opposed	The FBEU seeks that:

				<ul style="list-style-type: none"> a. employees on duty between the hours of 10.00pm and 6.00am shall be permitted to sleep where there is no emergency response work to be done, and that employees will not be unnecessarily disturbed during these hours; and b. FRNSW will provide a bed and mattress for each firefighter on duty to allow them to rest and recline during these hours.
Permanent	63.9	Senior Firefighter to Station Officer promotional pathway	Opposed	Outlines the eligibility requirements, pre-qualifying assessments and promotional pathways available to employees seeking to attain the rank of Station Officer.
Permanent	77	Merit selection process disputes panel	Opposed	Establishment of a panel to review and assess all disputes from unsuccessful candidates for any merit selection process applying to employees covered under the Permanent Award.
Permanent	78	Health and safety in the workplace	Not agreed	<p>This clause:</p> <ul style="list-style-type: none"> a. provides HSRs with access to, at a minimum, computers, email, telephones, notice boards and meeting rooms; b. permits HSRs to be trained by FBEU approved training organisations and attend FBEU training courses; and c. implements a WHS Communication Consultation and Engagement Policy within six months of certification via a joint work group of FBEU and FRNSW representatives.

Permanent	79	Rehabilitation and hygiene units	Opposed	Requires FRNSW to implement rehabilitation/hygiene units to contribute to a safe system of work, which would be staffed by a minimum of two station-based firefighters. The equipment would include an agreed appliance, one tent, six cooling chairs and one misting fan.
Permanent	80	Health of employees	Opposed	This clause expands the current list of recognised occupational cancers that affect firefighters.
Permanent	81	Registry of attended calls and exposures	Opposed	Requires FRNSW to maintain a register of employees' exposure to any hazardous materials, chemicals or other hazards.
Permanent Retained	82 72	Health and fitness	Opposed	Provision of minimum appropriate gym facilities at all fire stations and \$250.00 sports voucher.
Permanent	83	Water for training	Not agreed	All training and skills maintenance will only be undertaken using potable standard water, unless otherwise agreed.
Permanent	84	Health screening	Not agreed	The current Health Screening program is currently operating as a 36-month trial. In recognition of the success to date of the program, the FBEU seeks amendments to implement the screening process permanently at its conclusion unless otherwise agreed between the parties.
Permanent	86	Clothes washing and drying facility	Opposed	Provision of washing machines and drying facilities at work.

Permanent	93 & Sch 2 (Table 1, Item 34)	Diploma of Training and Assessment	Opposed	<p>This clause:</p> <ul style="list-style-type: none"> a. permits all employees appointed to an Instructor and/or Training Staff role to undertake further studies in the Diploma of Training and Assessment or equivalent with all associated costs and leave met by FRNSW; b. reimburses employees who already hold a Diploma of Training and Assessment or equivalent on entry into such a position; and c. requires payment of an allowance for holding for holding this qualification in the amount of \$26 per week, plus 6% each year.
Permanent	95	Toll reimbursement (Emergency Services Academy)	Opposed	Toll reimbursement for instructors and training staff required to attend the Emergency Services Academy based at 1/5 Distribution Drive, Orchard Hills.
Permanent	100 & 107	Toll reimbursement (Fire Investigation and Fire Safety)	Opposed	Toll reimbursement for employees who work in Fire Investigation and Fire Safety.
Permanent	101	Fire investigation vehicles	Opposed	In consultation with FRNSW, agreement to be reached regarding the specifications for a purpose-built vehicle for Fire Investigators and Canine Handlers that will be issued to all employees in a Fire Investigation role.

Permanent	117	Additional hours (Superintendent or Chief Superintendent)	Opposed	Instead of being entitled to time off in lieu, a Superintendent or Chief Superintendent will be paid for additional hours in accordance with clauses 30 (Overtime), 32 (On Call/Availability Allowance) and 33 (After Hours Disturbance Allowance).
Permanent	119	Executive Officer vehicles	Opposed	Provision of appropriately equipped and fully maintained Emergency Response Vehicles for personal and work-related purposes.
Retained	21.10.1	Heavy Rigid licence reimbursement	Opposed	This clause ensures that all employees will: <ul style="list-style-type: none"> a. be provided with a Heavy Rigid Licence upon becoming employed by FRNSW; b. have the cost of obtaining this licence reimbursed; or c. have all costs associated with obtaining any other type of licence required to be held by FRNSW reimbursed.
Retained	20.10	Unit Trainer make-up drills	Opposed	Entitles Unit Trainers (who are ordinarily entitled to payment at the rate of Captain) to payment to at the Captain pay rate when delivering make-up drills. Regular drills and make-up drills cover the same content and require the same preparation.
Retained	20.14.1	Direction to work	Opposed	Entitles a retained firefighter who has not declared their availability and is directed to attend the station, and/or perform any duties during the period of minimum staffing being maintained, to regular payment.

Retained	20.15.3	Increased authorised duties hours	Opposed	<p>Increases a retained station's authorised duties:</p> <ul style="list-style-type: none"> a. from 26 to 36 hours per month of station-based duties; b. from 16 to 24 hours per year of attendance at station open days and local shows; and c. in the case of any and all other authorised duties: <ul style="list-style-type: none"> i. from 19 to 24 hours per month if attending more than 100 but less than 200 incidents per year; and ii. to 30 hours per month if attending 200 or more incidents per year.
Retained	20.20	Payment for availability	Not agreed	<p>Applies to stations which attend under 70 calls per calendar year and introduces a series of allowances which are tied to the amount of availability retained firefighters provide. In particular:</p> <ul style="list-style-type: none"> a. 120 or more hours: \$67.39, plus 6% each year b. 96 hours or more, but less than 120 hours: \$33.70, plus 6% each year; and c. 60 hours or more, but less than 96 hours: \$16.85, plus 6% each year.
Retained	25.2.4	Private vehicle usage	Opposed	<p>Provides that pre-approval is not necessary for a retained firefighter to use a private vehicle for the purpose of work. It also ensures that if FRNSW want to require an employee to use a non-private vehicle, they must request that staff do so</p>

Retained	28, 55 and 56	Higher duties, Classifications & Progression and Promotion	Opposed	<p>Amendments to clauses 28 and 56 to introduce a 24-month (2 year) minimum service requirement to act up as Deputy Captain, and a 48-month (4 year) minimum service requirement to act up as Captain.</p> <p>Clause 56 adds in educational requirements for firefighters promoted to Deputy Captain or Captain. Those requirements are then replicated in the classification structure in Clause 55.</p> <p>The changes would also require FRNSW to provide those employees with an opportunity to obtain that qualification and broaden their knowledge and skills.</p>
Retained	29.3	Retained relief duties system	Opposed	<p>Requires the creation of a working party between FRNSW and the FBEU to meet and discuss a system to fairly allocate relief duties for retained firefighters. When a retained firefighter is provided with the opportunity to perform relief, it is paid at overtime rates.</p>
Retained	30.1.3	Make up drills	Not agreed	<p>The 2023 Award required the FBEU and FRNSW to create a working party to determine the wording that should apply to make-up drills. Make-up drills are drills that are conducted outside of 'regular' station drills, to be utilised by retained firefighters who were unable to make the regular drill due to work commitments, caring commitments, health issues and the like.</p> <p>The wording of this clause was determined by and agreed unanimously by the working party. Inserting the clause will give appropriate effect to the working party's efforts and the parties' agreed outcome.</p>

Retained	31.7	Cancellation payment	Opposed	Where FRNSW organises any employee to attend a deployment of over 48 hours, and the deployment is cancelled or altered to be less than 48 hours prior to the employee arriving at the major emergency location, FRNSW will pay the employee the total amount they would have earned for the first day of the deployment had it continued.
Retained	36, 37, 39 and 43	Leave generally, annual leave, long service leave and sick leave	Opposed	<p>Clause 36.1 involves a change in the rate of pay for leave. It will have the effect of leave being paid at the firefighter's ordinary single time hourly pay rate. This will apply to all leave types including Clause 37 – Annual Leave, Clause 39 – Long Service Leave and Clause 43 – Sick Leave.</p> <p>Clause 36.2 introduces changes to the accrual and deduction of leave for firefighters. It will standardise it such that leave is accrued and deducted (when taken) based on a 7-hour day. This will replace the current deduction of 5.43 hours.</p>
Retained	38	Compassionate leave	Opposed	Increases the number of days of compassionate leave available from two to four days.
Retained	54	Leave without pay	Opposed	Introduces an entitlement to leave without pay when an employee's annual leave balance has been exhausted for a maximum of two years.
Retained	56.2.2	Recruit Firefighter to Firefighter pathway	Opposed	A firefighter who does not progress to firefighter within a reasonable timeframe ' <i>may</i> ', as opposed to ' <i>will</i> ' (as currently drafted), be terminated.

Retained	56.5 Sch 6	Retained to Permanent pathway	Opposed	In the 2023 Award, the parties agreed to create a working party to develop a recruitment pathway to promote retained firefighters to permanent. The working group developed an agreed strategy moving forward, which is inserted into the Schedule of the Retained Award.
Retained	59.3	Meal and refreshment allowances during training programs	Opposed	Entitles employees who attend a whole day training program to claim a meal allowance (where lunch is not provided) or a refreshment allowance (if morning or afternoon tea is not provided).
Retained	61	Court attendance	Opposed	Ensures that access to this entitlement will extend to the NSW Industrial Court.
Retained	84	Training and allowances (Rescue Operations)	Opposed	The clause will provide: <ul style="list-style-type: none"> a. all employees who are stationed at a Road Crash Rescue or General Land Rescue accredited retained station with an opportunity to become suitably qualified to achieve the training requirements with the State Rescue Board as a Rescue Operator; and b. various allowances to employees who have become accredited State Rescue Board Rescue Operators in Road Crash Rescue, General Land Rescue, In-Water Flood Rescue and Land Based Flood Rescue qualifications, as set out above.

Retained	86 & Sch 1 (Table 3, Item 11)	Training and allowances (Hazmat Operations)	Opposed	All employees stationed at a Hazmat appliance station will be: a. offered the opportunity to become qualified as a Hazmat operator; and b. paid an allowance for holding this qualification of \$143.75 per week ⁵ , plus 6% each year.
Retained	Sch 4	Galatea issuing	Opposed	Changes the current clause from providing galatea (FRNSW's ceremonial dress uniform jacket) 'as needed' to 'on request'.

FRNSW Statement of Issues

Award	Clause	Claim	FBEU position	Summary
<i>Wages and Allowances</i>				
Permanent Retained	14.4 13.2	Rates of pay	Opposed	3% increase from the first full pay period on or after 26 February 2024. 3% increase from the first full pay period on or after 26 February 2025. 3% increase from the first full pay period on or after 26 February 2026.

⁵ There is an error in the proposed Retained Award – the allowance should be an identical amount to that in the proposed Permanent Award.

Permanent	18.3.1.2	Meals and refreshments	Opposed	Limits eligibility to a Meal Allowance (during overtime) to an employee who works overtime which does not involve attendance at an incident 'and is not a recall for the purpose of maintaining required staffing levels'.
Permanent	20.8.1	Travelling Compensation: Claims	Opposed	Requirement that claims 'must' be submitted promptly.
Consultation and Facilitation				
Permanent Retained	7 6	Definitions - Competency	Opposed	Removal of the words 'following consultation between the Department and the Union' from the definition of Competency.
Permanent	7	Definitions	Opposed	Inclusion of a definition for 'maintaining required staffing levels'.
Permanent Retained	9, Sch 5 8, Sch 5	Consultation	Opposed	Revision of the consultation clause to narrow the scope of the matters the Commissioner and/or FRNSW is required to consult on to 'change that will significantly affect the majority of employees covered by the Award'. Requires the Union to follow the dispute procedure set out at clause 10 if there is a dispute regarding a decision to be implemented.
Permanent Retained	10 9	Climate	Opposed	Removal of clause.
Permanent Retained	11.2; 11.2.1 – 11.2.4 10	Dispute Procedure	Opposed	Removal of status quo where a dispute has been notified. Removal of requirement on the Commissioner to provide a progress report in relation to Step One – Step Three (inclusive).

				Inclusion of clause requiring normal work and the conditions under which work is performed, prior to the notification of the dispute, to continue while the dispute resolution procedures are continuing, unless otherwise agreed between the parties.
Permanent Retained	12 11	No Extra Claims	Opposed	Inclusion of new no extra claims clause for the duration of the nominal term of the Award.
Permanent	25.22	Relieving Provisions	Opposed	Removal of the requirement on the Commissioner to conduct a review of the models of relief in both metropolitan and regional operations in accordance with clause 9 of the Award. Also removes obligation on the Commissioner to not make any changes in relation to the operation of the clause without agreement with the Union.
Permanent	29.3	Transferred Employee's Compensation	Opposed	Removal of the requirement on the Commissioner to reach agreement with the Union to vary the Standing Orders in relation to transfer procedures.
Permanent Retained	32.3.4, 32.4 and 32.5.1 27.2 and 27.3.1	Safe Staffing and Systems of Work	Opposed	Removal of the requirement on the Commissioner to consult with the Union: <ul style="list-style-type: none"> • on the Commissioner's advertisement for recruitment/promotion (Permanent only); • on the current total minimum established numbers for Firefighters, Station Officers and Inspectors for Station Based positions (Permanent only); • as to the deployment of any additional employees and/or positions.

				Removal of the restriction on the Commissioner to not change the response protocols in place unless consultation and agreement has been reached with the Union.
Permanent	33.8	Medical First Responder Program	Opposed	Removal of the requirement on the Commissioner to only implement a Medical First Responder Program (MFR) by agreement following consideration of the recommendation by the MFR working party.
Permanent	29.3	Transferred Employee's Compensation	Opposed	Removal of the requirement for the Department and Union to agree to any variation of the procedures.
Permanent	38.15.1	Parental Leave: Lactation Policy	Opposed	Removal of the requirement on the Commissioner to consult on a Lactation and Work Policy via the Consultation process prescribed at clause 9.
Permanent Retained	43.1 39.1	Classifications	Opposed	Removal of the requirement on the Commissioner to consult on an employee's opportunity to complete and hold all the qualifications and competencies for the rank in accordance with clause 9 (clause 8 in the Retained Award).
Permanent	43.4	Classifications	Opposed	Removal of requirement for the Training Subcommittee to develop an agreed framework which specifies the specific qualifications and competencies for each rank.
Permanent	44.6.3, 44.7, 44.8.3, 44.9, 44.10, and 44.11	Progression and Promotion	Opposed	Removal of requirement on the Commissioner to consult with the Union in accordance with clause 9 of the Award in relation to: <ul style="list-style-type: none"> the tests undertaken by applicants for the Leading Firefighter Program;

				<ul style="list-style-type: none"> the merit selection process for promotion from Leading Firefighter to Station Officer, Station Officer to Leading Station Officer, Leading Station Officer to Inspector and Inspector to Superintendent and Inspector or Superintendent to Chief Superintendent.
Permanent	44.12	General Provisions	Opposed	<p>Amendments to reflect that FRNSW/the Commissioner may:</p> <p>vary the minimum periods of service for each rank;</p> <p>vary the qualifications, training or training competencies on the advice of the Training Subcommittee</p>
Permanent	44.14.3, 44.14.5 and 44.14.6	New Promotional Pathways	Opposed	<p>Removal of requirement on the Commissioner to develop and implement new promotional pathways in accordance with the consultative arrangements in the Award.</p> <p>Removal of reference to the Joint Consultative Committee and the Committee's functions.</p>
Permanent	46.4.1 and 46.4.4	Non-Station Based Roles	Opposed	<p>Removal of requirement on Commissioner to consult with the Union in accordance with clause 9 on:</p> <p>the merit process for selection to Non-Station Based Roles;</p> <p>position descriptions for all Non-Station Based positions.</p>
Permanent	46.5	Additional Non-Station Based Positions	Opposed	Removal of clause.

Permanent	46.6	Additional Alternate Duties Provision	Opposed	Removal of clause.
Permanent Retained	47.1 42	Training and Staff Development	Opposed	Removal of requirement on the Commissioner to consult with the Union under clause 9 (clause 8 in the Retained Award) as to the training to be completed by employees to maintain their skills and improve the productivity and efficiency of the Departments operations.
Permanent Retained	59.3 and 59.4 53.3 and 53.4	Personal Protective Clothing and Equipment and Uniforms	Opposed	Removal of requirement on the Commissioner to consult with the Union under clause 9 (clause 8 in the Retained Award) before introducing: <ul style="list-style-type: none"> • new personal protective equipment (PPE) or personal protective clothing (PPC), or changing any existing PPE or PPC or uniforms; and • training in relation to new PPE/PPC or uniforms.
Permanent Retained	62 56	Vehicles, Appliances and Equipment	Opposed	Removal of clause.
Permanent Retained	64 58	Station Design, Infrastructure and Amenities	Opposed	Removal of clause.
Permanent	65.2, 65.4 and 65.5	Station Relocation,	Opposed	Removal of requirement on the Commissioner to consult with the Union under clause 9 in relation to all

		Redevelopments and Renovations		<p>aspects of any station/work location relocation, redevelopment and renovation.</p> <p>Removal of the Fire Station Relocation, redevelopment and/or renovation additional consultation process.</p>
Retained	59.2, 59.3, 59.4 and 59.6	Station Relocation, Redevelopments and Renovations	Opposed	<p>Removal of requirement on the Commissioner to:</p> <ul style="list-style-type: none"> • consult with the Union under clause 8 in relation to all aspects of any station/work location relocation, redevelopment and renovation; • agree to a temporary station location with the Union. <p>Removal of the Fire Station Relocation, redevelopment and/or renovation additional consultation process.</p> <p>Removal of the requirement on the Commissioner to provide reasons for the proposed relocation, redevelopment and/or renovation.</p> <p>Removal of the requirement on the Commissioner to arrange an inspection prior to the occupation of any redevelopment, renovated, temporary and/or permanently relocated facilities.</p>
Permanent	68.1	Safe Staffing and Systems of Work	Opposed	<p>Removal of requirement on the Commissioner to consult with the Union in accordance with clause 9 as to the minimum safe staffing members and instructor ratios for each training program delivered by FRNSW.</p>

Retained	60.1.1	Safe Staffing and Systems of Work	Opposed	Removal of requirement on the Commissioner to agree with the Union before Stations are able to request a second Deputy Captain if the administrative or operational workload is high enough.
Permanent	71	Safe Staffing and Systems of Work	Opposed	Removal of requirement on the Commissioner to consult with the Union in accordance with clause 9 as to the minimum safe staffing numbers for the Fire Investigation and Research Unit.
Permanent	75.1	Safe Staffing and Systems of Work	Opposed	Removal of requirement on the Commissioner to consult with the Union in accordance with clause 9 as to the minimum safe staffing numbers for the Fire Safety Department.
Permanent	80.1 and 80.3	Safe Staffing and Systems of Work	Opposed	Removal of requirement on the Commissioner to consult with the Union in accordance with clause 9 as to the minimum safe staffing numbers for Communications Centres. Removal of requirement on the Commissioner to investigate and consult with the Union in accordance with clause 9 as to the appropriate relief models for Communications.
Death and Disability	4.3	Health Screening	Opposed	Removal of requirement on the Commisisoner to consult in accordance with clause 9 in the Permanent Award and clause 8 in the Retained Award in respect of the clauses in each respective award in relation to the Health Screening Program.
<i>Other Claims</i>				

Permanent	23.6	Higher Duties	Opposed	Permits Commissioner to direct Leading Firefighters and Leading Station Officer's attached to a work location and/or fire station within outside the Greater Sydney Area to perform higher duties in the circumstances described in subclauses 23.2, 23.3 and 23.4
Permanent	26	Intrastate, Interstate and International Deployments	Opposed	Amends clause so that it also applies to 'intrastate' deployments.
Permanent	46.4.12	Ad Hoc ComSafe Duties	Opposed	Removal of clause.
Permanent	57	Country Relief	Opposed	Removal of clause.
Retained	25.2	Transfers	Opposed	Replace 'minimum' with 'maximum'.