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Mr Leighton Drury  
State Secretary  
Fire Brigades Employees' Union  
1-7 Belmore Street  
Surry Hills NSW 2010

14 June 2023

Dear Mr Drury,

**RE: 2023 Awards**

I refer to the applications for the 2023 Firefighting Staff Awards, which are next listed for conciliation before Commissioner McDonald in the Industrial Relations Commission ("the Commission") on 15 June 2023.

As you are aware, the awards nominally expired on 25 February 2023. Fire and Rescue NSW (FRNSW) has repeatedly sought that applications be resolved as soon as possible, so not to delay firefighters receiving any pay increases.

Despite this, and in good faith, FRNSW has engaged in discussions with the Fire Brigade Employees Union (FBEU), including participating in three conciliation conferences with the assistance of the Commission.

FRNSW has provided the FBEU with the following on a without prejudice basis:

1. a draft consultation clause establishing a Joint Consultative Committee (JCC),
2. a draft clause 12a deployments,
3. a draft clause 27 notice of transfer,
4. a draft clause 7 higher duties,
5. a draft clause 13.7 senior firefighter to leading firefighter (station officer qualified),

6. a draft clause 13.8 leading firefighter (station officer qualified) to station officer,
7. a draft clause 13.9 station officer to leading station officer,
8. three revisions of a draft clause 13.10 leading station officer (inspector qualified) to inspector, and
9. a draft Commissioner's Order – GSA Inspector's Register.

FRNSW has received no confirmation whether any of these are accepted by the FBEU.

Further, on 6 June 2023, you wrote to the Hon. Sophie Cotsis, MP, Minister for Industrial Relations and Minister for Work Health and Safety. In that letter you advised that a "minimum" to any resolution of award negotiations includes full and proper consultation provisions and the implementation of a less punitive health screening program, which includes screening for occupational cancer and PFAS. The FBEU has provided no indication to FRNSW or the Commission that these are matters that may be resolved between the parties.

Given the above, FRNSW is concerned that there does not appear to be any utility in ongoing conciliation. FRNSW is also concerned that in the event the award applications cannot be resolved through conciliation, an arbitration may take some months to finalise, which will further delay firefighters receiving a pay increase.

Unless the FBEU can advise whether and how a resolution can be reached in relation to its award claims, FRNSW will seek that the matter be relisted before Chief Commissioner Constant to be timetabled for arbitration.

FRNSW will raise these matters at the conciliation before Commissioner McDonald on 15 June 2023.

Yours sincerely



**Brendan Cox**  
**Chief Superintendent**  
**Workforce Relations, Planning & Analytics**