



# 2022 April SGM

## April 2022 Special General Meeting Agenda

### 1. Fix our Fire Service campaign

“This special general meeting of members notes: the report provided by the State Secretary regarding our ‘Fix our Fire Service’ campaign and recent by-election activities and the consequent results; and notes the next Federal Election is to be held within eight (8) weeks; and endorses continued activity to achieve outcomes for members consistent with the Fix our Fire Service campaign, and that those activities include:

1. increasing the net take home pay for both Retained and Permanent members; and
2. advocating for a national regulatory authority for professional firefighters; and

endorses support for members who are running for elected office as per Union rule 5.6. “to secure the election of working-class representatives in Parliament.”

**State Committee Recommendation: SUPPORT**

### 2. Firefighters lack confidence in Commissioner Baxter

“This general meeting of members notes the report from the State Secretary on the numerous failings as detailed in Eight (8) Sub Branch resolutions and hereby resolves that if Commissioner Baxter does not inform all staff via email and by 22 April 2022 that:

- the so-called ‘plus plan’ initiative is suspended and a joint FBEU/FRNSW review to occur with deliverables important to FBEU members to be identified and then implementation of those to be continued; and
- a review of recent increases in non-frontline personnel will begin and take place over no more than 16 weeks, with reference to increases in non-operational and non-frontline roles such as but not limited to the Operational Assurance team; and
- this review will specifically detail the expenditure caused by this sort of non-frontline increase and will be undertaken with full consultation with the FBEU, with the full review report provided to the FBEU no later than one week after its finalisation (ie 17 weeks from the email);
- the dangerous 2019/20 In Order which FRNSW contested in the IRC to allow FRNSW to take an extra 30 stations offline and for appliances to turn out with two firefighters to be scrapped;
- a strategic plan for new (additional) stations both permanent and retained will be released within 12 months of the date of this motion, with no diminution of existing staffing or station closures, and this plan be released to the FBEU and then the public;

- A baseline of standardised amenities for FBEU members work locations to be created by FRNSW in conjunction with HSR's and the FBEU and released to the membership within 3 months;
- a full audit of all FRNSW firefighter amenities will be undertaken, completed and released to the FBEU no later than 12 months from the date of this motion;
- a fleet replacement program will be undertaken, completed, and funded by government from additional funds with no reduction in existing staffing profile within 12 months of the date of this motion to ensure that FBEU members have the best and safest vehicles to work with, noting our increasingly aged, decrepit or inadequate fleet;

The State Secretary is to inform the Premier, Deputy Premier and Emergency Services Minister and their respective Shadow Ministers that FBEU Members have lost confidence in Commissioner Baxter to advocate on our behalf and the communities we serve and that a replacement who will act in the best interests of NSW resident and firefighters be found who will advocate for the fire service NSW needs.

**State Committee Recommendation: SUPPORT**

**3. Request for funding of further legal advice by Rule 11.4.(ii)**

That this meeting note that Pro-choice Firefighters represent a group of dedicated firefighters who, like all firefighters, consider the needs of the community without reservation and who often risk their own health and safety, but are very concerned that some colleagues have suffered and may in the future suffer adverse reactions, and ongoing health complications from COVID-19 vaccines;

And that this meeting notes that FRNSW's "COVID-19 Vaccination Requirements Policy" (Policy) creates the greatest challenge our service has ever encountered, with devastating consequences on the careers of many firefighters who are at risk of losing their jobs;

And that this meeting note that the Policy is fundamentally flawed because it does not achieve its stated purpose to provide a COVID safe work environment and maintain capability and capacity for service delivery;

And that this meeting notes that because of the above matters, a second legal opinion should be obtained on behalf of firefighters affected by the Policy, which legal opinion will seek to address whether FRNSW failed to consider current circumstances such as:

- The current medical evidence which states that vaccination does not prevent transmission of COVID-19, and
- The availability and successful implementation of Rapid Antigen Testing for firefighters, which does prevent transmission of COVID-19 in the workplace
- The removal of vaccine mandates for South Australia police and non-implementation in the Queensland Fire Service
- The reported community double vaccination rate of 93%
- The existing Level 1/2/3 Isolation, Engineering, PPE and Administrative controls that reasonably and adequately nullify the risk of COVID-19 transmission and contraction in the workplace
- The increasing availability and effectiveness of COVID-19 treatment option

And this meeting resolves that the FBEU fund a further legal advice capped at \$15,000 to consider if the Covid 19 Vaccination Policy:

- has breached relevant awards,
- is an unfair threat of dismissal,
- is an unreasonable requirement in the current circumstances,
- is otherwise an unreasonable or unlawful condition of employment;

And this meeting resolves that the legal advice be obtained by the one or more of S/O Morgan 5989, S/O Harry Fisher 7590 and S/F Daniel Spooner 7772 from one of the following barristers:

- Anthony Rogers
- Jaye Alderson
- Sebastian McIntosh
- Nick Furlan
- a barrister recommended by one of the above
- and from a solicitor who will brief the barrister.

And that this meeting resolves that the FBEU pay the invoices issued by the solicitor and barrister for the legal advice, within 14 days of the invoices being sent by email to the FBEU State Secretary by either S/O Morgan 5989, S/O Harry Fisher 7590 or S/F Daniel Spooner 7772.

**State Committee Recommendation: REJECT**

In Unity,



**Leighton Drury**  
**State Secretary**