



SitRep 27/2020

Bystander Engagement ban lifted

The Union was in the Industrial Relations Commission about concerns that the current rollout of Bystander Engagement Training contained a component addressing medical first response as well as not being the package that was agreed in principle by the Training Review Committee. While we remain concerned about the quality and cost of the training, I can confirm the ban on participating in the training is lifted.

The IRC has left it open for the Union to discuss the concerns about the quality of the training with FRNSW. We invite participants to provide their comments to office@fbeu.net.

FBEU intervenes in ‘threshold question’ of the wage freeze proceedings

As reported in the last SitRep, the IRC decided to contemplate the “threshold question” in the wage freeze dispute before dealing with the substantive Award determinations. This means that the full bench heard arguments from the Unions and the Government regarding whether or not it can order pay increases of less than 2.5% (including no increases).

The FBEU, along with other Unions, intervened in these proceedings on 18 June 2020. This was done through Unions NSW.

The Unions ran a strong case. One of the arguments put forward by the Unions is that it is unbalanced and incoherent that the IRC can award less than 2.5% but not more than 2.5%. The 2.5% figure was historically determined to be the midpoint of the Reserve Bank’s target range of inflation to maintain the real value of wages and as such the Unions argued it was a set rate and not an upper limit.

The government’s case relied on statutory interpretation principles, being that the regulation is clear and unambiguous.

The decision of the full bench will be handed down on 22 June 2020 with the Award hearings taking place on 24 and 25 of June 2020.

Medical Work

This week we took Health and Safety Representatives into the consultation meeting with questions dedicated to mental health and psychological impact of the proposed new medical work. FRNSW have taken these questions on notice and the Union expect them to consult seriously with HSRs. Mental health is of key concern to our membership and we were disappointed to hear FRNSW reciting the learnings from 30 year old research.

To date FRNSW have not developed a business case, sought key statistical information from NSW, or obtained advise on whether this additional work is within the boundaries of the award. Most alarmingly, FRNSW appear to have made firm commitments to limiting further training, peer support, and remuneration without conducting a Risk Assessment. The matter is due for report back to the IRC next week. More to come.



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Training for the new Aerial Pumpers

Members would be aware of the Department's upgrades to the fleet of Aerial Pumpers which will be initially rolled out to stations within Metro Zones that have a Minor Aerial. These appliances will feature a 25 metre ladder platform and CAFS delivery, which means that they are a completely new addition to Fire & Rescue's fleet.

While this provides members with a clear opportunity to improve their capacity to do our job and protect the public, this opportunity may be missed if we don't have the training and remuneration to support it. This change is being done with no Risk Assessment, no genuine consultation with impacted members and the Department not agreeing to train all staff at the affected stations. The first of these appliances is set to be delivered in the first week of July and we have serious reservations about the capacity of the Brigade to deliver the training in this timeframe.

Over the past four weeks there have been a series of Zoom meetings with members at impacted Stations and the members have voted to take action around this to fight for the training and qualifications to be extended to as many Firefighters as possible.

In accordance with the members direction, the FBEU have lodged a dispute around this with the IRC which will be heard late Friday afternoon and made numerous complaints to SafeWork which they have begun investigating. **SafeWork have indicated their serious concerns around a failure to properly consult and a lack of Risk Assessment.**

While a Risk Assessment may seem inconsequential to some it is crucial to delivering safer workplaces as it is the tool in which to identify issues in the first place and the New South Wales Workplace Health & Safety Act 2011 says that they have to be written in consultation with workers and Health & Safety Representatives.

We will be providing updates around this issue in the coming weeks, but if members would like to provide updates then please contact Organiser Max Murphy on 0408 617 217.

WHS Consultation Structure and other issues

The FBEU continues to support Health and Safety Representatives in negotiating a system for better consultation around all matters relating to WHS. We expect in the coming week or so to be able to announce the establishment of a committee which will facilitate HSRs active participation in discussion about safety at work.

We encourage HSRs who are not already actively involved in this space to get in touch with Emily Mayo of the FBEU emayo@fbeu.net 0491 281 795.

Again, I thank the HSRs who are currently working very hard to build a better system to tackle the significant WHS issues we all face.



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The FBEU is also about to enter into discussions about radios and their safety and will be meeting with management next week about the same.

Operations – FBEU Staff

The FBEU Team is currently putting in place a plan to get back into station visits and delegate training. We will continue to use Zoom. Delegate Training is set to kick off in July/August and Organisers will be on the road again at the same time. More to come.

Many of the FBEU Industrial staff remain working from home to avoid public transport and in line with best practise. Those with industrial enquiries are encouraged to use the online form on the FBEU website or office@fbeu.net – this helps us distribute all the issues coming into the office effectively and efficiently.

We will be testing our new membership system very soon and we are very optimistic about it delivering for staff and members. Our system is designed to be able to assist us in supporting individuals, collectives and the operations of the union.

Instruction to Members: Easing of COVID-19 Restrictions

With the easing of restrictions in NSW, the Union is issuing the following new instructions that replace the instructions of SitReps 13, 14, 15, 17 and 18 and Code Red instructions of March 13 and 18.

Training

- Resumption of face-to-face training
 - Maximum of 8 trainees and 1 Instructor at the Emergency Services Academy
 - Maximum of 6 trainees and 1 Instructor at a Fire Station
 - Safety protocols including correct PPC/PPE must be followed
 - 4 square metres per person and 1.5m social distancing rules apply
- Fitness Drills
 - Maximum of 6 firefighters
 - No multi-Station Fitness Drills
- Community Fire Unit Training can resume by the CFU team only

Operational

- PIPs can resume with the appropriate safety protocols and social distancing being enforced
- The Union is considering the options around Safety Visits and is continuing to discuss this matter with FRNSW
- Relieving can now commence from the Communication Centres

Medical

- Targeted drug and alcohol testing to resume



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- No random testing is to be conducted
- The Union is reviewing options for the Health Check Program. Members are reminded that they have 12 months to complete the Check

Other

- The special COVID-19 leave is still available for public sector employees <https://arp.nsw.gov.au/c2020-01-employment-arrangements-during-covid-19/>
- If you believe you meet the criteria of the leave, please contact an Industrial Officer. Please read the [FRNSW FAQ document](#) before you do so.

In Unity,

Leighton Drury
State Secretary