



SitRep 5

State Election wrap

FBEU members did a great job as part of the recent election campaign. We campaigned in key seats and made a significant impact everywhere we committed time and resources. We had conversations with voters on pre-poll and on election day. We ran a substantial radio and social media campaign, especially in the regional NSW.

Unfortunately, the Berejiklian Government, having made no real commitments to our jobs or services, remains in power. The FBEU can be very proud of the highly visible work we did in the campaign and now we will work to get the best outcomes we can for members and our communities with another Liberal National government.

We have learned a lot from playing our part in the campaign and we'll continue to build our campaigning capacity to win for ourselves and our communities. We know that our communities value us and the work that we do. We'll continue to talk in communities about the things that matter most to us in our jobs and services. With the support of communities we can win, regardless of the government, existing budget and policies. If you are keen to be more active in your Union and our collective campaigns to win speak with your SCOM rep.

May Day time – are you FIRED UP?

The FBEU is encouraging members, our families and friends to come along to May Day events in Newcastle, Wollongong and Sydney (*if you are participating in organised May Day events elsewhere please let us know*). RSVP to emayo@fbeu.net to make sure we reserve t-shirts for you and your family on (or hopefully, before!) the day. We'll also be hosting a small drinks gathering after each event - please register for catering purposes.

Newcastle	Wednesday May 1	12 noon at Civic Park
Wollongong	Saturday May 4	10am at Lowden Square
Sydney	Sunday May 5	11am at Hyde Park

May Day is a great day for us to come together. We catch up with people we have sometimes not seen for a while. We meet new FBEU members and see members from different platoons. May Day is about celebrating our achievements, reflecting on all we have won by our collective strength in unity and looking to the future. With our Award negotiations approaching there's no better time to gather together to show our FBEU is ready.

This year May Day will be just a couple of weeks out from the Federal Election and as the Change the Rules campaign hits its straps across the country it's important FBEU members participate too - for ourselves, our families, our kids and our communities. For more information contact Emily or speak with your SCOM Rep.

Move ups/standbys for staff shortages

Two weeks before the State Election and contrary to In Orders 08/22, the Department moved up a permanent appliance to cover a retained shortage. The Union objected and 08/22 was observed. Strangely (or not) since the State Election the Department recommenced moving permanent appliances to fill retained shortages.

Yesterday 67 Station Baulkham Hills had two near misses before their move up time: one, a fire which had occurred but which on arrival was still an active fire with children inside and the other, later in the shift, responding to a house well alight with a burnt person on the front lawn.

The Union has been in contact with both our new Minister, David Elliot and the Department again and Commissioner Baxter called me this afternoon to advise that 08/22 will again be observed and to offer to meet next week to review the situation and discuss our concerns.



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Easter Sunday 2019

Overtime for Retained members

Retained members are reminded that any and all work performed between 0001 and 2400 hours this Easter Sunday, 21 April will be paid at overtime rates (see Retained Award subclause 6.10.3), except for Retained members at the Royal Easter Show who are already on a higher rate of pay (see subclause 6.8).

Consolidated Leave for Permanent members

Permanent members of Inspector rank and below who work between 0001 and 2400 hours this Easter Sunday, 21 April will be credited with the same number of hours of consolidated leave as the hours worked (see Permanent Award subclause 6.4.2). The rostered shifts fall as follows:

Back to Back Roster: E Platoon = 12 hours consolidated leave (0600 to 1800 hours)

10/14 Roster:
B Platoon = 8 hours consolidated leave (0001 to 0800 hours)
A Platoon = 10 hours consolidated leave (0800 to 1800 hours)
B Platoon = 6 hours consolidated leave (1800 to 0000 hours)

24 Hour Roster:
B Platoon = 8 hours consolidated leave (0001 to 0800 hours)
A Platoon = 16 hours consolidated leave (0800 to 0000 hours)

Members who work on Easter Sunday for any reason, including overtime, will also accrue the same number of hours of consolidated leave as the hours worked that day. This consolidated leave is in addition to the overtime paid for that work. Members who are rostered to work on Easter Sunday but do not actually work on the day for any reason, including any form of leave or a part change of shift, will not be credited with the consolidated leave. Members who work a change of shift on Sunday get the consolidated leave, not the member who was rostered to work.

Paternity leave dispute - update #1

A meeting with the Department following SitRep 4 ended in agreement that annual leave does not extinguish a member's entitlement to paternity leave. The Union and Department also agreed that:

- a) paternity leave commences from the time of birth of the child; and
- b) you can't be on two forms of leave (e.g. paternity leave and annual or long service leave) at the same time.

So what happens to the other leave you were on when your paternity leave starts?

The answer really comes down to how flexible the Department is prepared to be in each case. You might be permitted to take the time spent on paternity leave as additional annual or long service leave at the end of your leave period, or even at some other time with prior notice and agreement. OR you might not, but if that happens then your other leave is not lost and must instead be re-credited to you. Members previously in this situation whose AL or LSL was not re-credited should contact the Union office for further advice and assistance.

The Department advised that members' will improve their chances of being accommodated by providing more notice of the expected birth. We recommend doing this if possible, but we also believe that allowing all members to taken paternity leave any time within 12 months of birth would avoid any confusion around rostered leave and provide better support for members' families. Something for our 2020 Award negotiations?



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FBEU supporting toxic exposures research

The University of Queensland faxed stations last week calling for volunteers for a research project on the risk of toxic exposure. The Union supports this research by FBEU member Michelle Engelsman and is encouraging members to participate. We expect the project to benefit members by improving workplace hygiene practices and producing information directly relevant to NSW firefighters rather than relying on international data.

The study is being conducted independently of FRNSW, and is overseen by the University of Queensland in accordance with its ethical standards. The Union has also been assured that survey data will be collected from firefighters in an anonymous format to protect the privacy of participants. Members seeking further information on this research or who wish to participate can access a link from the online version of this SitRep.

PFAS Inquiry report – update #1

SitRep 33/2018 reported that the Union has written to the Premier Berejiklian urging voluntary blood testing for firefighters. While the Premier did not reply her-then Minister Troy Grant did, dismissing the Union's concerns and hiding behind outdated NSW Health advice that *"blood tests are not recommended as it is not known what health effects, if any, are caused by PFAS"*. Mr Grant's reply can be found with the online version of this SitRep, as can the Union's letter this week to the Department on the issue.

While the NSW Government's head remains stuck in the sand, agencies interstate are taking PFAS exposure seriously. A 12 month study is already underway by Macquarie University in conjunction with Victoria's MFB, which has also introduced decontamination programs and PFAS limits for its firefighters. Another study funded by WorkSafe Victoria will involve the testing of up to 100 workers at Esso's Longford gas plant and Bass Strait gas platforms where firefighting foams had been in use since the 1970's. More to follow.

Clause 16 Training Course Entitlements

Last November's Commissioner's Orders 2018/23 included an important "Awards" item clarifying the operation of the Permanent Award's Clause 16 Training Course Entitlements, as negotiated and agreed with the Union following multiple hearings before the Industrial Relations Commission's Chief Commissioner Kite.

That agreement, as set out in those Orders, applies to all training courses attended after 2 November 2018 and essentially divides all training (including seminars, conferences and presentations) into two categories:

- 1) training that is necessary for promotion, a qualification or a position, which does attract payment; or
- 2) training that is not essential, or for which attendance is optional, for which off duty members will not be paid unless the Commissioner decides otherwise and confirms so in advance in Commissioner's Orders.

This includes LF, SO and LSO members on promotional programs, who are entitled to payment of overtime for any attendance outside of their rostered hours of work (see Award subclause 16.10.1.2). For example, a member who is rostered to work two 24 Hour shifts on Tuesday and Thursday but instead attends a five day LF training and assessment course starting Monday will be paid their regular 48 hours for the two rostered shifts on Tuesday and Thursday and at overtime rates for their attendance on Monday, Wednesday and Friday.

Leighton Drury
State Secretary