



SitRep 14

This SitRep is long! We apologise, but there are a number of very important matters we need to report on and so we encourage all members to take the time to read it.

It covers:

- COVID-19 – Working Group and updates
- COVID-19 - Joint Statement and updates
- Award Update
- Health and Safety Organising
- Peak Hill Code Red and the Dispute in the Industrial Relations Commission
- FBEU office and Operations

COVID-19 – Working Group and updates

The FBEU and FRNSW have established a working group to deal with the unfolding COVID-19 pandemic. The group has met via teleconference several times this week and that will continue throughout this challenging time. The FBEU will be using the group as a way to communicate member concerns to the Department and actively try to find solutions to the unique circumstances we find ourselves in.

All members should familiarise themselves with the joint [FRNSW/FBEU statement](#) which gives instructions as to what procedures are in place and what types of work are permissible. This is to ensure that members are protected as best as possible and to reduce the chances of the virus spreading amongst the workforce.

The Health & Safety Branch has developed a '[COVID-19 Information for Staff](#)' Toolkit. This clearly explains the steps that need to be taken by members if they become ill or suspect they have been exposed to the virus. It is also on the FRNSW Intranet.

The health and safety of our members is our first priority. If you are concerned about your health or exposure please contact the NSW Health COVID-19 Hotline on 1800 022 222 and follow the steps outline in the Toolkit. FRNSW has also established an email where you can send your concerns directly: coronavirus.info@fire.nsw.gov.au

COVID-19 - Joint Statement and updates

This week the FBEU and the Department released an [agreed statement of instructions](#) for operating as we deal with the COVID-19 Pandemic.

I would like to make a few points clear on the agreed statement:

- The FBEU position on essential training is only training that is required to keep an appliance on the road or a capability available.



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- In relation to visitors on station, urgent repairs or required testing of equipment is OK, just enforce social distancing, clean and disinfect as required after the visitor has departed.
- Members have been asking about what, if any, additional PPE they should wear if attending a call related to COVID-19. The FBEU has raised this issue with the Department and requested that they provide a fact sheet or similar urgently. The Union has discussed this issue with numerous HAZMAT members and offer the following as a recommendations:
 - If responding to an AFA in either a hospital, aged care facility or COVID-19 confirmed case location in addition to your normal PPC - wear disposable gloves and a mask if your BA is not donned. (The mask is both for your added protection as well as for members of the public in these locations who may be exposed to illness from us.)
 - If responding to an Assist Ambulance call and there is a confirmed or suspected COVID-19 case (flu Symptoms) in addition to your normal duty wear crews (minimum required) should wear, disposable gloves, masks, eye protection, and either disposable overalls/gown or a spillage suite.

In addition to the Joint Statement there have been a number of other issues come up:

- The FBEU has asked the Department to push for priority testing of emergency service workers if required to undergo COVID-19 testing.
- Members have raised concerns around Health Checks. As an interim measure all members are instructed to not undertake any of the medical appointments associated with the Health Checks until further notice. We do this to both protect members and free up health care workers.
- The FBEU has been briefed from the Department that they have currently run out of many of the items that we will require to keep us safe throughout this pandemic, although we were assured last week that this issue was in hand, the Department are now urgently trying to source these products. Crews are to manage as best they can in these circumstances and if you are missing required safety equipment to respond to certain emergency calls, inform your chain of command and notify Comms if you are unable to attend.
- As a result of this shortfall in basic safety equipment we have been made aware that some Management have emailed staff alleging members have stolen some of this equipment. We would encourage members to consider the importance of general morale at this time and suggest that such allegations are really not helpful. In addition, as you are all aware, even with the current shortages you'd have to be pretty hard up to pinch low quality one ply loo paper. Please be nice to each other!



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Award Update

In a previous Sit Rep, and following our recent SGMs, we confirmed that members endorsed all three Awards, with some amendments made. We could not have progressed the Awards further until you the membership voted on them.

So what does this mean? And what are the next steps?

The vote alone does not mean that you immediately receive a pay increase. It is however a crucial step toward making your Award(s).

The Award(s) need to be filed and 'made' within the NSW Industrial Relations Commission before they can take effect. Taking into consideration that FRNSW is the "other party" bound by this Award and the ones we have been negotiating with, there are two main ways we could do this:

- By Consent: where both FRNSW and the FBEU agree that there aren't any items around the Award that are in dispute and we file the Award application.
- Dispute/Arbitration: Where items relating to the Award are in dispute and we arbitrate these items in the NSW Industrial Relations Commission who will make a final decision on these items.

We have formally written to the Department advising them of the outcome of the Vote. We have sought a final position on the outstanding matter of backdating your 2.5% wage increase to 17 February 2020. FRNSW have told us that they will be providing us with a response by today.

We already know that our claim of having your 2.5% wage increase backdated to 17 February 2020 continues to be rejected by both the NSW Government and FRNSW.

To maintain this outrageous position in light of a devastating fire season and now a current pandemic would be a huge slap in the face for all firefighters.

We are offering FRNSW and the Government an opportunity to change their position on this before we make any further decisions around how we move forward.

We will provide an urgent update once we know their position.

Health and Safety Organising

On Monday the FBEU hosted a very well attended teleconference meeting of FBEU member HSRs. We called the meeting because the Department is required to consult with us and the workforce about the Health and Safety Representatives and processes in place in FRNSW. If you would like to attend the next one of these meetings or participate in this organising please register here: <https://www.surveymonkey.com/r/FBEUWHS>



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The Department has written to us about consulting regarding the up-coming HSR elections and WH and S systems more broadly. We want to talk with you before we do that – because put simply – workers are the experts about work health and safety – and the WH and S legislation along with our high density and the nature of the WH and S risks we face offer us opportunities.

There are a number of things that are concerning from a union perspective in the information the Department has provided to us. And we want to talk to you about that before we speak with them.

Aside from the current crisis - We know that many of the really big issues facing members are work health and safety ones: old and not fit for purpose appliances, exposure to toxins, PPE, PPC, mental health and trauma, amenities, safe and effective minimum crewing, training, HFSA and on and on and on. The way we – workers - organise our HSRs can make a huge difference to these matters and more.

All the members on the teleconference agreed that working together and in union on health and safety was important and a good idea. And we agreed to build a group of FBEU/HSRS and SCOM and Staff to lead the consultation.

We've communicated with the Department and advised we want to consult with them in a meaningful way and suggested that the formal consultation begin at a time where our resources are not so focussed on the urgent health and safety matters related COVID-19. We assume they will be agreeable to this, given the current situation.

If you are a HSR or you are interested in being one into the future or you are interested in being involved in the email and organising group about this – please register here: <https://www.surveymonkey.com/r/FBEUWHS>

Peak Hill Code Red and the Dispute in the Industrial Relations Commission

You may recall that on 31 January 2020 the SCOM issued the following Code Red:

Members are instructed not to arrange or perform Standby, Out-duty or Relief at any location where the Class 2 Urban Pump has been replaced with a Class 1 Tanker (which at this stage is Peak Hill) unless there is a minimum crew of 4 available firefighters.

On Monday 16 March 2020 we enforced the Code Red and TOled Peak Hill when the Department refused to staff it with four firefighters.

FRNSW took us to the NSW IRC on 17 March 2020 in an attempt to lift the Code Red.

We fought them on this, on the following grounds:

1. That they could not have a tanker as the primary appliance (which breaches In-Order 2011-15);
2. Must have a minimum crew of four even if the tanker is the primary appliance;
3. Having the tanker turn out with two firefighters is in breach of In-Orders 2008-22.



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Commissioner Sloan did not recommend that we lift the Code Red, instead asked that the Department produce the risk assessment documents that led to the replacement of the Pumper with the Tanker in November.

The Peak Hill Code Red remains in place. Thank you to our members who took this stand.

FBEU office and Operations

We are currently doing all we can to reduce and limit the risk of COVID-19 and as such the majority of staff are working from home. If you have an industrial inquiry that can not be resolved locally we request that you please use the online form here where ever possible: <https://fbeu.net/contact-us/industrial-enquiry/>. Every enquiry is being forwarded to the most appropriate person to assist and will be responded to.

Organisers are working via phone and we are working on ways to do “virtual visits”. All face-to-face delegate training is postponed for now and we are developing module based training we can do online. Watch this space. We will not be organising for the traditional May Day marches and events and assume they will be cancelled. We are working on alternatives.

If you are a delegate and you need assistance, please get in touch with your organiser or SCOM Rep for assistance. If you do not have a delegate in you station – please get in touch office@fbeu.net and we can support you to make it happen. With COVID-19 making the work of the Union a little more complicated it would be great to see every station with a delegate the organisers, SCOM and other can be directly in touch with.

In Unity,

Mick Nairn
Acting State Secretary