



15 March 2019

Mr Paul Baxter
Commissioner
Fire and Rescue NSW
1 Amarina Avenue
GREENACRE NSW 2190

Dear Mr Baxter,

Re: Paternity Leave

It has come to the Union's attention that Operational Personnel is advising commands and firefighters that because paternity leave commences from the time of birth of the child, it cannot be moved forward or backwards to line up with rostered annual leave. This spurious argument is then being relied upon to justify denying paternity leave for firefighters whose annual leave coincides with the birth of their child.

Needless to say, the Union does not agree that annual leave extinguishes a firefighter's entitlement to paternity leave.

Paternity leave cannot be taken at the same time as annual, long service or consolidated leave. Where paid paternity leave coincides with annual, long service or consolidated leave, the paternity leave is taken and the other leave is postponed or deferred until the paid paternity leave has concluded.

This is a simple yet serious matter that is now urgent by virtue the erroneous advice currently being given to firefighters by the Department's representatives. Consequently, I hereby give notice of the Union's intention to undertake an inspection at 1000 hours on Wednesday 20 March 2019 of all records of parental leave granted to employees in the last six years and all notices and documents given by employees or the employer relating to the taking of parental leave.

Note that consideration will be given to the withdrawal of this notice if a satisfactory response is received from you in the interim.

Yours sincerely,

Leighton Drury
State Secretary