



SitRep 15/2022

Awards Listed for Directions in IRC

Members are advised that the Industrial Relations Commission have listed the dispute regarding the Awards for 29 March. This listing is only for preliminary directions regarding the matter. Members will be updated following the issuing of directions on the process going forward.

Maternity Risk Management Policy

As some Members may be aware, Fire and Rescue NSW recently released an updated *Maternity Risk Management Policy*. This policy was released for review without consultation or input from FBEU Members.

Following feedback from Members, the FBEU provided commentary to Fire and Rescue regarding the proposed policy including various concerns. We have received notification today that they have determined to not continue with the proposed policy and instead will review the document with a view to develop an improved version in consultation with the FBEU.

We thank Members who took the time to provide feedback in relation to this matter. Members will be engaged further once a new version is received.

08/22 TOLing Decision

In [SitRep 55/2021](#), we provided an update on the TOLing dispute. The decision in this dispute was handed down today. You can read it [here](#).

The Department has been successful in their efforts to allow 30 extra Retained fire stations to be temporarily shut down if staffing drops below the safe and effective minimum of four.

We are obviously gutted by this decision. Our barrister, industrial team and SCOM worked hard over two and a half years to have this proposal stopped, and we were relying on the IRC to take an interest in the very clear and obvious health and safety risks for Firefighters and the community from this dispute.

Our Members in the Northern Rivers and Hawkesbury, at stations like Richmond, Windsor, and Goonellabah, have spent weeks supporting their communities, working endless hours to protect life and property. All three stations are now able to be shut down. If this order had been in place at the start of these emergencies, and there had been staffing shortages, it could have been too late to get them back online, and isolated communities could have been without a fire truck for days if not weeks.

We saw the impact of TOLing stations at the Wickham Wool Shed Fire earlier this month. The closest station, Carrington, was shut down due to a staffing shortage and did not respond to the incident. Firefighting doctrine emphasises the importance of weight of attack early in a fire's life cycle, and an extra fire truck on scene in those early stages could have made a huge difference in working to get the fire under control or limiting its spread.

This proposal also has an impact on Permanent fire crews and their communities. For the first time, Permanent appliances will be able to be moved around to cover Retained staffing shortages. This could have been devastating at a fire like the one at Newtown this week. If even one or several local trucks had been moved to outer Sydney to cover a short Retained station, the quick response that saved lives and prevented fire spread could have been delayed. I don't need to explain the consequences of a longer response.



SitRep 15/2022

We are not giving up. The Industrial Relations Commission, which awarded us a 0.3% pay rise in 2021, is proving itself to be no friend of workers in NSW and no friend to Firefighters. We will continue to fight in every way we can. We will be working through several strategies. Industrial action is not off the table.

We will keep you updated as we work through this issue in the coming weeks.

Meal & Refreshment Allowances

On 1 July 2021, rates of pay for meal, refreshment and travel allowances increased in line with a determination from the Australian Tax Office. The Department released a *Commissioner's Order* on 3 November 2021, noting that the increases had occurred on 1 July 2021.

For some unexplained and unacceptable reason, the updated rates never made their way into the SAP system, meaning that since 1 July 2021, anyone who has been paid a meal, refreshment or travel allowance has been underpaid.

The allowance rates have still not yet been updated despite the Department being made aware on 26 February, but the Department has committed to having this fixed prior to 7 March, and to backpay anyone who was underpaid.

Two years ago, in [SitRep 43/2020](#), we reported on this exact issue and received a similar response.

Your employer has a responsibility to pay you the correct rates, and their consistent failure to pass on increases in pay or allowances is especially ghastly considering that in their Award log of claims, they are trying to take more of your pay when they make a mistake and overpay you.

It is not acceptable for the Department to systemically underpay staff. We will be ensuring that on 1 July this year, the new pay rates are in place from that day, and we will be checking this every year going forward. Contact the [Union office](#) if you are not back paid your correct allowance amounts within the next two pay cycles. Meal allowances are \$32.50 and refreshments \$16.25 until 1 July 2022.

Flood Deployments

The first couple of strike teams deployed to Region North have now started arriving back at home. Entire communities are disaster zones, and your work is helping them move towards normal. If you stayed in tents in the camp, make sure you claim an accommodation allowance in ESS in line with the [entitlements document](#) sent out by the Department and FBEU in [SitRep 13/2022](#). Guides for how to claim allowances through ESS are available here: [Permanent Firefighters](#), [Retained Firefighters](#).

If you have any issues with pay or allowances, get in touch with us [here](#). We expect many more strike teams to deploy over the next few weeks, so stay safe.

In Unity

A handwritten signature in blue ink, appearing to read "L. Drury".

Leighton Drury
State Secretary