



## AWARD UPDATE - ARBITRATION TIMETABLE SET

As outlined in previous Sitreps, the IRC has now formally issued directions setting the timetable for the Award arbitration. It is expected that the case will be heard over 9 days from 11 – 21 February and a final day for closing legal submissions on 25 March. Below are the key dates for the filing of material by the parties:

1. 13 August FRNSW to file draft Awards
2. 8 October FBEU to file evidence, legal submissions and other material
3. 26 November FRNSW to file evidence, legal submissions and other material
4. 17 December FBEU to file material in reply

As you can probably see, the timetable and the hearing itself is a lengthy process. This timetable has been set by the IRC to ensure that both parties have the necessary time to put forward our case in support of our claims.

I know for many this timetable may not seem ideal, but given we have no choice but to participate in this process, we must make sure we do it properly and leave no stone unturned in seeking fair wages and conditions before the IRC.

On Tuesday, FRNSW finally also clearly articulated their position by finally filing their draft Awards. In a petty move, FRNSW and the Government have lowered their wages offer to 3% per year over 3 years deducting 0.5% from their baseline wages offer in the first year after we refused to accept their quite frankly insulting baseline wages offer. We have however asked the Government to start paying the 3% from the expiry of our award whilst the arbitration takes place.

They have also not just “revised” the consultation clauses as indicated by Commissioner Fewtrell, but have attacked and sought to remove almost all consultation with firefighters, handing FRNSW and the Commissioner complete discretionary power in all decisions relating to our work. We all know our work is inherently dangerous and that poor decisions from management can directly impact our health and safety. To seek to replace our current consultation provisions regarding matters such as station design and infrastructure, PPE, appliances, training etc, with a single model clause giving us with the same level of consultation as applies to office workers in a 9am-5pm job, is, I would say again, not just insulting but potentially dangerous.

Now that we have their draft Awards, our IO and Legal Team will be beginning to contact members to assist in providing evidence and information in support of our case. I would like to thank all those ahead of time who agreed to take part in this vital case. This case is all about our terms and conditions and employment and its us, NSW professional firefighters, who need to step up and make sure we give the IRC all the evidence and information they need to make the best decision.

Lastly, lots of queries are continuing to come through the office, myself and other SCOM regarding the strategy behind arbitration and how we ended up here. I want to remind you all that unless we are prepared to accept the Government’s baseline wages offer of 9.5% over 3 years (leaving us with an effective pay cut in comparison to inflation) we have no choice but to move to arbitration as the IRC is no longer prepared to conciliate. This position is one that many of our public sector Comrades in other unions are now also in and we suspect the IRC will be busy all through next year with similar arbitrations. For those who have more questions, a reminder we have put out an info sheet on the process which can be found [here](#).



Also, a reminder our Code Reds and industrial campaign will continue in the meantime. As stated above, this process will likely take many months, and a day is a long time in politics. It is therefore vital that we keep the pressure on FRNSW and Macquarie Street to Respect, Protect and Value our work. A full list of current Code Reds can be found [here](#).

Finally, your State Committee meets next week to discuss all of the above. Obviously there will be more to follow.

## SYDNEY METRO RAIL PROJECT UPDATE

Yesterday the Office of the National Rail Safety Regulator (ONRSR) approved the Sydney Metro City & Southwest for passenger service. The decision comes after weeks of scrutiny concerning the projects emergency response arrangements. Despite the position of ONRSR, the FBEU remain deeply concerned with the project.

As identified in [Sitrep 46](#), an FBEU member received an electric shock during a Metro exercise earlier this month. The shock has been described by the State Government as everything from a 'stray current' to a 'static shock'. But a safety investigation undertaken by the operator (MTS) has now confirmed the injury is a result of residual current in the network of up to 150v, present despite a rescue power outage (RPO). MTS refer to the risk as 'touch potential' and claim they are compliant with European standards which render exposures to electrical hazards under 150v as 'safe'. Members can find the report [here](#).

An RPO is crucially important to safe operations in rail corridor incidents and is a key feature of the MTS emergency management plan. But this is the first time that emergency services have been made aware of a continued electrical hazard risk in the rail corridor. MTS indicate that it may be possible to isolate power in the rail corridor entirely but that it would require a temporary closure of their entire network. Something they appear unwilling to commit to.

It goes without saying that these circumstances pose an unacceptable risk to emergency services and the commuting public. The FBEU are currently in discussions with Safe Work NSW and other emergency services unions and are awaiting further safety documentation from FRNSW. Members should be aware of a possible Code Red banning FBEU members to enter the tunnels over the weekend if this safety issue is not addressed. More to follow.

In Unity

**Leighton Drury**  
State Secretary