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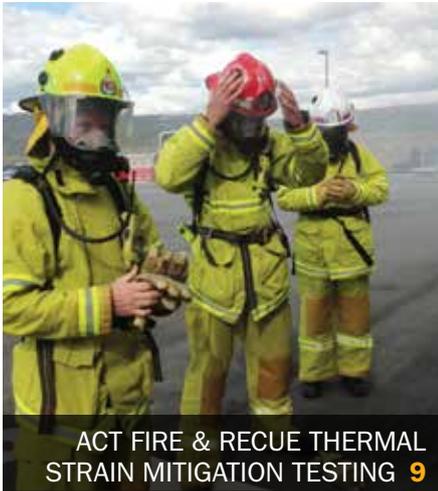


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Authorised by P Marshall  
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**National President**  
Greg Northcott



**National Secretary**  
Peter Marshall

## From the National Secretary

**“There is a direct relationship between the ballot box and the bread box, and what the union fights for and wins at the bargaining table can be taken away in the legislative halls.”**

Walter Reuther (American Labor Leader, United Auto Workers President, Founder of Americans for Democratic Action and instrumental in establishing the International Confederation of Free Trade Unions)

**As the Right continues to hold power throughout Australia predictably the attacks on unions and collective rights such as bargaining escalate.**

This is a global trend and repeated throughout history.

The Abbott Government has already begun its campaign to discredit and weaken the union movement. The Royal Commission into Trade Union Governance and Corruption is more about undermining unions in the workplace than addressing concern about management of union funds. The latter can, and has been, be appropriately done through governance requirements and where necessary, the current criminal laws.

The Royal Commission is part of a propaganda machine attempting to portray that unions are corrupt institutions that require regulation.

This Royal Commission is about vilifying unions to significantly reduce union membership, to weaken collective bargaining and therefore drive down wages and conditions across the board.

The second arm of this attack is the Fair Work Act Amendment Bill which further demonstrates the political ideology to undermine the collective. Included in the proposed changes is the removal of the right to apply for a protected action ballot order has been significantly restricted and Right of Entry conditions significantly constricted.

Whether such draconian legislation is passed will be dependent on the make-up of the Senate. The Senate is to change in July 2014 and while the full implications of the recent WA Senate re-election are yet to be realised, it is touted as one of the biggest cross benches in history and, while we don't know how those inter-party relationships will play out, it is likely to be more anti-worker, anti-union than the outgoing Senate.

We not only have to weather the storm but we have to take every action to protect the terms and conditions hard fought for by our predecessors to ensure our legacy is an era of continuing to build conditions to protect firefighters in order to continue to protect the community.

Queensland has been battered by cyclones and the unmerciful control of a Right-wing government with almost unfettered control.

As previously stated, it is acknowledged that we all have our own political beliefs based on public policy that affects our personal circumstances. The common issue between us all, regardless of political bent, is that what happens at the ballot box will affect our livelihoods and the standard of living for our families.

Firefighters are naturally humble people who risk their health and wellbeing to protect the community. Many firefighters are unaware of the political capital of the profession.

The Reader's Digest Annual Survey of Most Trusted Professions in Australia put firefighters at the top of the list last year. In 2012 and 2011 firefighters were only second to paramedics.



National Secretary Peter Marshall.

In a nutshell, the public trust firefighters.

That trust is also support and recent events have shown that issues affecting the ability of firefighters to protect the community can translate into change at the ballot box.

In the recent Queensland state by-election for the seat of Redcliffe the UFUA Queensland Branch organised an effective campaign to maximise the political capital at firefighters on election day.

Firefighters wearing PPE trousers, campaign T-shirts and caps were at every polling station to ensure the public got the message of station closures. They received significant media coverage and even the Premier was noticeably affected by the presence of firefighters and the public response.

Be under no illusion. Politically unions and workers are under attack federally. They are also under attack in Queensland, NSW and Victoria in particular.

The gloves are off and firefighters are being targeted.

Firefighters are time and time again named as one of the most trusted professions, but do not rest easy thinking that public support for our community commitment is a safeguard from attack. Firefighters globally and right here in Australia are being targeted by employers with the full backing of governments. The rationale is that if firefighters can be discredited publicly the employer/government will be able to force its will in bargaining and terms and conditions of employment. Governments do this by creating a culture of envy about firefighters terms and conditions of employment.

Employers and governments are making misleading statements, and some outright untruthful claims, in the media to try to create a perception that firefighters are overpaid and underworked.

The Abbott Government is rolling out a campaign attacking unions in an attempt to undermine membership and subsequently succeed in driving down wages and conditions.

Make no mistake, without unions the improved conditions and wages over the years would not have been achieved.

The rhetoric of accountability and governance is not the point for this Government – the end goal is to bring down unions so that workers do not act collectively and employment conditions can be eroded.

It is important that we understand that ideology when considering the attacks in the media.

It is also important that we take every opportunity to educate others.

United we stand – united we will persevere. United we will protect the professionalism of firefighters.

Strength in Unity

PETER MARSHALL ■

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## From the National President

**May Day, also known as International Workers' Day, reminds us of the struggle of workers around the world for safe and decent working conditions and the ongoing need for solidarity and vigilance to protect and build on our heritage.**

In 2014 locally, nationally and globally firefighters proudly joined with other workers to reflect on this important occasion. We commit to continue to build our organisation and further develop our solidarity in order to continue the struggle for a better world.

It is sobering to reflect on the inhumane working conditions which prevailed until relatively recently (and which continue to prevail in some places) and chilling to comprehend just how quickly in the absence of organisation and solidarity, our achievements can be eroded and lost.

**“In 2014 locally, nationally and globally firefighters proudly joined with other workers to reflect on this important occasion. We commit to continue to build our organisation and further develop our solidarity in order to continue the struggle for a better world.”**

In the late nineteenth century, the working class was in constant struggle to gain the 8-hour work day. Working conditions were severe and it was quite common to work 10 to 16 even 18 hour days in unsafe conditions. Death and injury were commonplace at many work places and thousands died at work.

The idea of a workers' holiday first surfaced in Australia in 1856 where the Eight Hour Day Movement demanded “Eight hours to work; eight hours to play; Eight hours to sleep; eight bob a day”.

With men, women and children forced to work long hours in miserable conditions just to eke out a bare subsistence and the working week six or seven days long, rank and file support for the eight-hour movement grew rapidly.

In April 1886, stonemasons in Melbourne downed tools and marched into the city inaugurating the movement which eventually won an 8 hour working day for building workers in Victoria. The victory became an international landmark in the history of the labour movement.

The events inspiring the celebration internationally of May Day, a wave of strikes and demonstrations for a shorter workday, followed by the Haymarket Square massacre in Chicago, occurred in the United States in 1886.

On May 1, 1886, around 500,000 workers took action. Demonstrations and strikes occurred in major cities across the US as well as smaller cities and rural towns.

Nearly 90,000 workers marched in Chicago, with almost 40,000

being strikers. Thirty-five thousand Chicago meatpackers won the eight-hour day with no loss of pay after that strike.

Ten thousand marched to Union Square in New York City. Eleven thousand marched in Detroit. Around 20,000 protested in Baltimore, along with thousands in Milwaukee. In Louisville, 6000 black and white workers marched together into city parks that were officially closed to blacks. The black press reported that the union movement had broken down the walls of prejudice.

By May 3, the number of workers on strike in Chicago grew to 65,000. Alarmed, representatives of industry decided that action against the workers was necessary.

As strikebreakers tried to leave the McCormick Reaper Works plant that day, striking workers drove them back into the plant. The police opened fire on the strikers, killing four and wounding many others.

In response to the attacks, a mass rally at Haymarket Square was called for the next day and three thousand people came out. As the rally was coming to a close, the police ordered the protestors to disperse.

While leaders of the rally were arguing with police, a bomb was thrown from the crowd into the ranks of the police, killing one instantly. Six others died later; sixty-six were wounded. Guns were turned on the workers, wounding 200 and killing others.

The mayor declared martial law in Chicago. An indiscriminate dragnet was carried out targeting the city's working class. Hundreds of workers were arrested.

Ultimately eight workers were put on trial; all were convicted. Four were hanged on Nov. 11, 1887. One was just 21 years old and committed suicide the day before the hanging.

The fact that four of the convicted men were not present at the rally was deemed irrelevant during the judicial proceedings. These workers were not tried for their actions on that day, they were put on trial for their militancy and labor organising skills.

The entire labor movement came under attack after the bombing and a reign of terror struck the eight-hour day movement.

A peaceful strike in Milwaukee was fired upon, killing eight strikers. Other strikes were suppressed with violence. About one-third of the workers who had won the eight-hour day lost it in the month after the Haymarket incident.

An international movement in support of the Haymarket defendants quickly formed. Organised labour in the United States built a mass movement against the executions.

Outside the United States, workers held rallies and meetings in France, Holland, Russia, Germany, Italy, England, and Spain. In Germany all public meetings were banned because the solidarity actions became so large and threatening.



National President Greg Northcott.

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## Kick-start your savings this winter.

So you need to start saving money for a new car, holiday or deposit on a home? Whatever your goal may be, you'll need to make a plan. Here are some tips on how you can cut down on your expenses, increase your savings and reach your goals.

### Ready, set, goal

Set a date for achieving your goal and then work backwards. You'll need to set a monthly budget. But before you do that it's worth tracking your current spending to see if there are any expenses that can be reduced.

### Switch and save

It pays to look at what you're spending on phone, internet, insurance and utilities and check out comparison sites. You may be able to get a better deal elsewhere by shopping around. Be sure to pay all your bills on time to avoid any additional charges.

### Lifestyle and entertainment

There's much to be saved by making small lifestyle changes like taking your lunch to work, buying a coffee every second day and dropping your magazine subscriptions. By taking your lunch to work each day you could save approximately \$4 a day which adds up to around \$1,000 annually.

### Smarter banking

Aim to pay off any outstanding credit on cards and personal loans to avoid excess interest. It might be worth shopping around for a better deal on your credit card and applying for a balance transfer. Choose a no frills card with a lower interest rate over one with a loyalty program.

If you have multiple credit cards consider consolidating down to one card or taking out a personal loan to pay off all your cards and reduce your fees.

Revisit your interest rate on your home loan with a view to refinancing if you can. By reducing your interest rate by even 0.50% on a \$300,000 loan can save approximately \$2,900 annually, given there are no changes to your fees or charges. You can further reduce the amount of interest you pay by using an offset account for your savings.

A high interest savings account is a great way to boost your savings. Look around for an account that rewards you with bonus interest when you make no withdrawals. Set up a regular ongoing direct debit straight from your salary each month and watch your savings grow.

Good luck on reaching your savings goal and remember life can be pretty boring if you cut back on everything so be sure to reward yourself occasionally with a treat.

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The workers' movement in Europe also grew in strength and determination; the most powerful expression of this movement occurred at the International Workers' Congress in 1889 where it was decided that the eight-hour day must be the first demand and that this demand be expressed in all countries through a universal work stoppage. Attention was drawn to the American labour movement's decision to strike on May 1, 1890, and the Congress decided on this date for the universal proletarian celebration.

Now, every year, May 1 is celebrated around the world as a day of international working class solidarity. Demonstrations take place from Africa to Asia, across South and North America, Australia and in Europe. These events, organised by trade unions in some countries and by revolutionary parties or governments in others, all celebrate the struggle of the international working class.

For good reason May 1 is now a national public holiday in more than 80 countries reminding us of the international struggle of workers for decent wages and conditions, and commemorating the sacrifice and victories of those who came before us to improve

working conditions, as we rededicate ourselves to that struggle in order that we uphold and improve those standards.

Events in Australia today in places such as Queensland provide stark reminders should we need them, of the ongoing requirement for our organisation and solidarity if we are to protect and enhance our working conditions and living standards and of the dangers of complacency.

The legacy of May Day also provides optimism for the future struggles and challenges we will confront.

***Dare to struggle, dare to win.***

**Acknowledgements:**

[www.takver.com/history](http://www.takver.com/history)

[LiberationNews.org](http://LiberationNews.org)

[www.marxists.org/subject/mayday/index.htm](http://www.marxists.org/subject/mayday/index.htm)

From "Selected writings of Rose Luxemburg"

**GREG NORTHCOTT ■**

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## ACT Fire & Rescue Thermal strain mitigation testing

**This month, 50 members of ACT Fire & Rescue will take part in phase 2 of an exciting and world leading research project led by PhD candidate and senior firefighter Anthony Walker in conjunction with the University of Canberra, the Australian Institute of Sport, the National Critical Care and Trauma Response Centre and the University of Waikato.** This collaboration brings together the best of occupational, athletic and medical research into heat strain and applies this to pre incident preparation and post incident recovery strategies for use by Australian firefighters.

With increasing ages of firefighters across Australia<sup>1</sup>, increased thermal strain from modern PPC<sup>2</sup> and increasing rates of high heat events across Australia, it is crucial to gain evidence-based, world's best practice approaches to mitigating the thermal strain on firefighters and increase their safety when completing emergency tasks. Phase 1 of the research project saw 80 firefighters and officers complete a simulated search and rescue task in the purpose built heat training facility operated by ACT Fire and Rescue. From this research, a number of key recommendations regarding firefighter health and wellbeing programs, along with evidence-based post-incident cooling modalities including iced slush drinks and cold water cooling<sup>3</sup> have been proposed and presented in internationally peer reviewed scientific journals and conferences.

Phase 2 of testing, which will begin this month will further investigate the physiological impact of repeat work bouts in high heat environments. In linking with a range of academics and practitioners, this program will, for the first time in a firefighting setting explore a range of both acute and chronic inflammatory responses to working in the heat. Research in athletic settings has previously seen links between heat exposure and a compromised immune system, with subsequent links between post-incident inflammation, depression and cancer hypothesised but not currently understood in occupational settings. Understanding any underlying changes to the immune system of firefighters is highly relevant to the research underlying the presumptive legislation and occupational health and safety outcomes and this cutting edge research out of the University of Canberra will add further critical information to these outcome

To achieve this, firefighters and officers will complete multiple simulated rescue tasks in ACT Fire & Rescue's purpose built heat chamber operating at temperatures of approximately 100 °C. Core temperatures will be observed using ingestible thermometers with blood being collected at a range of different time points by the ACT Ambulance service and then analysed at the Australian Institute of Sport pathology laboratories for a range of immunity markers. Results will be compared

with baseline anthropometric and fitness data gained through cutting edge fitness and body composition testing with a view to understand individual risk profiles for heat illness of Australian firefighters.

This project would not be possible without the extensive support provided by Chief Officer Paul Swain and the firefighters and officers who have volunteered their time and bodies for this critical research project with testing being conducted on-shift.

1. Walker, A, Driller, M, Argus, C, Cooke, J, and Rattray, B. 2014 The ageing Australian firefighter: An argument for age based recruitment and fitness standards for urban fire services. *Ergonomics* 574: 612-621.
2. Walker, A, Argus, C, Driller, M, and Rattray, B, Science of sport, exercise and physical activity in the tropics; sports and athletics preparation, performance and psychology. Hauppauge: Nova Science Publishers. 2014. pgs 917-921
3. Walker, A, Driller, M, Brearley, M, Argus, C, and Rattray, B. 2014. Cold water immersion and iced slush ingestion are effective at cooling firefighters following a simulated search and rescue task in a hot environment. *Applied Physiology Nutrition and Metabolism*. Online First April 2014.

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# AVIATION BRANCH

## Rest Relief

**Clause 4.7 of the *Airservices Australia (Aviation Rescue and Fire Fighting) Enterprise Agreement 2013-2017* provides that if you are required to work additional hours or emergency duty and there is less than eight (8) hours break to your next regular shift commencement time, you will not be required to attend for ordinary duty until you have been absent for eight (8) hours (plus reasonable travelling time) and that your pay will not be reduced for the period of such absence.**

Further, if you are required to work without eight (8) consecutive hours off duty (plus reasonable travelling time), you will be paid at the additional hours rate (time and a half) for all hours worked until the required break is taken.

Note that the rest relief provisions do not apply where the period of emergency duty or additional hours worked immediately prior to the commencement of a normal shift is less than 3 hours.

The Union has been successful in securing significant adjustments for members in WA who were not being treated in accordance with the provisions of the EA on this matter.

If you believe the rest relief provisions have not been correctly applied to hours you have worked you should contact your Organiser/BCOM Delegate for clarification of your entitlement.

## Diesel Emissions

**WES GARRETT**

**On Monday, 17 March 2014 a requirements workshop was convened by Airservices to discuss the risks associated with uncontrolled diesel emissions generated in the workplace.** The meeting was attended by senior ARFF management, WHS specialists from both Airservices and ARFF, several Projects and Engineering staff and the UFU Aviation Branch (UFUA).

Until recently Airservices has been reluctant to acknowledge the risks to the health and safety of its workers

who are routinely exposed to Diesel Particulate Matter (DPM) generated inside their workplace. The UFUA has for some time now, campaigned for a nationalised approach on this issue. We have strongly advocated for an engineering solution that is capable of capturing DPM at source within the confines of an engine bay. This type of system comes closest to eliminating DPM (a group 1 human carcinogen, *IARC 2012*) from our workplace, in line with the WHS Act 2012 and its hierarchy of control.

The requirements workshop has served as the catalyst for the formation of a diesel emissions working group headed by RM Rodney Reith and ARFF WHS Specialist Andrew McKay. The UFUA is also an integral member of this working group.

Agreed actions from the workshop are as follows:

- Collate available information/references/reports in one repository,
- Arrange for risk assessment workshop with SE&A Risk Systems Unit.

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- Output must be referenced or included as a risk/threat in ARFF risk register.
- Schedule working group agenda to follow through on resolution.
- Capture at source engineered systems identified as optimal control.

The Aviation Branch hopes this working group will be able to bring about a new agenda within ARFF to control diesel emission that is generated inside of the occupational workplace.

It is important for all members to note that we are now in the age of Presumptive Legislation. This landmark amendment to the Safety Rehabilitation and Compensation Act recognises in Commonwealth Law that there are 12 occupational cancers associated with firefighting. Owing to the strength of this legislation, each and every exposure to a carcinogenic material within the context of our daily duties needs to be both acknowledged and identified. Some of these exposures, particularly during live fire scenarios, can only be mitigated to a given point; nevertheless, every effort must be made to do so.

Exposure to DPM should not be viewed in isolation. It is one of many regular and ongoing exposures to carcinogenic material that we come in contact with during our routine duties as ARFF firefighters. Unlike most of the other exposures, DPM is actually able to be eliminated from our workplace using commercially available air handling systems, the pricing of which, importantly, is comparable to the underspecified stationary systems currently sanctioned by ARFF and installed at a number of stations around the country.

## Fitness for continued duty letters

**The Union has recently received calls from concerned members who have received letters about being currently unfit for operational duties.** The letter indicates it arises from the provisions of clause 7.7 Fitness for Continued Duty of the Enterprise Agreement and is sent after the employee has attended an appointment with a DAME.

The letter notes the report of the DAME and then says that "ASA proposes you are currently unfit for operational duties." The letter concludes with a paragraph that says

, "in accordance with the provisions of ASA Enterprise Agreement 2013 - 2017, you are given an opportunity to provide a written response to the action proposed within (14) days from the date of this letter."

On any reasonable reading, the letter causes the recipient to feel there is a requirement to provide a response.

ASA HR have advised that there is no requirement to reply to the letter, that it is merely sent in accordance with the provisions of the EA and provides the opportunity to provide any further comment subsequent to the report of the DAME if the employee wishes to or feels the need.

The Union has contacted ASA HR about the letter and the confusion it is causing. The Union has asked that the letter be reviewed with a view to making the purpose of the letter clear to recipients and clarifying the position for employees in regard to providing/not providing a response.

## Proposed Recruit Physical Protocol

**Further consultation on the proposed recruit physical protocol took place in Brisbane on Friday, April 14.** The

Aviation Branch is an integral part of this process and has been participating in the consultation process.

Fire services nationally and internationally base candidate testing on specific job critical skills. The proposed protocol focuses on an assessment of a candidate's body strength against the tasks associated with firefighting. Successful candidates are assessed as capable of being trained as a firefighter and job critical skills are taught/learned during the training program at the Learning Academy. WHS issues with the current testing regime are cited as one reason to change to a new model but no evidence has been produced to substantiate this.

ASA/ARFF has flagged their intention of taking the protocol to AFAC in the belief that other brigades will base their future recruit selection on the proposed protocol.

ASA/ARFF have indicated that the candidate physical protocol will not become the benchmark for fitness for duty generally as there are already sufficient established processes in place for this including through

the provisions of the Enterprise Agreement and regular competency maintenance/ checks. However, rumours to the contrary continue to circulate so this remains an issue of concern and focus for the Aviation Branch in this whole process.

A copy of the proposed physical requirement protocol has been placed on the UFU Research Centre for the information and consideration of all Branches and inviting comment and feedback.

## New gloves

**ARFF is about to introduce a two level protective glove concept to provide appropriate protection to all ARFF firefighters.** The gloves selected will provide our members with maximum protection in all situations and also deliver increased comfort and dexterity. Both gloves will conform to the recently approved Australian Standard 2161.6:2014.

The two gloves selected are the Super Mars Plus and the Firetek 2 fire and rescue glove. The Super Mars Plus will be worn for any live fire training and structural and aviation fire fighting requiring the wearing of BA. The Firetek 2 is a multipurpose fire and rescue glove only to be worn for general duties, rescues and other firefighting activities.

As reported previously, all members will be individually sized and fitted with the new gloves and a database of glove sizes will be established to ensure the correct size gloves are issued on future replacement. In addition, an instructional video and written instructions will be developed to ensure the gloves are used strictly in accordance with manufacturer's instructions and intended purpose.

Read more on page 34.

### UFU AVIATION BRANCH

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Proudly Supporting Our Local Firefighters. Keep Up The Great Work

## Queensland political environment challenges firefighters

Over the past two years Queensland firefighters have been subjected to relentless challenges from the conservative government and the struggles do not look like abating over the 12 month lead up to the next state election.

## Wages and conditions arbitration

Attacks on our working arrangements continued throughout the year long 2013 arbitration case, which resulted in a preliminary 2.2% wage increase just in time for Christmas and an anticipated final decision expected in mid-2014.

## Industrial laws changes

The state government has now amended the industrial relations laws 6 times! These laws complicate our efforts to protect our wages and conditions of employment.

The main legislation governing our employment rights is the *Industrial Relations Act 1999*

Since the Howard government enacted the notorious *Workchoices* legislation and took over most of the state's industrial relations jurisdiction, the Act has application limited primarily to public sector workers.

The Newman government has amended the Act six times since coming to power, with each tranche of amendments significantly reducing state government employees' rights and entitlements.

Most of the new laws have been pushed through parliament with some haste, sometimes even introduced and passed on a single evening. Other times, the amendments have been introduced into parliament and subjected to a hasty committee process, where affected parties have a limited time to make submissions.

UFUQ have wherever possible made submissions and appeared at committee hearings and outlined the effect of the new laws on our members. Most times the committee process has been a bit of a sham and the government has ignored recommendations and used their huge parliamentary majority to push laws through.



As a result of the six Bills amending the Act since the LNP government took office, a number of changes to industrial laws affecting our work and future have occurred including:

- Restrictions on our rights to take industrial action
- Restrictions on the nature and extent of claims for improvements to employment conditions
- Cumbersome time consuming balloting processes
- Ministerial power to intervene and order industrial action to cease and compulsory arbitration to occur
- Fines and penalties introduced
- Government can bypass the union and put substandard agreements directly to ballots
- Reduced time for employees to consider agreements and get advice before voting
- Government treasury officials to directly brief the industrial commission
- Restricted time periods for QIRC conciliation and pressured short form arbitrations
- QIRC conciliator to determine the list of matters to be arbitrated
- Industrial Commission must consider the government's "fiscal strategy" when arbitrating
- Industrial Commission must consider "the employer's efforts to improve productivity" when arbitrating
- Industrial Commission must consider the "flexibility of work practices" to meet "operational requirements"
- Government permitted to use lawyers without other parties agreeing
- Employment security, job protection, consultation, union encouragement, delegates training leave, TCR, redundancy protection clauses in all existing awards and agreements have all been stripped out, abolished or watered down
- Invalidation of existing terms of awards and agreements
- Restrictions on union representatives entering workplaces to meet with employees
- Making it illegal to provide payroll deduction options for union members to maintain financiality
- Restriction on unions' capacity to run public campaigns
- Cumbersome and time consuming balloting processes and restrictions on campaign funding
- Cumbersome and time consuming financial reporting requirements including publication at large on the UFUQ website of daily spending such as taxi fares
- Right of government inspectors to demand access to union's internal financial documents
- Restrictions on the content of what might now be included in awards, agreements or QIRC determinations
- Insertion of compulsory content into awards, agreements or QIRC determinations as dictated to by the government

continued on page 13

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- Restrictions on the power of the QIRC to award interim wage rises or back pay
- Abolition of legislated minimum employment standards and replacement with lesser minima
- Abolition of industrial awards and replacement with stripped down awards, restrictions on content of awards.
- Retrospective invalidation of awards made recently
- Government “fiscal strategy” is now also applicable to safety net awards not just determinations
- Inclusion of mandatory individual flexibility clauses in awards, which allow for individual agreements to be made to override the award
- Provisions for “annualised salary arrangements” to be inserted in awards or agreements
- Awards and agreements must not include provisions that “restrict the types of engagements” or “restricts flexible rostering arrangements”

## What to expect in 2014:

**We saw some of the effect of some of these new laws this year, when the government had little desire or incentive to reach an agreement and encouraged the fire service to go on the attack and push the negotiation into an arbitration we did not want.**

This year the anticipated arbitration decision will reveal much about the effect of some of the new laws especially their intent of diminishing the extent of the industrial relations commission’s independence. Our decision is a test of how impartial and fair the QIRC will be under the new laws.

## Award “Modernisation” begins this year!

**In addition to the sweeping changes affecting bargaining and agreements the state government has also passed laws to strip back awards to a minimum safety net.**

The award “modernisation” legislation prescribes a process of “stripping” out award entitlements and inserting new government mandated provisions.

The legislation also expands government powers to directly dictate to the industrial commission about award content.



The legislation is designed to sabotage awards.

The so called “award modernisation” process is designed to strip awards back to a minimum “safety net” and also to insert what the legislation describes as “flexible modern work practices” and provisions about “efficient and productive performance”.

### Ministerial request

**Under the legislation, the minister (in this case the Attorney General), issues a “request” to the industrial commission setting out the process to be carried out.**

The “request” is expected to:

- State matters about which provisions must be included in awards;
- Direct QIRC to include terms about particular matters;
- Direct QIRC as to how it might deal with matters.

The Attorney General can vary his “request” at any time prior to the completion of the award modernisation process.

The QIRC must have regard to:

- “Flexible work practices” and “efficient and productive performance of work”
- The impact on the employer including “productivity”, “employment costs” and the “regulatory burden”.
- The financial impact, including the “financial position” of the state and the relevant public sector agency.

### Required content

#### Major workplace change.

Awards will be required to include the provision prescribed by legislative regulation about consultation about major workplace change.

[Members will note the previous changes enacted last year which diluted consultation, removed and invalidated existing protections and employer obligations. The new provision has removed some of the obligations previously applicable to the employer].

#### Individual Flexibility Arrangements

**Awards will have to include a mandatory provision prescribed by the regulations which provides for individual agreements to be made which override the award.**

#### Non allowable content

**Awards will not be able to include a range of matters.** Many such matters are currently in state awards but have been invalidated by legislation last year.

Non allowable content includes:

- Contracting out provisions
- Employment Security
- Union encouragement
- Organisational change
- Policy incorporation
- Restrictions on the type of engagements
- Restrictions on “flexible rostering”
- Accident pay
- Training arrangements
- Workload management
- Service Delivery
- Workforce planning.

Many of the legislative restrictions on award content also apply to the negotiation of certified agreements, which will make it more difficult to advance working conditions into the future.

In particular, new certified agreements will not be able to be made which include types of engagements or classification structures which are inconsistent with the underpinning awards. There will be restrictions on the capacity to vary award wage rates and classification structures and stringent ‘work value’ tests will be applied. These aspects of award modernisation will flow into the making of certified agreements and will limit our capacity to bargain or arbitrate for improved classifications.

## WorkCover laws changes

### The LNP government amended the Queensland workers' compensation legislation.

All amendments are to the detriment of workers, limiting our ability to apply for and receive compensation and/or claim common law damages. Queensland's workers' compensation scheme has for many years been either the best or close to the best performing scheme and is financially sound.

The LNP government changed the laws by:

- Introducing a threshold of 5% for access to common law claims
- Changing the way the percentage of permanent impairment is measured to make it harder to make a common law claim
- Changing the measurement of psychological injury claims to make it harder for these to be accepted
- Allowing employers access to claims records for prospective employees

## Safety laws diluted

### The state government has also altered the safety laws.

The Queensland *Work Health and Safety and Other Legislation Amendment Bill 2014* departs from the uniform safety laws adopted by all other states by:

1. Requiring at least 24 hours' notice by WHS entry permit holders before they can enter a workplace to investigate a suspected contravention;
2. Increasing penalties for non-compliance with WHS entry permit conditions and introduction of penalties for non-compliance with entry notification requirements;
3. Requiring at least 24 hours' notice before any person assisting a WHSR can access the workplace;
4. Removing the power of WHSR's to direct workers to cease unsafe work;
5. Removing the requirement for a person conducting a business or undertaking to provide a list of WHSR's to the WHS register;
6. Allowing for Codes of Practice adopted in Queensland to be varied or revoked without requiring national consultation as required by the Act.



## Cutting off payroll deductions

**The state government abolished the long-standing payroll option for paying union dues and we arranged for members to maintain their financiality through a range of other options, including direct debit.** The change in payment methods was a great success with virtually all members maintaining their membership protection without having to let the employer handle their union fees.

## Changes to Labour Day holiday

**The government changed our 100 year traditional labour day public holiday from May to October but we continue to join with 25,000 other Queensland union members and their families and celebrate and commemorated the May date as per usual.**

## Battle for an award to cover retained auxiliary firefighters

**A significant industrial commission case involved our winning a first interim award for auxiliary firefighters only to have the government retrospectively legislate it out of existence, so we have to start all over again.**

QIRC granted auxiliaries their first interim award on 12 November 2013 but the changes to the Industrial Relations Act 1999 that came into effect on 1 December 2013 killed off the award that had been in existence for only a few weeks.

UFUQ immediately lodged an application under the new laws for a first "Modern Award" for auxiliaries.

The state government and the fire service are now opposing that application.

## Firefighters send a message to the State Government in by-election...

**After two years of resisting cost cutting and attacks on our working conditions and professional standards, UFUQ took the opportunity to send the government a message.**

On Saturday 22 February, over 100 firefighters volunteered their time and sent a strong message to the state LNP government in the Redcliffe by-election.

Many firefighters staffed polling booths and spoke with voters about our concerns and asked voters to "put LNP last" or "don't vote LNP". We did not support any party or candidate.

Contrary to a rumour circulated by the Premier all volunteers were real firefighters and union members.

The by election resulted in a swing of around 20% against the state government and plenty of interest in the campaigning capacity of firefighters who have weathered two years of attacks from the government and its lackeys.

### UFUA QUEENSLAND BRANCH

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## Mothers Day Classic

**The United Firefighters Union (UFU) along with the South Australian Metropolitan Fire Service (SAMFS) has continued to grow its partnership with the Mother's Day Classic.**

The Mother's Day Classic is an annual event which aims to raise funds for breast cancer research. Participants can walk or run 4.3km or 7.2km. This year over 8000 people entered in the Adelaide event on Sunday May 11.

The UFU and SAMFS teamed up with organisers to help mark the picturesque course around the River Torrens and through the Botanical Gardens. Firefighters volunteered to help move crowd control barriers into place, and unload drinking water and fruit for the participants. It was all hands on deck Saturday May 10 and then crews backed up their efforts early Sunday morning to move the remainder of the fences and finish line into place before the start of the 'race'. From recruit firefighters to the Assistant Chief Fire Officer everyone



approached the task with the same enthusiasm.

As well as supporting the event logistics, the UFU actively encouraged Fire Fighters and their families to participate on the day. We had appliances visible on the day and with Firefighters and their families proudly wearing the UFU T-shirts it was obvious that we were there to provide as much support as we could to the cause.

To ensure crews were able to participate our Communications Centre and our 'Change of Quarters' crews must be acknowledged for their efforts. We are helping this event to raise awareness, raise funds for research and acknowledge those affected by cancer within our community.

The SAMFS was also awarded the 'Adelaide 2014 Winners Trophy' for the 'Largest Government Department / Agency Team' in recognition of the highest participation levels across an organisation based on the attendance of both MFS personnel and their family members.

We look forward to continuing to support this great event.

**JO-ANNA KENNEY**  
**SENIOR FIREFIGHTER**

### UFUA SA BRANCH

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## Branch Secretary, Greg Cooper

**Since the last magazine article the Tasmania Branch has endorsed me as the Branch Secretary effective from March 17.** It is with much humility and pride that I accepted this position. My thanks go to BCOM and the UFUA membership for their support with my appointment. I am replacing Vinny Males who has undertaken the task for the past four years. Under Vinny's stewardship the UFUA achieved significant outcomes for the membership. These outcomes include but are not limited to the following as stated by National Secretary Peter Marshall in a letter to UFUA Branch Secretaries;

*I would like to take this opportunity to acknowledge the work that Vinny has done as Branch Secretary and the many achievements of the Tasmania Branch under his stewardship including the reversing of the Tasmania Fire Service budget cuts and of course the enactment of the presumptive legislation to recognise occupational cancer for Tasmanian firefighters. Vinny intends to remain involved on the Tasmania Branch committee and we hope to continue to see him at National meetings.*

Well done, Vinny. You have handed over to a new Secretary a union in a very good position with many runs on the board. I hope I am able, with your support, to emulate your achievements.

There is a great deal of activity in the Tasmania Branch in recent times. Discussions on outstanding EBA matters continue along with the development of a new recruit course and all matters associated with operational response capacity including the need for new turnout gear for all firefighters.

## Enterprise Bargaining 2014

**The Tasmania Branch will shortly commence negotiations for the 2014 Enterprise Agreement with the Tasmania Fire Service.**

The Branch Committee of Management BCOM met recently to develop the bargaining claim. The membership will consider the claim set below at around of general meetings to be held in May 2014. The following matters form the basis of the UFUA Tasmania Branch 2014 Claim for Enterprise Bargaining to be provided to the TFS:

- Minimum staffing levels;

- Uniform and personal protective clothing;
- History of employer superannuation contributions for firefighters and officers; and
- Lateral entry by experienced firefighters.
- Review of classification descriptions and classification relativities for:
  - Firefighter
  - Station Officer
  - Senior Station Officer
  - District Officer
  - Communications Officer
  - Supervisor, Firecomm
- Include award provisions into the agreement. Work will take place to consolidate inconsistent provisions and consider any other provisions that may need to be included or removed from the Agreement.
- Review of Interstate International Deployment Provisions
- Finalise administrative instructions and outstanding matters.
- Wage increase to be claimed for the life of the agreement.

BCOM authorised the following BCOM members to negotiate the claim on behalf of the UFUA membership: Vinny Males, Colin Lockhart, John Holloway, Val Ansett and Greg Cooper.

Once the claim is finalised by the membership negotiations will commence with the TFS.

## CAFS Deployment

**A number of UFUA members were deployed to the Hazelwood Coal Mine Fire for an extended period of time.** The Tasmanian CAFS deployment was very successful with the capacity of the CAFS application providing exceptional results for suppressing the fire and on the performance and capability of the vehicle and the operational crew. The fire broke out in February and lasted for approximately 45 days. The Tasmania Branch successfully negotiated award conditions for professional firefighters who attended the incident. Unfortunately we have not finalised the appropriate rate to be paid for travel to and from the deployment. These discussions are continuing.

## Superannuation Inequities

**The UFUA has been asked by the membership to investigate with the TFS the reasons behind inequity in employer**

**superannuation contributions for professional firefighters employed by the TFS.**

It is apparent that since legislative reform in 2005 relating to Employer Superannuation contributions all professional firefighters employed by the TFS since that time have only been paid a 9% ( currently 9.25%) employer contribution into an accumulation fund. UFUA members employed before this date have maintained a 14% employer contribution rate.

It appears from a report developed by the TFS in consultation with the UFUA that the 3% productivity component of the superannuation contribution negotiated by Public Sector Unions in 1988 has not been passed onto firefighters who were employed post the 2005 legislative reforms.

The UFUA has received a copy of the draft report and the matters contained therein will be discussed with the membership during a state-wide round of meetings scheduled for the end of May.

## Change of Government

**With the change of government comes a pause whilst new policies and procedures are developed.** The UFUA has negotiated for the past 16 years with a Labor Government and as this magazine went to press was preparing to meet the new Liberal Minister Rene Hidding. We were hopeful the discussion would be positive.

Hopefully the discussion will be positive.

The UFUA wants to take this opportunity to acknowledge one of the many achievements of the previous Minister David O'Byrne. Since the introduction of Presumptive Cancer Legislation one professional firefighter and his family have successfully submitted a workers compensation claim. The support for firefighters provided under the new laws is substantial and takes away the worry of medical treatment and wages whilst recovering from serious illness. Well done, David. You are very well respected by all professional firefighters for your support for workers. We appreciate your efforts. You have made a difference.

**GREG COOPER**  
UFU TASMANIAN BRANCH SECRETARY

### UFUA TASMANIA BRANCH

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Branch Secretary: Greg Cooper  
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## VIC BRANCH



## Naphtine Slashes – You Burn

**The Victorian Branch campaign for the State Election to be held in November 2014 is in full swing.**

The UFU “Naphtine Slashes – You Burn” campaign was launched on March 25 2014 with about 1200 UFU members marching through Melbourne to rally on the steps of Parliament.

There continues to be widespread media coverage regarding the Victorian Government’s \$66 million cut to the CFA and MFB budgets, the failure to recruit the additional 342 CFA firefighters and open stations in accordance with the 2009 Board of Reference, and subsequent station closures due to lack of staffing.

The Facebook pages FireCrisis and Protect the Protectors have surged in popularity with some posts reaching more than 40,000 Facebook users.

There has been a series of very successful door-knocking campaigns in marginal seats.

On March 29, 50 firefighters were joined by about 20 paramedics and 30 volunteers to blitz the marginal seat of Carrum. More than 11,000 homes were visited with 3,500 signing

a petition in the electorate which was only won by the Liberals in the last election by 85 votes.

On May 17, 70 firefighters descended on the electorate of Frankston and were joined by 30 ambos and 50 volunteers to put the message of “Naphtine Slashes You Burn”. As a result of that widespread door-knock about 4500 people signed the petition. Frankston is currently held by newly independent Geoff Shaw who was ousted from the Liberals and holds the seat by under 500 votes. With his support on confidence and supply issues the current Naphtine Government has a one-seat majority.

Firefighter “selfies” with the public proved to be very popular as they door-knocked. The selfies were then uploaded onto social media to demonstrate the public support for Victoria’s emergency services.

## MFB Apply to Terminate Operational Staff Agreements

**The MFB have applied to the Fair Work Commission to have the MFB UFU Operational Staff Agreement 2010 and the MFB UFU ACFO Agreement 2010 terminated.**

The MFB announced they had made these applications via commercial radio before

notifying the UFU or the employees covered by the Agreements.

If the MFB applications were successful, the terms and conditions of employment of all MFB firefighters of all ranks up to and including Assistant Chief Fire Officers would be wiped out. Firefighters through to Commanders are covered by an Award which records minimum terms but the ACFOs do not have any Award safety net.

These agreements were negotiated, agreed, signed by the MFB and UFU and then certified by the Fair Work Commission in 2010. The MFB wants to wipe out the operational staff terms and conditions of employment claiming the agreements they negotiated are now unworkable and contain “not permitted matters”.

The MFB’s intention is to have the working conditions of the firefighters covered by the MFB UFU Operational staff agreement reduced to the Modern Award which is the Firefighting Industrial Award 2010. There is no Award for ACFOs and therefore the only protection if the Agreement is terminated is the National Minimum Wage and the 10 National Employment Standards.

The MFB have said it will give an undertaking “to maintain the core entitlements” of operational staff if the

Agreements are terminated. The terms, scope or effect of any such undertaking, if eventually given, are unknown.

The matter has been set down for a 20-day hearing in July 2014.

Under section 226 of the Fair Work Act 2009 the Commission *must* terminate an enterprise agreement if:

- FWC is satisfied that it is not contrary to the public interest to do so; and
- FWC considers it appropriate to terminate the agreement taking into account all the circumstances including:
  - i. The views of the employees, each employer, and each employee organisation (if any), covered by the agreement; and
  - ii. The circumstances of those employees, employers and organisations including the likely effect will have on each them.

The MFB's past conduct is inconsistent with their application in Fair Work Commission, as the MFB Board and MFB Executive Committee endorsed the 2010 Agreements and underpinned such endorsement with the following statement signed by MFB CEO at the time:

*"The new agreement delivers not only industrial harmony not seen here in recent years, but also opportunities for firefighters in terms of their career paths and structures...But this agreement is more than a pay rise. It is a foundation for the future that heralds a new perspective on firefighting as a career"*

This will be a significant case with volumes of evidence and numerous witnesses.

On two occasions the MFB have unsuccessfully attempted to change the decision-maker hearing this case.

In April the MFB failed in their bid to have the case heard by a Full Bench of the Full Court as the President Justice Ross said it would be heard by one Commissioner and therefore remained with Commissioner Wilson.

The MFB then wrote to Commissioner Wilson asking him to excuse himself on the basis of "apprehended bias".

Apprehended bias is a claim that if a lay fair-minded reasonable person was at the back of the room listening to the case they would think that the Commissioner was not able to make an impartial decision.

The MFB said there was nothing Commissioner Wilson had said or done that would indicate bias but that they wanted to avoid any "embarrassment" resulting from him having to determine matters that may include issues or conduct he had witnessed in the usual course of his duties as Commissioner in matters involving the MFB and the UFU.

The Fair Work Commission is set up on a panel system which has a panel of Commissioners assigned to industry areas and as a result the same Commissioner is often hearing the disputes and issues between the same parties.

Commissioner Wilson determined there were not any grounds for him to "excuse" himself as the MFB had not given any detail or evidence" of apprehended bias.

Therefore the case continues with Commissioner Wilson presiding over the 20-day hearing in July 2014.

## UFU Appeal and CFA Cross-Appeal of the "Recruits" Case in The Federal Court of Australia

**The Appeal of the UFU's claim that the CFA is required to recruit firefighters in accordance with the CFA UFU Operational Staff Agreement 2010 has been set down to be heard on the 13th and 14th August 2014 before a Full Bench of the Federal Court.**

This is the Appeal of the Federal Court case that was brought because the CFA reneged on the implementation of the independent board of reference findings on severe fire-fighter resourcing problems across the State and cancelling the recruitment of 342 additional staff as agreed ("the Recruits case").

There were a number of issues in the Federal Court case before Justice Murphy. Many of these involved the CFA asserting that the Agreement it had made, and freely entered, and had certified by the Fair Work Commission, was invalid for a variety of technical reasons. The UFU won all but one of these arguments.

In the decision that is being appealed [**United Firefighters Union v Country Fire Authority 2014 FCA 17 (31/1/14)**] the Federal Court ruled enterprise agreement clauses regarding staffing, contracting out/maintenance of classifications; secondment and lateral entry (clauses 26, 27, 28 and 122) were invalid as they impaired the capacity of a state government to determine the number and identity of its employees or the number and identity of employees to be made redundant.

This is known as the Re: AEU legal principle as Re: AEU was a High Court case where the distinction between the powers of the State and the Commonwealth in terms of employment staff was determined.

While Justice Murphy found four of the clauses of the Agreement were not enforceable because of the Re: AEU principle, he went on to say:

*"I have some difficulty in treating the implied constitutional limitation as applicable to **industrial agreements** that are bona fide voluntarily entered into by a state party and which may therefore have no practical impact on a State's capacity to govern."*

The CFA have notified of cross-appeals of Justice Murphy's decision again attempting to challenge the validity of consultation and dispute resolution clauses.

The CFA were not successful in claiming argued that clauses 13, 14 and 16 of the Agreement were "objectionable" and /or "unlawful terms".

The UFU also successfully defended the dispute clause with Justice Murphy finding that this clause was valid and that the clause did not prevent a dispute resolution clause from extending to matters beyond the Agreement.

Importantly, the UFU also successfully argued that the CFA is a constitutional corporation. If the CFA had been found not to be a trading corporation then the Referral Act 2009 would prevent prescribed minimum staffing.

The CFA has filed a notice of contention claiming Justice Murphy erred in finding the CFA was a constitutional corporation.

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## Common Law Deeds to be Considered by The Federal Court of Australia in the UFU v CFA Volunteer Support Offices Case

**In the wake of the above Federal Court Decision known as the “Recruits case”, the UFU has sought to have Common Law Deeds considered to enforce a clause that Justice Murphy had deemed unlawful on the basis it impinged on the State’s ability to determine the number and identity of employees.**

Just before the 2010 CFA UFU Operational Staff Agreement (which covers all professional firefighters up to and including Operational Officers and Operational Managers) was finalised, the CFA and UFU signed a Common Law Deed to incorporate the terms of the Operational Staff Agreement should any clause or the Agreement be deemed unlawful and/or unenforceable.

In 2013 CFA sought to introduce a Volunteer Support program and officers

in early 2013 with no consultation and significant concerns raised by the Union about work currently performed by current Operational Staff.

The UFU filed in the Federal Court regarding breach of the agreement and this matter has been set down to be heard in October 2014. Initially this case was before Justice Marshall but due to his unavailability it has recently been transferred to Justice Tracey.

The Deeds have been put before the Federal Court in this matter as a result of the Recruits case (referred to above) where Justice Murphy found four clauses including the no contracting out/maintenance of classifications clause were unlawful on the basis it interfered with the State’s right to determine the number and identity of state employees.

## Hazelwood Mine Fire OHS Matters

**The public hearings have begun for the Victorian Government Board of Inquiry into the Hazelwood Coal Mine Fire, headed by the Honourable Bernard Teague.**

The UFU has filed a submission to the government Inquiry focussing on serious OH&S issues faced by the firefighters

deployed to the mine. Firefighters from South Australia and Tasmania assisted Victorian firefighters at the protracted and extraordinary mine fire while NSW fireies were deployed to backfill CFA fire stations.

Acting on firefighter concerns, the UFU repeatedly sought action from the Fire Services Commission, CFA and MFB Chief Officers and the Government to address the serious health and safety concerns at the time of the Hazelwood Mine fire operation.

These concerns included exposure to health-threatening levels of carbon monoxide, contaminated water and the failure to appropriately test and monitor exposure levels and take appropriate action.

In addition there were inadequate amenities including no or poorly organised transition areas resulting in contaminated PPE having to be worn out of the mine and in rest and respite areas including canteens.

Some six weeks into the protracted serious operation, a report into the level and monitoring of carbon monoxide levels and work systems was leaked to the UFU.

In addition to the UFU submission to the Board of Inquiry, the UFU has also sought inquiries the Coroner and WorkSafe undertake the appropriate



investigation into the conduct of the operation of the mine fire and resulting health issues suffered by firefighters and the community with a view to possible prosecution.

The Coroner has said that Office will not investigate pending the Board of Inquiry report and has recorded the legislative restriction from duplicating the government's inquiry into the Hazelwood fire.

WorkSafe has referred the UFU claim to the Enforcement Group for a comprehensive investigation regarding breaches of OH&S legislation. Recently the UFU was notified that the investigation into the UFU complaints were underway.

EPA have issued clean up notices regarding the site soil and water

The UFU is currently pursuing an investigation and prosecution through WorkSafe regarding this matter.

## MFB Operational Bargaining/ Good Faith Bargaining Orders

**MFB filed for a breach of good faith bargaining and then withdrew their application.**

They have since threatened another

application and parties are continuing discussions, including through conciliation at the Fair Work Commission.

Justice Murphy's decision in the Federal "Recruits' case" has had implications for the negotiations for the CFA and MFB operational staff agreements and has resulted in the UFU re-framing draft staffing clauses that may be affected by the Re AEU principle.

The UFU has presented a number of recast claims and are seeking to progress bargaining.

It is worthy of note that the MFB cancelled a bargaining meeting in early May claiming their staff were too busy preparing statements and evidence for the MFB termination of operational staff agreements case.

## CFA Operational Bargaining - Good Faith Bargaining Orders

**CFA filed for a breach of good faith bargaining.**

The matter was heard in late February and the Fair Work Commission issued interim orders against the CFA and the UFU. CFA attempted to seek new orders at a hearing on March 26 2014 however this attempt

was not accepted by the Commission.

The UFU has presented a number of recast claims and are seeking to progress bargaining.

Parties are currently complying with the interim order and the parties are due to meet in June discuss the claims.

## CFA Fiskville Bargaining - Fair Work Commission Bargaining Dispute

**This matter has been in front of the Fair Work Commission since 2012, where CFA stated that it was their final offer despite not having any wage figures in the agreement at the time.** The parties have been in numerous conferences before the Commission since and most recently on Tuesday March 25 several matters were progressed however significant outstanding matters remain with no adequate movement from CFA. Fiskville hospitality staff are also seeking to become incorporated into the larger PTA agreement. The CFA is yet to put an offer to vote for employees, despite the previous agreement passing its nominal expiry date almost three years ago.

continued on page 23





continued from page 21

## CFA DMO Fair Work Commission Bargaining Dispute

**Members have voted to take protected industrial action, due to the CFA's conduct in bargaining and lack of an acceptable agreement proposal.** CFA have attempted to use legal arguments to stop the effect of the protected action.

Several conferences have been held in front of the Fair Work Commission in order to progress the bargaining dispute.

## Late Notification Payments

**For some time members have been raising with the UFU multiple disputes relating to the MFB refusing to pay members payments regarding late notification of a move.** The UFU has always maintained that the clause requires a member to be notified of a move within the specified timeframes and, at a time when they are *on shift*. The MFB have sought to deny this interpretation and deny members payment.

The UFU is now running a test case arbitration before the Fair Work Commission seeking a decision on the interpretation of the clause. The matter will be heard in early May.

## Non-Payment and Payroll Deductions

**The UFU has filed applications in the Federal Court to have MFB firefighters paid the monies they are owed for deployments to Stawell and Hazelwood.**

The MFB has continued to seem incapable of simply paying members in time for their work.

The UFU has filed for payment through Federal Circuit Court within the small claims jurisdiction.

## MFB Leave Balances

**This matter has been ongoing at the Fair Work Commission regarding the accuracy of Firefighter's leave balances within the MFB.**

This has been a persistent and ongoing issue. To date the MFB has been unable to explain why numerous employees have identified significant discrepancies within their leave balances.

Last year before the Commission the MFB made commitments to provide the Deloitte audit report to the UFU. However after numerous requests, a report has not been forthcoming and the UFU has recently sought the matter be relisted.

## Transfield Non-Payment of Allowance

**The UFU have lodged a dispute in the Commission regarding a non-payment of**

**an allowance at Transfield, the 'Range' allowance.** A conference regarding this matter was scheduled for April 1 2014 at the Fair Work Commission.

## Award Modernisation

**As part of the award modernisation process, enterprise awards and other awards are being modernised or terminated.** The UFU has made applications to modernise the Victorian Firefighting Industry Employees Award and the CFA Administrative and Support Services Award.

The Award that the MFB have referred to in correspondence regarding their application to terminate the operational staff agreements is an Award that has already been modernised – the Firefighting Industry Award.

In most cases these Awards are the safety net of conditions which have been significantly superseded by enterprise agreements. However it is important to protect these instruments of which are utilised by the Commission when considering the approval of enterprise agreements.

### UFU VIC BRANCH

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# You can change the Victorian Government

In May, over 60 Victorian firefighters joined 152 volunteers including paramedics, nurses and union members to door knock the entire electorate of Frankston.

Why?

Because the Victorian government has failed firefighters and failed the Victorian community.

Before the election 2010, the Liberal party promised to implement the recommendations of Royal Commission into Black Saturday. Four years later, our fire services are still waiting on 342 extra firefighters, and \$66 million in promised funding.

The Victorian Napthine government has also failed the community and working people on health, education and jobs. Since being elected in 2010, 41 workers have had their jobs wrecked because the government has no jobs plan. \$826 million has been cut from the hospital system.

**In one way or another, every Victorian worker has been let down by the Baillieu-**

**Napthine Government. As fire fighters and member of the UFU, you have a powerful to hold this government to account.**

Firefighters and other union members are joining together on a co-ordinated campaign, called **We Are Union**.

Since January this year, firefighter and other union members have volunteered to make phone calls and go into the community to knock on doors to talk to friends, family and neighbours.

By talking to people in the community, about the issues that are important to you, like emergency services, health and education, and jobs, we can make a real difference when the election comes in November.

So far, more than 1000 volunteers have knocked on over 24,000 doors and made 6000 phone calls. **Each of those represents a conversation that can change the outcome of the election.**

Victorians need a government that cares about hardworking firefighters, and treats working people and communities with



respect. Denis Napthine has been given an opportunity to demonstrate his good faith, but he's let you down.

So we invite you to join fellow union members at our next campaign event. Get involved, get active, and be part of the biggest coordinated union campaign in years. We'll be proud to have you on board.

**Join at [www.weareunion.org.au](http://www.weareunion.org.au)**

## The lucky country

BY HENRY AWESOME

*I've lived and worked in this great land, all my lucky life,  
I'm now retired and enjoying times, with my lovely wife.  
We don't have a million dollars, although we have enough,  
To travel a little, spend a bit and not do it too tough.  
I'm one of the fortunate few, that saw workers benefits rise,  
Assisted by the many immigrants, who also sought that prize.  
Now recent changes to Australia, are causing me true concern.  
We've stopped the boats and seen refugees, in the water burn,  
Those that survive we send 'em back, to face a fate unsure,  
With despots' deeds they'll need to cope, although there is a war.  
Soon Aussies must remain at work, for three score years and ten.  
This won't affect the big end of town, since they have all the yen.  
Don't leave your job or get the sack, if you're thirty years or less,  
The financial support that once was there is gone; it's just a mess.*

*And pity the average student, if your parents aren't a wealthy lot,  
'cause universities can name their price and degrees will cost a pot.  
Before the election promises made, about our future bright,  
Have disappeared amid the spin and left most of us in fright.  
Of course climate change does not exist; it's just a Greenies fable,  
Tell that to firies on the end of a hose, then vamoose if you're still able.  
An emergency financial crisis, is the cry our Government spruiks,  
Hence now the average punter, from the shopping mall is spooked.  
The rich are getting richer, as the majority must tighten their belts,  
Low earners do the budget lifting, while the wealthy enjoy what's dealt,  
Have mercy on those poor buggers, that are sick or chronically ill,  
The cost of medicine is still rising and co-payments fill the bill.  
Thus, sitting down and thinking back, to those mighty times of yore,  
It just doesn't seem to feel to me, like that lucky country anymore.*

# WA BRANCH

## In Honour of Firefighters

The last few months have been particularly busy and the WA Branch celebrated the service and Union membership of over 25 of our members who have recently retired, and who attended the Branch's Annual Retirement Dinner.

Those in attendance at the Annual Dinner enjoyed the celebration of over 900 years of Firefighting careers and experiences and those members that retired appreciated the honour and respect shown to them on the night. The Union now presents a replica brass helmet to all those who retire in good standing as Union members and the photos show the helmets in all their glory.

On Sunday the 4th of May, a service will be held at the newly upgraded Firefighter's Memorial in King's Park. Some years ago a grove of remembrance was built following a project set up to recognise the centennial year of the Fire and Rescue Service, recognising the significance of 100 years since the Fire Brigade was established in Perth.

This year, following much lobbying of the State Government, a new additional statue will be unveiled at the memorial that symbolises both the camaraderie of Firefighters and mourning the loss of Firefighters in the line of duty in defence of our communities. The Statue as shown in these photos depicts a standing Firefighter with his hand on the shoulder of a kneeling Firefighter who is holding a lost comrade's helmet.

The Union recognises and appreciates the support of our Commissioner who "moved the proverbial mountain" to ensure the new memorial upgrade would be both a work of beauty and dignified reflection. The design process for the memorial upgrade was a consultative and inclusive process. The new structure that supports the statue is engraved with the following words:

"In memory of all Western Australian Firefighters who have served and given their lives in protecting our communities."

We look forward to members of our Union and their families being able to visit the site which is adjacent to bushland and is set out below the famous "DNA" Tower which looks over the Swan River and the City of Perth.



## Post Script:

**Following the new presumptive Workers Compensation laws for those firefighters who go on to develop any of the 12 listed occupational cancers, the WA State Government has committed to creating a welfare bill to extend similar protections to retired Fire and Rescue Service personnel and Volunteer Fire and Rescue Service Brigade members.**

The WA Government's Workers Compensation laws do not cover retired members long into their retirement and do not apply to volunteers. So the Government has proposed a Welfare Bill that delivers similar benefits to the presumptive legislation and is based on the same criteria for exposure to the hazardous toxins through firefighting, for the same number of cancers over the same periods of time. This Bill will deliver welfare benefits for retired members who develop the occupational cancers after they retire until they die. It will not be retrospective but will deliver protection for all retired personnel who develop primary cancers if they meet the same criteria established in the Workers Compensation Act -that is a number of years of exposure through work as Firefighters

and this is set out in the detail of the legislation. The Welfare Bill is currently before the Cabinet and it will then go to the Parliamentary Drafters and the Union looks forward to seeing the new Bill and changes to the law to offer protections for the welfare of our Retired members.

Finally, the WA Government has announced as a part of the 2014 -2015 Budget papers overnight that two new Fire Stations will be built. One is a new second CBD Station which will be built in either West Perth or Northbridge, and this is additional to existing resources. The other Fire Station will replace the existing Albany Fire Station and is a long overdue modern, safe, contemporary Fire Station built to house Firefighters in one of our important regional cities. The Union looks forward to the expansion of our service across WA and will continue to campaign for new stations, equipment and resources to better protect and serve the communities across Western Australia.

### UFUA WA BRANCH

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The overall winner of the firefighters race Scott McGraw from the MFB with MFB Dep Chief Officer David Bruce (left) and Peter Richard, Manager of Scott Safety (right).

# Great Scotts

MFB firefighters have taken most honours in this year's Australasian Police and Emergency Services Games stair race.

The 160 metre vertical race to the 43rd floor of Melbourne's Rialto Building, sponsored by Scott Safety, was held over the Easter weekend and attracted more than 50 competitors from both sides of the Tasman.

Scott McGraw from the MFB's South Melbourne fire station took out the top spot in the firefighting gear category in 8 minutes and 57 seconds, while Scott McTaggart of the Australian Federal Police won the athletic gear category in a time of 6 minutes and 4 seconds.

Scott McGraw's winning run was an incredible feat considering the 23 kilos of firefighting gear worn by competitors.

The full kit included Australian standard firefighting equipment including helmet, turnout coat, turnout pants, gloves and boots and full Scott Safety breathing apparatus.

Scott was also part of the Metrofire team which also included James Beard, Steve Axup and Scott McGraw. Team Metrofire won the team category twice – in both the full gear and athletic gear.

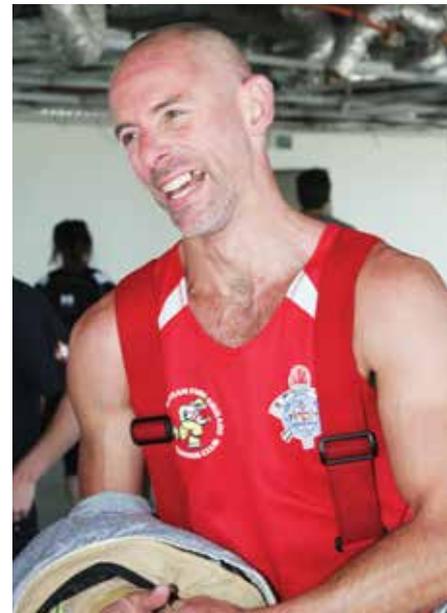
The Australasian Police and Emergency Services Games is a biennial, week-long event of sporting action with participants from the police, fire, ambulance and other services. The 2014 Games saw competitions held at a number of venues across Melbourne and throughout regional Victoria. ■

## Top ten placings in the firefighting gear race:

1	<b>Scott McGraw</b>	08.57
2	<b>Robert Foote</b>	10.03
3	<b>Clint Fouche</b>	10.45
4	<b>Russell Smith</b>	11.15
5	<b>Christopher Beasley</b>	11.36
6	<b>Edward Love</b>	12.03
7	<b>William Nugent</b>	12.34
8	<b>Paul Sweeting-Shaw</b>	12.39
9	<b>David Nguyen</b>	12.47
10	<b>Chung Wai</b>	12.58



The winning team from the MFB, "Victoria Metrofire". From left David Bruce, James Beard, Steve Axup, and Scott McGraw, with Peter Richard of Scott Safety.



Winner Scott McGraw, just out of his gear.



David Nguyen and Chung Wai.



23 kilos of firefighting gear worn up 43 floors is no easy feat. Brody Mangos, New Zealand Fire Service at the start line.





# RACING across the TASMAN

The 10th Anniversary Skytower Firefighter Stair Challenge was held in Auckland on Saturday May 17 2014.

**L**ast year's event raised \$500,000. This year's event raised \$883,166 – and still counting – for NZ's Leukaemia & Blood Cancer Foundation.

Some 750 firefighters from across NZ and Australia, the USA & Canada competed to climb 51 floors or 1103 steps in full structural firefighting gear and BA – a total weight of about 25kg.

## The MFB results included:

- SO Sandra Hearn – 1st Overall Female\* and 1st Masters Age group\* (time 14:12)
- LFF Scott McGraw – 2nd Overall Male and 1st Masters Age Group\*
- Fastest Brigade Team\* – MFB - LFF Scott McGraw (9:06), FF Michael Ward (10:44) and LFF Steve Axup (11:09)
- FF Michael Ward 9th Overall and 7th Open Age group
- LFF Steve Axup - 16th Overall and 5th Masters Age group
- FF Cameron Godwin - 64th Overall and 21st Masters Age group (12:53)

Our correspondent, SO Tony Martin, modestly says he's still climbing! ■

\* denotes titles retained from previous year



LFF Scotty McGraw crosses the finish line into helping hands.



1st & 2nd Overall immediately after completion at top, showing the true international firefighter spirit after such a gruelling event. From left, first placed Josh Harrison from Otara Station Auckland (time 8:36), and second placed MFB LFF Scotty McGraw (9:06).



After receiving their well earned awards (trophies & medals) at the Presentation Dinner Dance that evening at Sky City, Sandy Hearn proudly yet humbly holds her '1st Female' trophy. With her are the 'Fastest Brigade Team' winners: MFB FF Michael Ward 10:45, LFF Steve Axup 11:09 & LFF Scotty McGraw 9:06.



The traditional Maori haka was performed before the start. LFF Steve Axup 2nd from left in 2nd row.



MFB Station Officer Sandy Hearn crosses the finishing line. '1st Female Overall' 14:12



The three fastest overall. From left, Josh Harrison from Otara Station Auckland (8:36), MFB Scotty McGraw (9:06), and William Garnett from Airport Rescue Fire Auckland (9:32).



# Big Brother battle resumes

It was a big couple of months of stairclimbs.

**N**ot just Melbourne and Auckland, but also in Darwin. MFB firefighter Caleb Geppert – a former Big Brother contestant – took time off to help out at a charity stairclimb to raise funds for Lifeline on Sunday May 25.

The 22 emergency services personnel, including four women, raced up 14 flights of stairs to the top of Darwin’s NT House before completing a 50-metre dash carrying a ‘damsel in distress’.

Caleb’s partner was another former Big Brother contestant, Tahan Lew-Fatt. Her father has been an NT firefighter for more 20 years. ■



MFB firefighter Caleb Geppert with fellow Big Brother contestant Tahan Lew-Fatt teamed up for Darwin’s “Rescue me” challenge.





# THERE ARE NO SCEPTICS AT THE END OF A HOSE

While the climate change debate continues in the media and through government policy, the increasing regularity and intensity of extreme weather events is a reality for firefighters.

There are no sceptics at the end of a hose.

There is no denying the change of weather patterns and the increased intensity and regularity of extreme weather events. The differences of opinion primarily surround the cause of climate change and any actions that can be taken to affect weather systems.

There is a plethora of evidence that shows the increase in intensity and frequency of extreme weather events - the increases in fire danger days in some states and the high rainfall in others.

The climate change debate is a big ticket item politically and not just for the Greens.

As awareness increases, the call to take preventative action increases. Controversy thrives as debate swirls around what has to be done and how it is to be done.

Of course where it will cost business or industry profit the controversy centres around methods of persuasion and proposed economic penalties.

Despite the breadth of reference material on the existence and impact of climate change, the Abbott Government remains reluctant to link extreme weather events to climate change.

In April 2014 the United Nation's Intergovernmental Panel on Climate Change predicted increasing effect of climate change but that there is still time to avoid the worst of droughts, floods and bushfires through significant preventative programmes including reducing carbon emissions.

But the Australian's government said while it was committed to reducing carbon emissions it's warned against attributing extreme weather events to man-made climate change.

Therefore it should be no surprise that one of the first acts of the Abbott Government was to disestablish the Climate Commission. At the time Climate Commission was established by the Gillard Government in 2011

it was billed as "authoritative independent source of information for all Australians" and "to provide expert advice on climate change science and impacts, an international action" to "help build the consensus required to move to a clean energy future".

But what was probably a surprise to the Abbott government was the depth of feeling about the need for such a body. Within a fortnight of the Commission being disestablished and the \$1.6 million budget wiped, a private sector replicate rose like a phoenix from the ashes. Approximately \$500,000 was raised in public donations within days and sacked Commission head Tim Flannery was now at the helm of the new Climate Council.

The Climate Council has been quick to produce reference material.

Within a few months their first comprehensive report "*Be Prepared: Climate Change and the Australian Bushfire Threat*" was hot off the press.

The key findings of the December 2013 report are likely not to be of any great surprise to readers of the Australian Firefighter:

- Record-breaking temperatures were experienced across Australia in 2013
- More than 120 weather records were smashed including the hottest summer, the hottest January and the hottest day.
- Climate change is already increasing the risk of bushfires
- In Southeast Australia the fire season is becoming longer, reducing the opportunities for hazard reduction burning
- Recent severe fires have been influenced by record hot, dry conditions



- *In the future, Australia is very likely to experience an increased number of days with extreme fire danger*
- *It is critical that communities, emergency services, health services and other authorities prepare for the increasing severity and frequency of extreme fire conditions*
- *This is a critical decade – Australia must strive to cut emissions rapidly and deeply to join global efforts to stabilise the world’s climate and to reduce the risk of even more extreme events including bushfires.*

This report was in synch with much of the contemporary references to the existence of climate change and the extent of its effects.

In August 2013 a Federal Senate Committee not only recognised the existence of climate change and its escalating effect on Australia’s weather but documented 10 recommendations to prepare for and address the consequences.

“The committee notes the linkage between climate change and extreme weather events and recommends that the Bureau of Meteorology and CSIRO conduct further research to increase understanding in the areas of:

- The interaction between large-scale natural variations, climate change and extreme weather events; and
- The impacts of climate change on rainfall patterns and tropical cyclones; and
- That Australia cooperatively engage where appropriate, with international research initiatives in these areas

Importantly the Senate Committee report specifically refers to the evidence provided by the United Firefighters Union of Australia that the fire services currently do not have the capacity to meet the challenges of climate change.

The UFUA provided a series of reports to the Committee that demonstrated the need for a significant increase in the number of firefighters necessary to protect the community when projected (and widely accepted) increases in temperatures and rainfall were mapped with population rates.

Included in the UFUA evidence was the UFUA-commissioned National Institute of Economic and Industry Research (NIEIR) February 2013 report “Firefighters and climate change: The human resources dimension of adapting to climate change”.

The report mapped firefighter numbers for two climate change scenarios in terms of daily temperature, humidity, wind and rainfall

**Table 1 Forecast firefighter demand for Australia based on two climate change scenarios<sup>1</sup>**

	Base 2012	H2 Scenario		H3 Scenario	
		2020	2030	2020	2030
NSW	3826	4741	5728	5175	6759
VIC	2648	3405	4296	3564	4697
QLD	2525	3529	4951	3529	4892
SA	906	1098	1354	1196	1611
WA	1225	1693	2334	1751	2494
TAS	321	3347	367	337	395
NT	255	369	522	383	560
ACT	334	435	586	455	656
<b>AUST</b>	<b>12041</b>	<b>15607</b>	<b>20136</b>	<b>16391</b>	<b>22065</b>

Source: ABS Census data/NIEIR forecast.

for the years 2020 and 2030. It drew on the Intergovernmental Panel on Climate Change for changes in global temperatures – that is 0.4-1.0 degrees Celsius by 2020 and 0.7-0 degrees Celsius by 2050.

To cope with those scenarios and the resulting extreme weather events, the NIEIR report predicted Australia would need to increase its capacity by increasing its professional firefighting force by 36% by 2020 and a staggering 83% by 2030.

And this is a conservative estimate. The NIEIR sourced information independent of the UFUA and relied upon the census and the Australian Productivity Commission data as a baseline for the current number of reported employed “firefighters”. When compared with UFUA information this baseline was a over-reporting of actual operational professional firefighters.

The NIEIR report found when the Forest Fire Danger Index data was analysed in more recent periods it becomes clear that almost every fire season can be categorised as having produced significant fire events.

It automatically follows that Australia needs to ensure it has the capacity and capability to respond to such events.

In addition to the NIEIR report, the UFUA submission to the Senate Inquiry included interim reports on the professionalism of firefighting and economic consequences resulting from fire.

National Secretary Peter Marshall appeared before the Senate Committee and the Senate’s final report highlighted the UFUA’s statistics on the necessary increase in firefighting as

well as the UFUA’s submission on the need for improved interoperability. The Committee’s final report referred to the National Secretary’s evidence and recorded “there is still considerable room for improvement in co-ordination in relation to emergency management” including the lack of a common standard and procedures across Australia.

The result was the following Senate Committee Recommendation:

**“The committee recommends that Australian governments specifically address issues of compatibility and capacity to facilitate the most effective interoperability of emergency service organisations and their key personnel, especially for fire services.”**

The credence given by the Senate Committee to the UFUA submissions and the resulting recommendation places firefighters and the UFUA firmly in the climate change debate arena.

Climate change is both a threat and an opportunity.

The Federal and State Governments, and in turn the fire service agencies and industry acknowledge the impact of extreme weather events on emergency response capabilities and capacity. In addition to the substantial increase in the number of professional firefighters needed to meet these challenges, interoperability will also come to the fore.

The UFUA will continue to campaign to have fire services appropriately resourced to protect the community in the near future by substantially increasing capacity and greatly enhanced capability through improved interoperability. ■

Australian Standards review provides for better dexterity in Structural Firefighting Gloves.

# Improved glove dexterity

BY MARK GRIBBLE

While you and I may know what improvements are needed in some of our Personal Protective Equipment (PPE) and in particular our Personal Protective Clothing (PPC), the journey is a far more difficult road. The competing interests of a range of stakeholders is always a long and tough challenge. You may also know that for some considerable time I have been working on the Australian Standards committees to, among other things, improve the minimum performance requirements for the testing of firefighting gloves, in particular their dexterity.

I am pleased to announce that the recent review of the Australian Standards for Structural Firefighting Gloves AS/NZ 2161.6 2003 reviewing Project Group (PG) Committee has achieved some considerable outcomes and improvements for our firefighters in both Australia and New Zealand.

This article will highlight just a few of the issues along the journey.

As you may recall the Australian Standard consisted of three levels for Firefighting Gloves. This consisted of 2 levels for Structural Firefighting and one for Wildland/Rescue. I have been successful in harmonising the Structural Firefighting Standard into a single level which meets the correct risk assessments for the tasks and therefore in the interest of compatibility and in the pursuit of improving the dexterity, I was leading the Glove PG for this work.

Just some of the issues I was successful in addressing in these meetings were;

1. Recommending a reduction in Clause 4.5 of the Chromium VI content levels

in leather gloves to below 3mg/kg in accordance with the ISO Standard 17075:2007.

2. Review and discuss the amended Pin Dexterity test as supplied by Vic Lab, and the results of those new tests.
3. Inserting the ASTM tests for dexterity with the view of improved dexterity being achieved by far better test regimes, while ensuring that there is no reduction in thermal, chemical or water protection.
4. Review and discuss the requirement of the previous suggestion of increasing the Cut Resistance from 4N to 10N in Clause 6.3.2.
5. Review and discuss the current requirements for Donning and Doffing of Gloves both wet and dry.

Outcomes from the list above are:

- 1.1 As this process assists in the prevention of shrinkage when exposed to heat and water, and that once reduced to below 3mg/kg, the difference between 3 to zero was not statically significant, it was determined to reduce the Chromium VI levels in leather gloves to below 3mg/kg. This is a very good result as levels around 10 mg/kg have seen some adverse effects on skin
- 2.1 As you may recall the original Pin test had a limited number of sizes. However the real problem which I found was that as the pin sizes became smaller as you progressed through the test, it should have become more difficult to pick them up, therefore requiring a more dexterous glove. The problem which existed in the test was as the pins became smaller

they also became lighter. I asked for this anomaly to be fixed and that we add a number of pins. They added 4 smaller pins to take it from 5 to 9 pins while having a consistent mass. This was expected to provide the obvious result of progressing through picking up a range of pins reducing in size and determine which size pin to pitch the standard. However the results were fairly subjective and showing no consistent result as we had expected. I had already researched a number of other dexterity tests from across the world, which are already used in firefighting standards.

Therefore it was determined to insert a proven "Perdue Pins Test" (*photo 1*) which requires as many 25 pins which are 20mm long to be placed into a peg board in under 30secs. This test is a report test and can be benchmarked. This photo shows 25 knurled or roughened pins and 25 smooth pins.

*Photo 2* is a simple small tools test requiring doing up and undoing nuts and bolts.

- 3.1 All of these tests which I saw and conducted at North Carolina State University assisted in the debate to improve dexterity. These two have particular value. *Photo 3* is a plunger lift test. The cylinder, which can have a domed or square edge facing up, simply gets progressively more recessed into the container until a gloved hand can not lift it. In my opinion this is one of the best fingertip dexterity tests currently available. *Photo 4* is simply a torque bar.



Photo 1



Photo 2

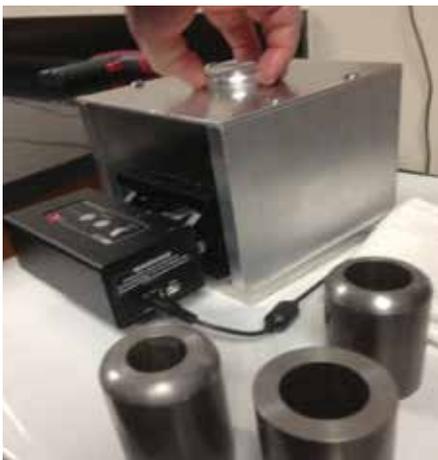


Photo 3



Photo 4

This is a very accurate measurement for a grip test.

There are many outer shell products which are currently on the market and conform to different standards in the world, which are non-leather and serve to improve the dexterity of firefighting gloves. However they often meet 6000 cycles or less in the Abrasion Test regime. To pick up on this improved dexterity, while not reducing any of the other levels of protection performance, we conducted some pragmatic testing to 6000 cycles plus the associated Conductive Exposure heat tests on a range of component products. I am confident this will deliver the outcomes which firefighters have sought in improved dexterity and design for many years.

- 4.1 The current requirement of 4N for the cut resistance has proved to be adequate and to move to the suggested

10N would require a thickening of the glove materials and therefore reduce the dexterity.

- 5.1 The current Donning and Doffing test measures the time to don and doff one glove of the glove pair specimen, 3 consecutive times without altering the sample glove linings between donnings. The baseline donning time shall not exceed 10sec. While there was considerable discussion of the same test being conducted when wet, the ability to have a reproducible and measurable test was not currently available. Furthermore the strengthening and reinforcing required in manufacturing would almost certainly serve to reduce levels of dexterity especially in the fingertips.

We also spoke of some improved moisture barriers and improved ergonomic design, which can also contribute to enhancing dexterity

of structural firefighting gloves for Australian firefighters.

The summary of the improvements in the new Australian and New Zealand Standard (AS/NZ 2161.6 :2014) are:

- Enhanced dexterity. The previous test method was subjective and non-specific and did not deliver what we as end users required. In this area I estimate about a 10% improvement achievable with more possible in the future as technology and test apparatus improves.
- Maintain all current levels of thermal, moisture and chemical protection performance.
- Maintenance and review of the Australian and New Zealand Standard (AS/NZ 2161.6 :2014) and use this as the basis for the formation of the ISO Standard for Structural Firefighting Gloves. For the many hundreds of thousands of firefighters in developing countries, this will be a major boost to their protection and see a sufficient reduction in hand injuries.

Remembering that the Standard should be used as the starting point of a purchase and build on to that as the risk assessment of a given fire service activity determines. If end users are allowed to play an active part in both of these activities, then our injury statistics should be notably reduced.

Given the amount of near misses and injuries in our countries (Aust/NZ), the importance of this achievement cannot be overstated.

Stay safe. ■



MARK L. GRIBBLE GIFREE  
ADV DIPPS (FIREMGT) DIP FMGT  
IS A UFU LIFE MEMBER.

# SECRETLY RECORDING CONVERSATIONS AT WORK? DO SO AT YOUR PERIL

ANDREW RICH  
SLATER & GORDON

A recent decision of Deputy President Sams in the Fair Work Commission considered the issue of an employee recording private conversations to which he was a party which occurred at work.

The decision related to an employee, Mr Thomas, employed by Newland Food Company in Queensland. The termination of Mr Thomas' employment, the Commission found, was put in train as a result of the workers compensation claim that Mr Thomas had lodged following his injury at work. Mr Thomas had recorded conversations with various people in management relating to his entitlements, his return to work, as well as the meeting at which his employment was terminated. Mr Thomas recorded these conversations without the knowledge of the other people in the conversations.

The Commission ultimately made findings that the termination of Mr Thomas' employment was harsh, unjust and unreasonable. However, this was for reasons which outweighed the fact that Mr Thomas had recorded the work conversations that he had, and in circumstances where Mr Thomas was not dismissed for having recorded those conversations.

In Queensland, it is not illegal to record private conversations to which you are a party. Nevertheless, the Commission made

it clear that this did not mean that recording private conversations at work could not form a legitimate basis for the termination of employment, or mean that an employee unfairly dismissed ought not be reinstated.

DP Sams stated:

*“many acts of an employee are perfectly legal, such as refusing to comply with the lawful and reasonable directions of management, refusing to work with particular persons or refusing to take directions from a particular person in authority, refusing to comply with Company policies on drug and alcohol testing, safety or other policies - even abusing the boss. However, the fact that an act is lawful in the wider community sense, does not mean that the same act in the workplace would not constitute a valid reason for an employee’s dismissal.”*

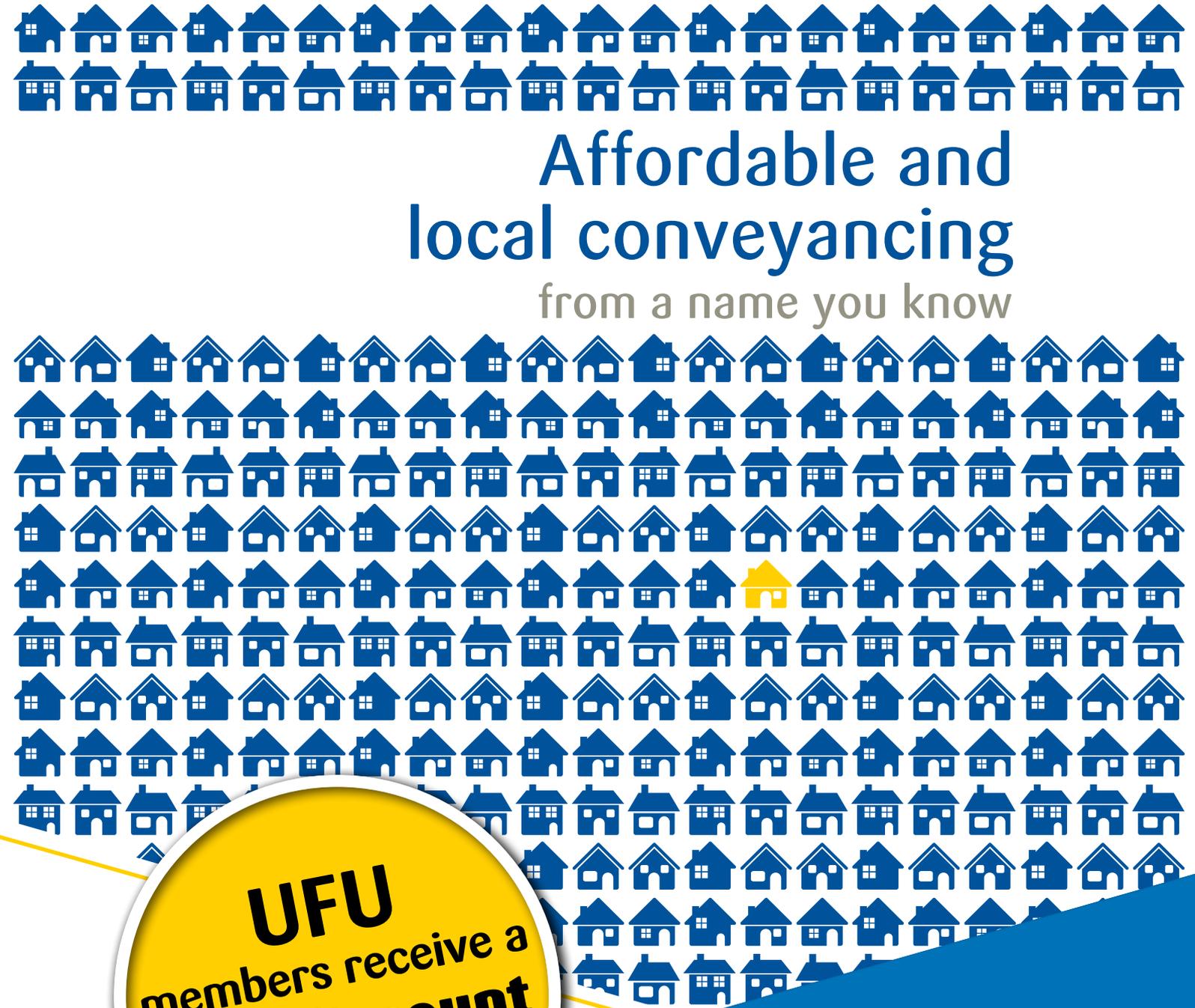
It ought be noted that private conversations can be recorded in Western Australia in certain circumstances, but the same is not the case in other states and territories.

DP Sams considered that “there could hardly be an act which strikes at the heart of the employment relationship, such as to

shatter any chance of re-establishing the trust and confidence necessary to maintain that relationship, than the secret recording by an employee of conversations he or she has with management.”

DP Sams referred to the judgement of SDP Drake in *Lever v Australian Nuclear Science and Technology Organisation* [2009] AIRC 784 and the decision of Cloghan C in *Schwenke v Silcar Pty Ltd T/A Silcar Energy Solutions* [2013] FWC 4513 which he considered supported his position. These judgements are available on the Fair Work Commission's Website at [www.fwc.gov.au](http://www.fwc.gov.au). ■





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