



BULLETIN

Bulletin No: 011

16 November 2022

TO ALL UFUA MEMBERS

Firefighter Presumptive Cancer Laws At Risk

As UFU members know, firefighter presumptive cancer laws are based on scientific evidence concerning the occupational exposures of firefighters to harmful chemicals, shift work, and heat through the course of their career.

This evidence was considered by a Senate inquiry in 2011 and was supported by the Monash university study into firefighter occupational cancer. The evidence underpins Australian presumptive cancer legislation

Last week the UFU National Committee of Management (NCOM) heard about two recent developments in relation to firefighter presumptive cancer legislation. The first was amendments made to the Victorian legislation to bring into the scope of the legislation mechanics who attended the scene of a fire. The second was the inclusion in the Fair Work amendments before the Federal Parliament of a proposal to include volunteers in Commonwealth presumptive cancer legislation. This second development would affect only volunteers in the ACT, but the implications will reverberate nationally.

Both of these developments are concerning in that they have the effect of undermining the scientific basis of firefighter presumptive cancer legislation. Undermining the scientific basis in turn creates a very real risk that workers compensation insurers will exercise their right of rebuttal against the presumption in the legislation.

In practical terms these changes mean that firefighters will face an increased risk that their claim for workers compensation for occupational cancer will be contested by lawyers.

If this is allowed to succeed in one jurisdiction, it is very likely that other jurisdictions will follow suit. We already know that the Victorian legislation has been amended, and there is now a very real threat to the Commonwealth legislation.

The UFU NCOM meeting last week was fortunate to hear two very knowledgeable speakers on this subject, and the videos of their speeches are available by following the links in this bulletin.

Retired senator Gavin Marshall is the court appointed administrator of the UFU QLD Branch. He was the chair of the Senate inquiry which examined and made recommendations in relation to Commonwealth presumptive cancer legislation in 2011. To hear Gavin Marshall speak on this important topic please follow this link <https://www.ufua.asn.au/firefighter-cancer-laws-at-risk/>

Peter Marshall should require no introduction to UFU members. As the National Secretary for 20 years, Peter was the principal advocate for firefighters in Australia in obtaining firefighter presumptive cancer legislation in every Australian jurisdiction. To watch Peter's address to NCOM on this issue, please follow this link. <https://www.ufua.asn.au/firefighter-cancer-laws-at-risk/>

The UFUA will continue to advocate the integrity of firefighter presumptive cancer laws, and to pursue the addition of a further seven cancers to the 12 that are currently covered.

If you or any of your fellow members have concerns about cancer, please contact your branch.

Authorised by National Secretary Greg McConville