



# SIGNAL SEVEN

28 July 2017

Welcome to this edition of Signal 7.

## Resolution in sight over Senior Officer Roles and Promotions

A long running dispute between the UFU and ESA appears to be resolved, following negotiations last week.

In December 2015, the ESA announced the abolition of the Firefighter Capability Superintendent as a part of the "Strategic Reform Agenda". The UFU lodged disputes on behalf of members, arguing that removing the position would impact on the capacity of ACTF&R to provide high quality training to firefighters and recruits and in turn ensure firefighter and community safety. UFU argued among other things that the position:

- Oversees the critical link between firefighter operations and training;
- Ensures that competency standards are exceeded;
- Is critical to the continuous improvement of a safety culture in Fire and Rescue;
- Formed an important part of the rotation of Superintendents across portfolios, so that the senior management has an understanding of all of the factors impacting on firefighter safety.

The BCOM has approved an agreement in principle to maintain the position in training as a Fire and Rescue Superintendent. In addition, the agreement in principle will result in:

- Clarity over precisely who is occupying each position at Commander rank and above, including officers acting in positions;
- Promotion in the short term of the two candidates on the Superintendent Merit List, an additional merit process for Superintendent rank and as a consequence promotions to Commander rank;
- A clear direction to day work commanders that (subject to a reasonable degree of flexibility) if they are deployed on the operational roster, they are not required to continue to perform their day work role;

There remains further detail to be sorted out: the Acting Commissioner is to write to UFU on a without prejudice basis to propose that the Firefighter Capability Superintendent be retained, consequent on the discontinuation of the Policy / Executive Officer Superintendent, and to provide details of how the functions of the Exec Officer role would be performed in future. This would include relevant position descriptions for Superintendent roles. The UFU and ESA will attempt to reach agreement based on this.

The table on the following page shows that membership action combined with strong advocacy gets results: Prior to 2016, there had been no promotions at Station Officer level or above since April 2014. Since then, 4 applications to the Fair Work Commission, 16 individual disputes lodged by UFU members, 5 Conciliation conferences in the Fair Work Commission, 1 cancelled Conciliation conference and numerous negotiations and meetings have resulted in a total of 16 promotions put into effect, and a further 2 promotions to be given effect in coming days.

The UFU welcomes this important breakthrough, reached in a spirit of good faith, and we are confident that this will assist to secure career paths for our members and result in further promotions at Station Officer and Commander Ranks. This will be further pursued in enterprise bargaining.

<b>Disputation and Promotions at Officer Levels: 2015 - 2017</b>	
March 2014	Commanders Merit List given effect.
11 December 2015	Promotions Dispute (C 2015/7561) lodged in Fair Work Commission concerning Commander promotions as no promotions had occurred.
15 December 2015	ESA Commissioner Lane issues organisation chart showing abolition of DCO and Firefighter Capability Superintendent.
14 January 2016	Promotions Dispute (C 2015/7561) resolved in Conciliation before Fair Work Commissioner Wilson. 1 promotion to Commander rank (Ross Kennedy) and subsequent promotions to Station Officer Rank.
12 February 2016	Dispute over Strategic Reform Agenda (C2016/299) lodged in Fair Work Commission.
	2 promotions to Station Officer: Craig Perks & Paul Owens
3 & 29 March; 19 May 2016	SRA Dispute (C2016/299) Conciliation in Fair Work Commission before Deputy President Kovacic failed to resolve dispute over senior officer positions.
June – August 2016	Further meetings with ESA and Government over senior officer positions.
1 July 2016	Superintendent Greg Kent retired: no replacement superintendent promoted.
14 July 2016	3 Promotions to Station Officer: Robert Thompson, Phil Harveyson & Matthew Spackman
Late August 2016	12 UFU senior officer members lodge disputes over abolition of Firefighter Capability Superintendent position.
September 2016	4 additional disputes lodged by UFU members about Senior Officer promotions.
August – October 2016	“ACT on Fire Campaign” includes demands around Firefighter Training remaining under the direction and control of firefighters.
14 December 2016	Promotion Dispute – Ron Weston (C2016/7345) lodged in Fair Work Commission.
16 December 2016	Notice of Listing is issued for Promotion Dispute – Ron Weston (C2016/7345) for conciliation before Commissioner Wilson on 30 January 2017.
20 January 2017	ACT Government Solicitor notifies UFU solicitors that ESA have agreed to promote Ron Weston to Superintendent, and request discontinuance of C2016/7345.
25 January 2017	UFU solicitors file discontinuance notice in C2016/7345.
16 February 2017	Promotion of Ron Weston to Superintendent and Russell Cameron to Commander.
23 March 2017	UFU Solicitors lodge General Protections Dispute (C2017/1582) over non-promotion of Todd Bourne.
29 March 2017	UFU raises concerns with ACTFR Chief Officer about staffing being below funded establishment, likely departures of senior staff and need to run further merit processes
13 April 2017	Conference in General Protections Dispute (C2017/1582) before Deputy President Kovacic failed to resolve dispute.
26th April, 2017	UFU again raises depletion of merit lists at Superintendent, Commander and Station Officer levels.
15 May 2017	4 promotions to Station Officer: Mitch Brennan, Chris Hart, Brett Slater & Anthony Walker
15 June 2017	4 promotions to Commander: Neil Maher, Glynn Jones, Matt Shonk, Paul Flynn
10 July 2017	Having received no response to correspondence, UFU lodges further dispute concerning senior officer promotions.
17 July 2017	ESA Commissioner Lane commences 3 month temporary role at Access Canberra.
21 July 2017	“Without Prejudice Settlement Points – Senior Officer Roles” agreed to at meeting between UFU, Acting ESA Commissioner Brown, and Acting Chief Officer ACTF&R Weston.
25 July 2017	UFU BCOM Endorses “Without Prejudice Settlement Points – Senior Officer Roles”

### **Enterprise Bargaining to Recommence soon**

Public sector unions have now secured an offer from Government that secures an above CPI pay rise for 1 October 2017, payable on finalisation of the agreement and irrespective of when the enterprise agreement is finalised. This is loosely referred to as a backdating agreement. Based on this, enterprise bargaining in ACT Fire and Rescue will recommence on 10 August.

### **WWVP**

Concerns about the roll out of the Working With Vulnerable People (WWVP) registration have been resolved and members are advised to proceed with the process. Any concerns should be directed to the UFU office.

### **Comcare Claims**

Some UFU members have recently had success in pursuing workers compensation claims with the assistance of our solicitors, Maurice Blackburn. This has included cases where liability to pay compensation was initially denied.

From the experience of these members, the following pointers serve as a reminder to members injured, ill or experiencing difficulty:

- First thing: go to your doctor and report to them how you are. Even if you decide to not pursue a claim at that time, having a record will serve you in good stead. Remember that the doctor / patient relationship is confidential.
- Follow your doctor's advice. If you are not happy with what your doctor says, seek a second opinion.
- Contact the union for advice before you lodge any documentation. We can refer you to a lawyer if necessary.

### **UFU in the Media**

Issues raised by the UFU have attracted significant media attention in recent weeks. Keep track of UFU in the media by visiting the UFU Website at [www.ufuact.asn.au](http://www.ufuact.asn.au)

**Authorised by Greg McConville, Secretary, UFU, A.C.T. Branch.**

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