

ANNUAL REPORT 2008
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1. INTRODUCTION

2008 has been a very testing year for the branch. The new Enterprise Bargaining Agreement, which was registered on the 9th of July 2008, took 10 months to negotiate. Reaching the new Enterprise Bargaining Agreement was complicated by many things not the least of which was the superannuation dispute. This latter dispute was extremely complicated, time consuming and difficult to find a solution to.

In addition, two major reviews are being undertaken because of major concerns raised by the Union.

On the 2007/2008 financial front the branch recorded a modest deficit for the first time in over a decade. This was because of hefty legal and actuarial costs and also the Your Rights @ Work Campaign levy that was imposed by the Australian Council of Trade Unions.

2. EBA

Bans and limitations were imposed on 25 January 2008. Escalation of the bans and limitations took place on three further occasions and were finally lifted on 7 March 2008.

Interestingly enough the Tasmania Fire Service did not at any time seek the assistance of the Tasmanian Industrial Commission in resolving this dispute. In the end the ambitions of the employer to achieve reduced conditions of employment lay in tatters and the following outcomes were achieved.

- 14% in cumulative pay rises with 5% paid on 1 December 2007 and 4.8% paid on 1 December 2008 and 3.5% paid on 1 December 2009. This new agreement will expire on 1 July 2010.
- A significant restoration of District Officer's overtime rights which were unwisely traded away in 1997.

- A genuine productivity approach to bargaining based on new work such as CBRIE, technical rescue and marine pollution incidents.
- Changes to personal leave to allow for two consecutive days off on the basis of declarations and an expanded list of professionals who can provide sick leave certificates.
- Salary sacrifice changes to superannuation to be made at any time.
- Job sharing and phased retirement arrangements.
- Casual employee arrangements.
- An incidental allowance for employees away from home over night but where all costs are met by the employer.
- Paid meal breaks for non-rostered shift work employees while working on emergency incidents.
- Alterations to working hours at campaign emergency incidents.
- Increase in availability allowance for Fire Investigators.

The support of the members of the UFU in prosecuting our claims and forcing them to a positive conclusion was deeply gratifying. A significant number of members participated in face to face negotiations and all of them are to be congratulated. Special acknowledgment should also go to the core members of the UFU Bargaining Team; Vincent Males, Wayne Seabrook and Ian McLachlan. Lastly particular congratulations go to our District Officer members who proved decisively what unity and determination can achieve.

3. SUPERANNUATION

The superannuation dispute can probably be best described as a roller coaster ride dating back to February 2007 when a number of members first realised that something was very wrong with their superannuation statements.

Much of 2007 was spent on investigating who was responsible for what had been done to the fund and what the consequences were.

The focus in 2008 was on trying to negotiate a political solution to the problem. An agreement in this regard was finally endorsed on 9 July 2008. This Memorandum of Understanding included the closure of the fund and compensation measures for those who had left the job since 2005 or who would leave the fund before its closure. The centrepiece of the agreement was the equitable distribution of 4.1 million-dollar surplus that existed on 1 January 2008.

Unfortunately the global financial crisis has interposed itself on this agreement and has made it unworkable because the surplus has disappeared.

Accordingly, the UFU has sought to reopen negotiations with the government on the Memorandum of Understanding with a view to reaching a new accommodation that will provide members with a choice as to whether they wish to remain in the defined benefits scheme or to roll their money over into a different complying superannuation scheme.

A formal written proposal from the union office to this effect has been sent to the head of the department of Treasury and Finance and a response is pending.

The assistance of UFU member Mark Cullen in this dispute has been of enormous importance.

4. REVIEW OF RESPONSES

The announcement on 24 July 2008 by the Minister for Police and Emergency Management that there would be a review into TFS responses was the result of many years of work by the union in the pursuit of change.

The following matters have been central to the arguments that have been put by the UFU in this regard.

- Artificial barriers to career brigade responses where career backup could make a difference.
- Inadequate retained brigade support, most importantly in Burnie and Devonport.
- The failure of the TFS to extend the Launceston response model state-wide (dispatch three crews on the basis that this will guarantee the arrival of at least two crews. That is, either two career crews and one retained or two retained crews and one career).

It should be noted that the last of the dot points above was previously agreed to in principle by the former Manager for Police and Emergency Management David Llewellyn more than two years ago. The TFS has yet to move to implement this model.

The UFU will not let the Minister for Police and Emergency Management forget the famous words he uttered on 24 July 2008 when he said “I don’t want to be sitting around here talking about this at Christmas.” Indeed, it was only after very significant public criticism of him in the media in November of this year that the Minister moved to expeditiously appoint the consultants who will conduct this review.

As a result of all of the above the Branch Committee of Management will meet with the consultants (KPMG) today Friday 12 December 2008 to commence the review process. The National Secretary of the UFU of A will attend this meeting.

Amongst other things this initial discussion will be about how the consultants can best go about finding out what firefighters themselves actually think about these profoundly important matters.

The anticipated time frame for the finalisation of this report has been revised to June or July 2009. The union office has commenced drafting a written submission on these matters that will be available for comment by members in the New Year.

5. REVIEW OF FIRECOMM

On 8 February 2008 the Chief Officer wrote to the union office indicating that an independent review would be conducted into the operations and workings of FireComm. This came about as a result of a vote by FireComm members to pursue this course of action which resulted in a front page story in the Mercury newspaper outlining the concerns of the FireComm membership. This vote by members followed an internal review in 2006 which resulted in increasing shift strength in FireComm from two to three. However, this was the only outcome from the 2006 internal review and a host of other recommendations were not implemented.

The consultation process undertaken by KPMG ensured that every member employed in FireComm was given an opportunity to air their views and contribute to the review. The union office was also comprehensively involved with the consultants about what is wrong and what needs to be improved in FireComm. At the time of writing the consultant's report is imminent.

6. EMERGENCY RESPONSE VEHICLES

The second half of the year saw a significant level of confrontation with the employer about emergency response vehicles.

The old 8.1 special response vehicle in Launceston was a source of much difficulty in respect to its potential to be the cause of an MVA. As a result of agitation by the union TFS ultimately hired an independent engineer to assess the vehicle. Although the TFS has not released the report provided by the engineer in question, the union understands that his recommendation was to upgrade the shock absorbers on this vehicle.

Two other areas of deep disagreement centred on the new 8.1 and 3.1P vehicles being introduced into the service by TFS management.

The new 8.1 vehicles are large and cumbersome and not at all suited to the out of area terrain that members are responding to for Road Accident Rescue. Senior TFS management has wrongly argued on repeated occasions that this type of vehicle configuration is widely in use on the mainland. This is simply not true. The overwhelming evidence is that the delivery platform for road accident rescue on the mainland is via heavy pumpers with purpose built heavy rescue vehicles in support as required.

The concept developed by senior TFS management is basically to send a heavy rescue truck to everything. This concept is deeply flawed because it will not allow firefighters to deal effectively with conditions that will be encountered during out of area responses such as vehicles being difficult to reach because of off road conditions such as farms, gullies and steep inclines. In addition, poor response times are a significant issue in so far as these lumbering 8.1 vehicles are concerned.

The introduction of 3.1P heavy tankers into Bridgewater and Rokeby stations as first line response vehicles has also been highly contentious. While members regard these vehicles as being appropriate bushfire fighting vehicles, and probably suitable for small country towns, they are simply not acceptable as front-line urban pumpers.

Amongst a host of shortcomings they do not have the pumping capacity for the potential work that will be encountered in a significant urban environment.

In addition, it has not been lost on many members that these 3.1P vehicles have been commissioned into areas of high socio-economic disadvantage.

7. OTHER MATTERS

- A very annoying anti discrimination matter.
- A very worrying CISD matter.
- CISM interagency Management Committee.
- Hosting in Hobart in of the UFU of A annual National Committee of Management meeting December 2008.
- New work-wear uniform - continual agitation.
- Community Fire Safety Five appeal before the Tasmanian Industrial Commission.
- Hand held portable radios and BA communications.
- Internet usage -warnings to members about the status of the law on such matters.

8. THANKS

I wish to thank Immediate Past President Wayne Seabrook and incoming President Vincent Males for their tireless efforts during a difficult year.

The members of the Committee of Management of the UFU do a sterling job in relation to what at times is a difficult set of responsibilities.

Our Workplace Union Representatives and Employee Safety Representatives also deserve thanks for the valuable role they play.

Lastly, special thanks go to UFU of A Office Manager Kae Jones who is a diamond in the rough.

Richard Warwick
Secretary