

July 6th, 2017

Mr. Jay Martin

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Assistant Clerk Committees
Department of the Legislative Council
Fire Service Bill Select Committee
Parliament House, Sprint Street
East Melbourne VIC 3002

Dear Mr. Chairman,

RE: SUBMISSION REGARDING FIRE SERVICE REFORM BILL

As a CFA volunteer of some 23 years + I wish to offer my thoughts on the proposed legislation that seeks to reform the fire services of CFA & MFB.

Firstly I would argue that the Bill needs to be split so as to separate the Presumptive Rights from the reform legislation. These two issues should not be considered as a whole as each should be considered separately and on their own merits. By coupling both issues I believe this has been deliberately done to place undue pressure on MPs to accept the entire Bill.

For the purposes of my submission I will treat the legislation as if it was split into Presumptive Rights and Fire Service Reform.

As New Zealand has recently demonstrated by amalgamating ALL its separate fire services into one organisation the decision to restructure our fire services into separate career and volunteer services is flawed. One of the great strengths of CFA was its integrated model where career staff supported volunteers in 35 stations. This model was not broken and doesn't need dismantling. The integrated model allowed volunteers and career staff to proactively train and work alongside each other which provided greater operational efficiencies. The shared partnership where equipment, training and operational structure were all aligned means that we are in effect more efficient on the fire ground. The integrated model was no impediment to the employment of career staff either as when the need arose further stations would and could be integrated as they have for many years in the past. Neither the Bushfires Royal Commission nor the Jones Report called for this type of restructure. In stark contrast I believe the broad consensus from both enquiries was that there should be greater cooperation between CFA & MFB to achieve greater operational efficiencies and to restructure as career and volunteer actually drives a wedge between organisations.

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Another impact of the proposed restructure provides for CFA volunteers to remain “co-located” in rebranded FRV stations. Logically this will mean that volunteers within those 35 stations will eventually be removed or so diminished that their loss will prove to have a significant impact on CFAs surge capacity and result in the eventual loss of thousands of volunteers. The new structure will result in increased barriers to cross training and operations within the new FRV boundaries for which technically CFA volunteers will not have operational ability. I.e. If career trucks respond to emergencies within their own FRV boundaries they will either not require CFA Volunteer support or will actively refuse to respond those volunteers co-located with them. The United Firefighters Union will proactively discourage the use of volunteers within FRV zones in order to promote its recruitment desires.

This restructure is being driven purely to satisfy the wishes of the UFU and its push for increased numbers, pay and conditions for its members. Their contention that volunteers provide a second tier service is a falsehood as each brigade is measured against Service Delivery Standards based on risk profiling and where a volunteer brigade cannot meet its required standard then career staff are brought in to support those volunteers. To consider replacing those volunteers with only career staff would actually result in reduced service capacity for the larger and more complex emergencies such as Black Saturday.

Another factor that requires consideration is an accurate costing of this restructure. The cost associated with rebranding and organisation and recruitment costs need to be known so that Victorian taxpayers understand and can make an informed choice as to whether they support a restructure based on its cost. Volunteers cost the Victorian community very little and provide a highly trained and motivated emergency response and this restructure threatens that by outwardly discouraging recruitment and retention of volunteers. I do not believe that any cost benefit analysis will show a restructure as being good value for money OR improving service delivery statewide.

Whilst this dispute has been protracted and bitter for both career staff and volunteers alike it is certainly no reason to restructure a fire service to the detriment of the community we all serve. The right decision should be made regardless of the difficulties faced within each organisation by any restructure.

I contend that the existing structures should be maintained and simply strengthened through greater organisational co-operation and therefore improved interoperability as outlined by the Bushfire Royal Commission.

In regards to the proposed Presumptive Rights legislation I believe that the scheme in its current form actually discriminates against volunteers. The requirement for volunteers to have a third party “panel” decide as to whether the volunteer is covered is an impediment to access and is not a requirement for career staff. I pose the example below to highlight the inequity of the proposed scheme:

I, as a CFA volunteer of 23+ years service, having attended more than 1000 emergency calls contract one of the listed cancers but have to submit to the scrutiny of a “panel” to decide if the legislation will provide coverage for me. A career firefighter of say 5 years service having attended a similar number of emergency calls is not required to submit to a “panel” for review. This is my opinion actively discriminates against me as a CFA volunteer.

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The Presumptive Rights legislation needs to be applied equally to all firefighters regardless of employment status because we all face the same exposures at emergencies and are equally susceptible to each of the cancers. Equality should not be applied simply on the basis of employment status which is the case here.

In closing I believe this proposed legislation is flawed, unnecessary, will prove to be incredibly expensive and will fail to deliver improved emergency service delivery to the public of Victoria.

Any reduction in the number of volunteers will hinder our surge capacity and place more people in harms way.

The UFU are staging a misleading and deceptive advertising campaign which slanders volunteers who for decades have been the cornerstone of emergency service delivery in Victoria. Increased career firefighter numbers simply do not equate to improved service but rather diminished volunteer capacity and increased cost to the community.

I urge all parliamentarians to reject the legislation as it has no merit and is not designed to deliver cost benefits or to deliver service improvements.

The evidence stands for itself with the CFA, in its current form, being the envy of other fire services nationally and globally. CFA is not broken and does not require fixing. This is an industrial dispute being resolved via legislation and not as it should be via Fairwork.

Thank You,

Jay Martin