

## **Submission to the Fire Services Bill Select Committee**

### **Issues with the Fire Services reform Bill**

- The Bill should be split to separate Presumptive Rights Legislation from any general suggested structural change to the Victorian Fire Service.
- Consultation has been non-existent with CFA Volunteers, who are the backbone of the fire service and their representative body the VFBV. The Labor Government are only trying to change the Fire Service structure for their own political gain and to push the UFU's EBA through.
- Costings and budgeting for these suggested changes are non-existent.
- This parliamentary enquiry gives very little time for proper consultation for these major reforms that are being suggested. This is having a negative effect and impact on volunteer morale.

### **Presumptive Rights Compensation.**

- Daniel Andrews & James Merlino have claimed 'it is fair and based on the TAS & QLD legislation'. This is totally untrue and misleading. Paid operational fire fighters and CFA operational fire fighters should be treated equally as they are in the QLD legislation. This is not the case and the Bill must be structured so all operational fire fighters, paid or volunteer, are treated the same otherwise the Bill is discriminatory.
- As quoted by Jack Rush QC 'the Bill establishes two distinct mechanisms for the operation of the presumption that specified cancers are due to the nature of firefighting – one for career fire fighters and one for volunteer fire fighters. The Bill

discriminates against volunteer fire fighters, is inequitable to them, has been drafted in a manner that is prejudicial to volunteer fire fighters' entitlements and rights to claim for specific forms of cancer when compared to the claim process created by the Bill for career fire fighters for precisely the same cancer conditions'.

- Mesothelioma is not listed and would be one of the most problematic cancers to affect fire fighters. Asbestosis is the major contributor to this cancer. Many buildings, especially in country towns and farms, contain large amounts of asbestos. Asbestos contamination can show up 30 years after an event and that time limit is not covered by the legislation.
- The legislation is entirely unsatisfactory and prejudicial to volunteer fire fighters. All operational fire fighters, career or volunteer, should be treated the same.

### Fire Service Legislation Amendment Reform Bill

- The Royal Commission into the 2009 Black Saturday fires found that 'the CFA was the Nation's preeminent firefighting organisation'. Daniel Andrews stated the Royal Commission said 'our fire fighters are let down by outdated structure' – this is rubbish.
- The integrated model was praised in the Royal Commission and it would be dangerous to change it. It would have a detrimental effect on the surge capacity to mobilise thousands of volunteers to major fires.
- Integrated fire stations will not all work. Having separate equipment and two fire services working out of one station will lead to negativity and could affect morale for volunteers and

maybe push them out of the fire station. Outer Metropolitan integrated stations will lose the volunteer support to tackle big fires.

- Labor has an agenda to give the UFU the EBA it wants and they do not want to walk away from that agenda. The CFA lost the CO, CEO, and the entire former Board and former Emergency Services Minister, Jane Garrett were sacked. After the Andrews government was stymied by the Fair Work Commission it has now rushed this agenda forward. We are looking at the future of Victorian firefighting and it is downright dangerous to change it to appease a small minority of UFU fire fighters. CFA has stood the test of time. There have been no valid reasons given by Minister Merlino to the Victorian public of how this new fire service FSV will help to improve the public safety of the Victorian community. All he has stated is that 'our fire fighters are let down by outdated structures'. What a blight on the years of experience of thousands of CFA & career fire fighters from a person that frankly would not know.
- This legislation has not been budgeted and costed and if 35 integrated stations are taken out of CFA this will have detrimental effect on CFA finance. Any future reform package must be fully funded.
- The idea of FRV seconding staff back to CFA is ridiculous. CFA would lose a great number of dedicated fire fighters and it would be imperative that CFA has the ability to employ their own people. Why should volunteers just accept anyone? This is one of the worst aspects of this rushed legislation and would be a catalyst to start the demise of the CFA volunteer organisation – people will just walk away. CFA must always be able to employ their own staff.

## RECOMMENDATIONS FOR WAY FORWARD.

- The Presumptive Rights Compensation Bill must be separated from the Reform Bill. The Bill needs to be changed to look after the rights of all operational fire fighters, career and volunteers – exactly the same as in the QLD legislation.
- The Reform part of the legislation is a rushed document that has been developed with no consultation with volunteers or their representative body, the VFBV. It will have a detrimental impact on volunteer morale and also surge capacity at major and catastrophic bush fires.
- The CFA must be able to employ its own staff and not accept secondments from another firefighting entity FRV.
- The legislation has to be fully funded for years to come and not just by putting up the Fire Service Levy in rural Victoria.
- Politics and industrial interference must not endanger the safety of all Victorians and this is what this legislation will do in its current form.
- It is interesting that New Zealand has just adopted and integrated fire service for the whole country as the best way forward for people's safety and firefighting.

**Submission by David Blackburn AFSM.**

