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To Consultation/DTF@DTF
cc
bcc
Subject Submission - Inquiry into the Fire
fighters Presumptive Rights
Compensation and Fire Services
Legislation Amendment (Reform) Bill
2017

1 attachment



Submission to the Fire Services Bill Select Committee 2017.docx

Good Morning,

Please find attached my personal submission to the **Inquiry into the Fire fighters Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017.**

I request that my name and address be kept confidential, however my submission can be published.

If you have any queries, please contact me by email [Redacted] or by mobile [Redacted].

Your Sincerely,

[Redacted]

[Redacted]

[Redacted]

7 July 2017,

Dear Assistant Clerk Committees,

Please keep my name and address CONFIDENTIAL while the submission can be published.

INQUIRY INTO THE FIRE FIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017.

My name is [REDACTED], Leading Fire Fighter, at Shepparton Fire Station with the Country Fire Authority. I have been a career fire fighter for 9 years beginning in 2008. I have completed a CFA Leading Fire Fighter course; certificate III in Fire Fighting Operations and Certificate IV in Business Management (Frontline).

I have also completed specialist qualifications in Heavy Hazmat Operations, Emergency Medical Response, Aerial Pumper, Pumper and Tanker operations, Ground Observing Crew Leader as well as Crew Leader and Strike Team Leader competencies. I have been awarded a National Medal for more than 15 years diligent service and a CFA 25 year service award.

I live in northern Victoria at Numurkah and I also volunteer as the 2nd Lieutenant and Training Coordinator with the Numurkah Fire Brigade in my home community. I have long family ties with the CFA growing up with family members serving from the 1960's until now.

I joined CFA as a 16 year old to follow in the footsteps of my family, proudly serving my community. I enjoyed the idea of making my community a better, safer place and jumped at the opportunity to become a career fire fighter when I had the chance.

As a volunteer I have served as a brigade Captain, Lieutenant, Communications Officer and Fire Fighter. In my current role as the training coordinator at Numurkah, I enjoy participating and imparting the knowledge I have gained to assist in the training of fellow volunteers, to respond in their community and keep themselves safe.

As a career fire fighter I have supported the Victorian community by attending many different incidents around the state, fighting Bushfires such as Black Saturday at Alexandra and Beechworth, Harrietville and Wunghnu, and other major incidents such as the Hazelwood Mine Fire among many others.

I have also responded to a wide variety of events around the Shepparton area including grass and bushfires; house and Factory Fires; car accidents and car fires; Rescues in motor vehicle accidents or from machinery or implements. Shepparton has participated in the Emergency Medical Response trial program with CFA. I have assisted in the response to these events including performing CPR over 50 times on community members from 5 months to 90 years of age.

With this experience I think I am in a good position to see that effects the mess of the last 5 years has put on the Victorian Fire Services and why there needs to be fire services reform firstly for the safety of the Victorian community and the future of emergency services in this state.

I am writing this submission in support of the proposed reform of the fire services for the following reasons:

Part 1: Presumptive Legislation for Fire Fighting Cancers

There have been, over a number of years, studies into the evidence that Fire Fighters were exposed and more susceptible to the risk of contracting certain types of cancers as part of their occupation.

This evidence has been widely accepted by other jurisdictions covering international fire agencies and also in other Australian states and their fire services.

The Fiskville inquiry uncovered that the previous CFA board including the CEO Mick Bourke had known about the contamination at the Fiskville CFA training college for quite some time and did not disclose the evidence. Training was allowed to continue for CFA fire fighters, both staff and volunteer as well as other emergency services including Victoria Police, MFESB, Fuel Refinery Fire Fighters, Aviation Australia and other user groups until the Emergency Services Minister Jane Garrett closed it down.

In my career and family life, I have grown up on a farms with my grandfather and father; worked in food factories; attended fires as a volunteer and now as a career fire fighter where I have taken great care to protect myself from the risks when working with chemicals, in toxic or hazardous environments so I can return home safe.

Now it sends a chill through me, when I look at my hands that still continue to suffer from a dermatitis rash that won't properly clear up, that first appeared after fire fighting drills on my recruit course at Fiskville in 2008.

What other time bombs do me and my young family carry? What uncertainties? Do I get to see my kids grow up to be adults, who also want to be fire fighters too? Do I get to walk my daughter down the aisle? Do I get to grow old with my wife? Will I make it to retirement age?

The proposed Legislation is well overdue. It has been put to the previous Parliament a number of times, each time without been involved in a Fire Services Reform, with all the evidence that is available now that suggests there are a certain type of cancers that Fire Fighters are more exposed to. It also had a more difficult criteria for the volunteers, and was voted down each time due to a "lack of evidence these cancers are related".

It frustrates me that a small minority of the VFBV and some volunteers are complaining that it is not the same as career fire fighters. Well it couldn't get much better than was previously tabled in the parliament and almost the same process. All they have to do is demonstrate they attended a single fire where they believe they were exposed. Career staff also has to do the same and the turnout records are kept by CFA for both. This is a brilliant result for all fire fighters.

The presumptive legislation will give some reassurance that my colleagues and I can access additional leave and some financial assistance while I am off work and have to go through treatment to return to work, or return to some quality of life. This is urgently needed for all operational fire fighters.

Part 2: Fire Services Reform

There are many reasons that Fire Service Reform is required for the Victorian fire services to function effectively. There have been a number of fire service reviews and a Royal Commission over recent years and all point to a need to make changes. Often these changes are impacted by the growth of the Victorian community, which affects the response of the volunteers, integrated model, organisational structure of the fire services, and the need to address the fire boundaries.

While most of the 1200 brigades in CFA do not require changing, unfortunately higher risk locations in the state have been boxed into a corner where change is not an option, it is a must.

Volunteering difficulties and guaranteed back up - The official role of a CFA career fire fighter is to support the volunteer to provide an emergency response where the risk profile is too high, complexities of some events, number of callouts, or simply the volunteers cannot respond effectively or efficiently enough due to work constraints, family balances, restricted traffic flow getting to the station.

This relationship is a 2 way street and career fire fighters also rely on enough suitably skilled and trained fire fighters to respond for support on the fire ground to assist in the preservation of life and protection of property.

In the integrated (Staff and Volunteer) model, this support comes from the volunteers responding to a supporting brigade. With the difficulties mentioned above the volunteers are less and less likely to respond quickly enough with no guarantee of the required skills to affect a suitable response.

With the modern society we live in, the ability for volunteers to meet the demands of responding to these events is getting even more difficult. It is just getting hard to get community members to volunteer in all community groups.

Since the introduction of the CFA and MFB the rural area of the state has now seen urban sprawl move into what were once rural communities and with it an increase in risk and callouts as a result. In the current model, we can keep giving the local brigade the best trucks, PPC, equipment, training, and additional recruitment, but it does not allow them to respond to these events any quicker than they did 30 or 40 years ago. In some areas of the state they are considerably slower or they do not respond at all during certain times of the day, than they did back then.

Therefore areas of the state that have response issues have been covered by integrated stations with career and volunteer fire fighters supporting each other to respond. The career staff man stations 24 hours a day, 7 days a week with a required response time of 90 seconds or quicker. Due to the urban sprawl into the outer metro and large regional cities of the state, with a struggling outdated response, it is important that additional support is added to these areas for the safety of the public.

The VFBV are extremely protective of “their patch” and see that staff supporting into additional areas as a failure, take over, or a sell out by the career staff, CFA Chief, Board, and Government of the day. The priority here is that the Victorian community is put first over egos, turf wars and sentimental historical virtues.

Some years ago, and to the detriment of the community, brigades were given the responsibility to determine who supports them at all incidents. In many cases a faster responding brigade, with more skills and equipment is not responded because of old turf wars, or “we don’t want staff here” mentality. The CFA Chief Officer, Steve Warrington has identified recently that this needs to be reviewed and changed.

Due to these impacts, career staff identified that this is not safe systems of work and an additional appliance should be responded to ensure the correct number of suitably trained fire fighters respond. If there is a volunteer response, then these resources improve the response again. If the additional career appliance is not needed, then they can be cancelled.

Staff Enterprise Bargaining Agreements and Safety Clauses - The CFA and UFU career staff agreements have the usual pay and conditions of any other Enterprise Agreement (EA). However over time Fire Fighters EA have required additional safety clauses to be added to ensure that the CFA and/or Government of the day had to deliver the safest work practices, PPC, additional manning, and vehicle design among many things.

The UFU, representing the member’s requests had to continually have input into any of these changes so that these safety standards are met and improved. These clauses had to maintain currency when there were changes of government, Emergency Services Ministers, Board members, Chief Officers, Line managers that can all have an impact on what is the priority of the day. Sadly, enshrining in a legal document is the only way it could be maintained. This has been misconstrued as the Union having the power of veto over the CFA.

The previous CFA Board wasted \$21 million dollars taking the UFU/career staff and the 2010 Staff agreement to Fair Work stating that the clauses were illegal and should be removed. After a lengthy process, the courts upheld the agreement, but the constant legal problems held up the negotiations of the 2013 agreement.

Career fire fighters campaigned at the last state election asking Victorian voters to pick anyone else rather than continue down the same path. New safety clauses and pay increases in the 2013 Agreement were being held up by ridiculous legal action.

The political climate that resulted from the change in government, Fire Service Review, the ESBC submission, sacking the CFA Board, resignation of the Emergency services minister, the resignation of Lucinda Nolan, and the resignation of the CFA Chief and the continued lies from the VFBV and some political members has resulted in one of the most stressful times of my life.

The abuse from community members while we are attending to calls or community engagements, being called thugs and greedy militants by opposition aligned media outlets, having to explain myself at the local football or picking up kids from school; being told not to wear our uniforms to and from work so we are not victims of verbal attacks or worse is just some of the appalling outcomes of this situation.

This terrible mess has driven a wedge between staff and volunteers, family members, communities and other community groups. When I respond to a fire in a neighbouring brigade's area to support them and no one talks to you, because you are a career fire fighter, it is very unsettling when we have to rely on them to provide back up if a situation gets worse. I ask myself, am I safe here?

Federal Government Fair Work Changes – After all the political mess that occurred, the Prime Minister Malcolm Turnbull and Minister for Employment Michaelia Cash held a political rally at Coldstream Fire Brigade, where there is strong opposition to career staff and my cousin is the captain.

They announced that should they be re-elected, they would change the Fair Work Act to protect volunteers. After some brief debate, independent politicians with no understanding of the complexities of the Victorian Fire Services voted to support making changes.

Michaelia announced in an interview on the ABC after admitting she had not read the EA, that it was all about the “vibe of the thing”. What sort of political policy can be dreamt up in a whimsical moment to gain votes based on a vibe with no substance? Little wonder the public struggles to put faith in our politicians or political systems.

This meant that all of our clauses new and old would be referred to Fair Work as clauses like having additional fire fighters responded, design of trucks or how many staff are at each station will have a minor impact on volunteers as we are integrated or support each other, and they now had to approve the clauses.

As this would result in years of review and us not wanting to give ground on our safety or conditions and volunteers not agreeing with everything we do or have, there would be a stalemate and no result for years. Career staff would have the only Enterprise Agreement where a third party has influence over conditions of employment, when they are not employees. The volunteers have power of veto over the CFA and career staff safety.

The Victorian community will suffer from these Fair Work Act changes. Career staff will need to be restructured so they are not linked to the volunteers operations, training, conditions or safety response standards to move forward.

Proposed Structure and surge capacity - The proposed reform will put the Career staff from CFA and MFB together in a new fire service, Fire Rescue Victoria. The proposal allows for the volunteers at the 35 integrated stations to remain at their existing station and co-locate with staff. The other 1200 volunteer stations are not affected by the changes.

Neighbouring volunteer brigades next to FRV stations are not pushed out in boundary realignment and therefore surge capacity of the volunteers to respond to large events in the state is not lost. With all the volunteer brigades remaining this is a great outcome compared to all the many options raised or discussed over the years where they could have been pushed out completely.

CFA career staff and volunteers might look similar in uniform and have the same objectives to look after our communities, however we operate very differently. This is mainly in the areas of our training needs in specialist appliances and equipment, or exposure to differing incidents and events.

Career fire fighters pour a lot of time into these priorities where we are often called on for support to the volunteers, whereas volunteers have limited time to address these areas and instead prioritise proficiency in response to common incidents.

The CFA career staff and MFB staff have also operated very differently in the past while trying to support each other. Both sides do certain things well, and do some things poorly, so measures have been in place for some time to improve inter-operability between the agencies. By merging these 2 groups of career fire fighters into FRV, the best from both agencies can be utilised to improve our standards and serve Victoria better.

These improvements will have little impact to the way most volunteer brigades operate and most will see no change. Career staff supports volunteers all across the state at different incidents, training exercises, community events and education initiatives. These functions will not change. The pooling of resources into one career body will help to maintain the high standard of fire cover that the CFA and MFB are known for.

Fire Review Board - The reform would also establish a Fire Review Board that would investigate independently what is the best service and outcome for the Victorian community. This determination of the best outcome for the public removes any political, industrial, historical or emotional influences and tells the public what is needed.

If a brigade is not keeping abreast of the service it needs to provide, then the FRB would make the decision whether or not the community would need support alterations. This may be in the way of a station converting to career staff FRV station or alternatively other resources and initiatives to improve response. This is a great outcome for all Victorians.

As you can see there are many reasons that impact the decision to reform the fire services in Victoria. Sadly we have been forced to make a change for the improvement of emergency response to protect the lives and property of the Victorian public and fire fighters.

We simply cannot stay the same and need to invest in the future to move forward so both parties can grow in the best direction required for them. This growth will only improve safety to Victorians into the future.

Yours Sincerely,

[Redacted Signature]

C/O Shepparton Fire Station,
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 Shepparton, VIC, 3630.

[Redacted Contact Information]