

*MESSAGE FOR OLT*

*2:40pm*

*9 June 2016*

Dear members,

As you are no doubt aware, the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) assessed version 17.1 of the proposed enterprise bargaining agreement (EBA) and made a number of findings determining that the EBA was non-compliant with anti-discrimination legislation.

CFA has sought independent legal advice from senior counsel regarding the findings of the report. The advice is clear. There are likely unlawful terms within the proposed EBA in both versions 17.1, which was assessed by VEOHRC, and in version 17.3 which is the current proposed EBA.

The final recommendation of the Fair Work Commission does not remedy the non-compliance, impact the validity of the VEOHRC report, or change the effect of the unlawful terms in versions 17.1 and 17.3.

The Fair Work Act requires that the Fair Work Commission must be satisfied that an agreement does not include unlawful terms before it can approve an agreement.

Members, given the legal advice we have received, CFA remains unable to sign the proposed EBA in its current form.

We have committed to you that we will approach this and all matters with transparency and openness; and we will work to ensure you are continually informed of developments. We are committed to correcting and clarifying any misinformation that may be circulating surrounding these matters.

Thank you for your support.