

SUBMISSION TO FIRE SERVICES REVIEW SELECT COMMITTEE

2nd JULY 2017

SHANE MILLER



Dear Mr. Chairman

I make this submission to your committee regarding the Fire Services Reform Legislation. I would like to address several of the Terms Of Reference regarding the Legislation. I am a current CFA Volunteer of 25 years in a Brigade in the Dandenong Ranges. For about 17 of these years have held Officer positions within our Brigade including 7 years as Captain.

Watching the discord in the CFA in particular and Fire Services in general over the last few years has been a very painful experience for myself as well as most of our Brigade members. Some members have expressed their concern and intention to leave over the issue and a few have stepped away from CFA to insulate themselves from the hurt that has been caused.

I will address the Terms of Reference in order with my observations and suggestions regarding each,

a, impact on fire service delivery across Victoria

I believe the major impact the Legislation will have in this regard is on Volunteers Co-located at FRV Fire Stations. While the Government claims no changes will occur to the duties or role of these Volunteers already we have seen a downgrading of their operational during the extended EBA negotiations. Staff decide in most cases when and if Volunteers will be responded, and even when they are responded automatically staff are in a position to cancel the Volunteers. If these members are not utilized effectively and often, they will question the value of their contribution and look for other opportunities to assist the community. As a Station becomes integrated at the moment there is already a decline in numbers of Volunteers at these stations. This problem will be greatly increased when Volunteers have no real ownership of their turnout areas. Training will also be affected as Volunteers lose skills through lack of use. In some Stations the atmosphere is so toxic that Volunteers have been locked out of parts of the stations and lists are kept of Volunteers not to be involved in training exercises. (Hearsay evidence). These same Volunteers not only

provide a “surge capacity” for large scale rural events such as campaign fires and interstate deployments, they also provide a surge capacity for large scale urban events. Such as the Campbell field scrap yard fire, Tyabb gas tanker incident etc.

How well served will we be in the future if we have another Coode Island or a major terrorist incident with only FRV paid staff responding? While FRV will be the first to respond, as you would expect the Volunteers are currently able to back fill stations and continue to provide cover during the event. Even recalling off duty FRV will not solve the immediate problem, as they will not have appliances to respond in. If we suffer a large scale decline in Volunteer numbers over a period of time the “surge capacity’ will cease to exist and future Governments will have to increase dramatically the number of Seasonal Fire Fighters employed by Forest Fire Management. We could end up with the American model where paid crews fight all major wildfires and Volunteers protect the towns and urban interface areas.

a, Possible solution,

Instead of co-locating CFA and FRV members at the one location if you are going to split the services do it properly and house the members of the two organizations in separate stations. This more closely mirrors the NSW model that the Government is claiming as a basis for this Legislation. For the stations on the outer metropolitan interface areas split the turn out areas into FRV or CFA response areas. Give the Volunteers a reason to stay and some ownership of their area. They are community members who care about their communities but need to have some ownership and ability to contribute and have some control in their own future.

b, effect on volunteer engagement and participation in fire service delivery

As outlined above Volunteers ask for no remuneration and only need to be valued and appreciated. Not only the Volunteers at co-located station but also those at other brigades throughout the State. If as an organization Government marginalizes you a certain amount of resentment will prevail and I can see the day when Volunteers will respond to their own local areas but refuse to travel to other locations. Certainly a reluctance to attack fires on Government owned land such as National Parks and Forests could result from a distinct lack of support and at times antagonism from the Government.

Unfortunately some Volunteers now classify the CFA as a hostile organization with the sacking of the board, CEO and Chief Officer leaving and the appointment of replacements within a few hours. This leaves

Volunteers without trusted leadership and I think you will find if people don't trust their leaders they are unwilling to put themselves out or contribute to the level they once may have. With even the Emergency Management Commissioner out selling the Government policy before the Legislation was before the Parliament, Volunteers around the State are becoming more distrustful. This may also contribute to members leaving and a lack of response when needed.

b, Possible solution

Consult with Volunteers before changes are implemented, remember as a force of 60,000 plus families, friends and work colleagues we do have some skin in the game. We are part of and care about our communities. We need to have a say in where we are going and how we are going to get there. By all means modernize the fire services but do it for the right reasons and with the right amount of consultation. Wholesale changes just to get the EBA across the line will never float. We may be Volunteers but we are not stupid.

c, short term and long term cost impact on fire service provision

The Government through Minister Merlino indicated at a forum last week that they thought the cost of these changes would be 5 to 6 million dollars. After having Volunteered in the fire service for 25 years I can guarantee this figure is not correct. If the Minister thinks UFU members will continue to wear their old turn out coats branded with CFA and MFB after FRV comes into existence he clearly has no idea of the way the UFU operates. New turn out gear, uniforms, truck branding, station signage, caps, hats, helmets and stationary will cost hundreds of millions. The fire services levy may be frozen for 2 years but after that time it will have to rise significantly to account for the millions spent to re brand the MFB, (how much does it cost each time NRE, DSE, DELPW etc. change their name)? Great for the printing industry and we do need to keep them employed but not so great for the taxpayer.

That is only the initial cost burden, what about long term? After the changes are made and assuming we manage to keep the majority of Volunteers seconding back all Operations Officers, Operations Managers, District Mechanical Officers, Communication Technicians and Instructors from FRV to CFA will have its own associated cost and problems. All these current CFA employees are covered buy the UFU EBA so they will have to be transitioned to FRV and seconded back. What a logistical nightmare. A good question would be, if these staff are to be seconded back will the

Government even be able to get the EBA across the line with Fair Work? As it still affects Volunteers? As a Volunteer I have to ask, “will these people even still be in my chain of command”? How much will the extra staff cost the people of Victoria when you include station renovations to provide additional bathrooms, bedrooms and facilities for the extra fire fighters employed by FRV.

c, Possible solution

Limit the persons leaving the Organization to paid fire fighters only. All ancillary staff stays with CFA and transition to a different award. Simplistic I know but a far better outcome for CFA and the community. If some staff really want to go across to FRV let them go and keep the ones happy to stay and change to a CFA EBA. Even better scrap the UFU EBA totally and start again. The current 405 or 398 page EBA is far too prescriptive and makes it almost unworkable as we have found. It appears the MFB EBA is equally unworkable. Sorry I don’ have a better solution for this one. It will cost hundreds of millions if it goes ahead.

d, underlying policy rationale.

I am not in a position to comment regarding this Term of reference. I don’t know what the Government are thinking so I will use this opportunity to discuss the presumptive Rights Legislation that appears to have been missed in the terms of reference.

Minister Merlino stated several times at a forum I attended that the Legislation mirrors the Queensland Legislation. Unfortunately that is not the case. The Queensland Legislation does not have turn out numbers to qualify included in it, a board that Volunteers have to convince or a 10 year time limit. In Queensland Volunteers and Paid Staff are treated the same. I would rather see this legislation fail and a proper Presumptive Rights Legislation package be introduced in the future.

In summing up I can only ask the members of the committee to think long and hard before implementing the proposed legislation. In spite of the claims of modernizing the fire services it is only being proposed to get the EBA across the line to try and solve the mess created by Mr. Andrews. I seriously doubt the EBA will be accepted by Fair Work even with the changes proposed and feel the CFA and State of Victoria will be far worse off next fire season. Hope you can help sort out this mess. Happy to provide further information if required.

Kind Regards
Shane Miller