

4 July 2017

Assistant Clerk Committees  
Department of the Legislative Council  
Fire Services Bill Select Committee  
Parliament House, Spring Street  
EAST MELBOURNE VIC 3002

Dear Committee Members

Please see the following comments for consideration.

Firstly I wish to highlight I support continuous improvement across the emergency sector as is occurring through the establishment of EMV and its ongoing work to achieve interoperability within the sector to benefit the community.

Any changes to the fire services should be made based on sound analysis and logic with the goal to provide a significant improvement to community safety and the broader emergency management sector. The proposed legislative changes unfortunately have missed this goal. I offer the following points for consideration of the committee.

1. The changes have clearly been made and confirmed by the government to resolve an industrial dispute and it appears the potential improvements to the fire service delivery or structures is a secondary consideration. This is clearly highlighted by all CFA employees covered by the operational EBA and not appointed to an integrated station will be employed by FRV and simply "seconded" back to CFA to potentially perform the exact same duties they currently perform. This begs the question to when will CFA be able to select and employ its own operational staff.
2. Both fire services have had to endure significant ongoing challenges in effectively operating their core business due to the demands of the industrial body which is highlighted by years of delays in gaining "agreement" to implement various policies, procedures, vital operating equipment, implementation of new appliances.
3. If the proposed changes occur I still believe the demands and challenges will still be faced by the new volunteer only CFA as the operational employees "seconded" back to CFA will be operating under CFA policies, procedures, facilities and using CFA equipment.

Clearly the industrial bodies will require agreement on what procedures or equipment their members on "secondment" to CFA are required to function under or use. Hence what will change or remove the current challenges.

This will involve not only Operations Manager / Officers but other groups such as training ground employees.

It is anticipated that CFA will not be able to employ individuals to work either full time, part time or casual in areas "covered" by the operational EBA such as casual training employees or district trainers. This will continue to impact on service delivery to its volunteers through restrictive and discriminatory work practices.

4. The attempts to introduce legislation that combines compensation entitlements with organisational structure legislation is completely illogical and highlights the government's failure to justify a fire service restructure on its own based on community risk / benefit that is also based on a sound cost benefit analysis.
5. Further to point 4 I don't believe the WorkCover legislation incorporates for example a restructure of say the building or banking industry hence the presumptive legislation should be separated from the fire service reform bill and both stand on their own merits.
6. Clearly the presumptive firefighter compensation legislation is discriminatory towards volunteers as highlighted by specialist legal advice provided by Jack Rush QC.
7. It has been stated that these changes have been highlighted in previous reviews but this has been disputed by Jack Rush QC who led the Royal Commission.
8. It is recommended the committee seek Jack Rush QC to present his views to the committee to ensure these points are fully and openly considered.
9. Splitting the fire service function and chains of command at established CFA integrated fire stations is akin to painting a white line down the middle of the motor room. Will an integrated station with one pumper and one tanker suddenly be provided two of each these appliances. Which appliance do the career or volunteer firefighter's use if an emergency call occurs.
10. Has any independent financial assessment, such as the Auditor General, occurred on these changes including the longer term issues of the Fire Service Levy.
11. There has been extremely limited consultation prior to the release of the Bill across both the Victorian Community and the broader fire service community.
12. The government's statement that this restructure is the only way to resolve the industrial dispute and meet the Federal Government changes is incorrect as it is understood the SES operational EBA has been resolved.
13. It is understood that New Zealand has recently reviewed its fire services and will be introducing an integrated model.

The opportunity to effectively review and restructure the fire services rarely presents itself and this should not occur on party lines or political alignments but for the benefit of the Victorian community and emergency management sector.

While I can only hope this approach occurs I unfortunately have my concerns this may not occur but do hold out hope and place this challenge to the committee.

I do request my details remain confidential based as I both employed in the emergency sector and a CFA volunteer and unfortunately this issue has created tensions and strong opinions which can have negative impacts.

Regards

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