



WORD BACK

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A B C D Day Retained

UFUSA RESOURCING CAMPAIGN

Much of our EA negotiations have focused on the need for better resourcing of firefighters.

As previously reported the employer has responded by disingenuously asserting that not only is the MFS adequately resourced, the budget is also overspent.

Funny isn't it that the MFS Expenditure Review Report due out by Christmas 2019, has *still* not been released and remains "Cabinet in Confidence"?



Many members will have seen the union's research indicating a gross under spending per head of population when compared with other fire and rescue service agencies around the country (see Wordback No 23 [here](#)).

UFU members know well the dearth of resources, whether it be appliances, equipment, engineering, or training, has reached a critical state within the MFS and must be addressed.

For example, it is identified that we need 12 appliances immediately and 6 per annum thereafter simply to bring the fleet to where it needs to be. Both Metro and Regional Operations are sorely affected.

The recent announcement by the government about funding for additional appliances for the MFS includes the 2 for the Mount Barker Station which were previously allocated out of the funds already provided for the new Station. How many times can you really announce funding and make it sound like something new?

The UFU State Council is firmly resolved to vigorously pursue the resourcing required for MFS firefighters to do our job in a professional and safe manner. Station meetings are now being conducted to discuss the elements of the campaign which is currently being rolled out. Let us know if you're keen to have an early meeting on the schedule to discuss what the campaign will involve and how you can participate.

COVID-19 SPECIAL LEAVE WITH PAY

The application of the Commissioner's Determination regarding COVID-19 Special leave with pay has been the cause of some confusion and inconsistency, both for the MFS and other Government departments.

Yesterday the UFU was verbally informed that the MFS position on COVID-19 Special leave with pay is that leave will be approved for individuals who have been referred for a test and are self-isolating whilst waiting for results.

Leave will be approved regardless of test results and the MFS recognises that whilst members may feel well enough to attend work, they are still required to self-isolate pending the test results. This period of isolation will be covered by COVID-19 Special leave with pay.

If members are required to undertake a COVID-19, we suggest that you keep records of the dates you self-isolated and if required lodge a SP26 to ensure you are paid COVID-19 special leave with pay and check your payslip to ensure no machine errors occur.

HEALTH CONCERNS SELECTIVELY USED AGAINST FIREFIGHTERS

MFS management tell us it has (rather suddenly) recognised their *duty of care* in relation to the health and well-being of firefighters, but only specifically in relation to your capacity for firefighting.

And it's a rather *selective* approach to that duty of care, aiming it only at members raising very proper concerns about work practices within the MFS, and ignoring a whole range of other critical WHS issues which have been continually raised with them.

A current case being defended by the union relates to a long-term senior firefighter who has had no performance issues identified or raised and has an exemplary operational career.

Based on hearsay, he is being summoned to the employer's medical practitioner to be assessed as to whether or not he has a capacity to continue to do the job. No bothering with a phone call to him to check out the facts, just a formal summons.

Do you or a workmate need a hearing aid or aids?

The employer confesses they know a range of other firefighters require such aids; they also admit they have no policies in relation to hearing aids. The *duty of care* appears not to extend more broadly than to one firefighter. Guess where?

It's unconscionable to single out members with pre-existing medical conditions (eg hearing aids, joint aches and pains – all previously disclosed but not responded to by management) to undergo work capacity tests despite them having successfully worked with the conditions for years and absent any work performance deficit.

Our union is uncertain whether management have given any consideration to the impact of this discriminatory and unreasonable behaviour on the psychological health and well-being of our members, but it appears not.

This deeply concerning behaviour creates grave concerns about the future work of the Health and Well-Being Unit established under the aegis of our success in enterprise agreement negotiations.

We currently urge all members to **keep all medical information confidential** and that if you have any concerns about whether any medical condition you have might be considered to have an impact on your capacity to be a firefighter, that you consult with your GP, and/or get in touch with the UFUSA to seek advice.

DISPUTE RE MEDICAL PANEL

The Chief has written to us about discrimination proceedings brought by a potential MFS recruit against the MFS for their decision not grant him employment because he manages type 1 diabetes.

We are advised that because of the proceedings, the MFS has been forced to finally reconsider its blanket ban on recruiting firefighters with diabetes. It's a shame it takes EOC proceedings to look at this matter case-by-case but this is surely a step in the right direction in the 21st century.

Regrettably it's not all positive.

The UFU is advised that the MFS is taking steps to form a medical panel, not just to consider the potential recruit's circumstances, but to "*seek advice on general or specific issues*".

With a background of trying to use alleged health issues in a punitive fashion and due to the complete lack of consultation about the medical panel and the incredibly vague information provided, we are now in dispute on the matter.

An initial list of 22 questions seeking clarification on the proposed *operation* of the medical panel and accompanying job dictionary has been submitted to the MFS Chief Officer.

Disappointingly the UFU received an astonishing response asserting that there is "*no requirement for the MFS to consult with the UFU or its employees with respect to its compliance with legislative requirements*".

This is simply not correct and if true it would leave the concept of consultation simply non-existent. The UFUSA is in the process of addressing this matter, so watch this space.

REGIONAL INSTRUCTION RESPOND 52

Thank you to those members who advised us of the Regional Instruction issued by email from the Chief Officer late on 17 August 2020.

It is not unusual sadly, particularly in Regional Operations, for there to be absolutely no consultation with the UFU and for misleading and/or incorrect information to be distributed to members by the MFS.

That is certainly the case on this occasion; our union office only received a copy of the regional instruction from members following its distribution on Monday night. Absolutely nothing was provided to us by MFS management.

Despite a quote from the *South Australian Metropolitan Fire Service Enterprise Agreement 2017 (EA)* being inserted in the regional instruction, there is in fact **no link** in the EA between firefighters' pay and conditions, to Respond 52.

There are many flaws with the regional instruction issued and while we regret the embarrassment to the Chief Officer caused by the author of the regional instruction, hopefully it will be instructive.

Members employed as Retained Firefighters quite rightly raise the point that your mobile phones are not provided nor financed by the MFS, and there are many technical inconsistencies in the system observed in various regions, including glitches with the app which prevents status updates.

Respond 52 is a *rostering tool* not a method to exempt firefighters from payment for your work.

Our union met with MFS management on 18 August 2020 to express our concerns about the email to retained firefighters and to seek the immediate rescission of the regional instruction.

Members will be kept updated.

Postscript: we are advised by members that MFS management has today rescinded the Regional Instruction of 17 August 2020.

PORT PIRIE TRANSFER ALLOWANCE

our union has received numerous queries from members about potential entitlement to travel and/or meals for their transfers to Port Pirie following the Wordback No 29 article ([here](#)).

The UFUSA has received advice that to maximise members' prospects of obtaining an extension of time for any part of a claim more than 6 years old, an application to the South Australian Employment Tribunal (SAET) should be made **as soon as possible**.

If you have already made a claim but are still awaiting a response from the MFS please get in touch with the UFUSA at projectofficer@ufusa.com.au or 8352 7211 **as soon as possible** as it may be necessary to commence proceedings in relation to your matter.

CAPA 203

Members recently raised concerns that the Adelaide CAPA 203 was to be returned to duty but not in its full operational capacity. This was after another long stay at Engineering for numerous faults to be rectified. Members expressed that by continually accepting appliances in this compromised state it is actually masking the dire state of our reserve fleet and possibly exposing our members to risk.

After consultation between management and the UFU it was resolved that the appliance would return to duty but with the revised work instruction circulated to crews on how it is to be operated and that they be informed by the plan for how/when it will return to full operational capability.

The issue also highlights the massive task our members at Engineering are facing as they attempt to keep our ageing fleet on the road made even harder with freight issues due to the COVID pandemic.

CONGRATULATIONS TO OUR NEW SHOP STEWARDS/WHSRS

Thank you to all members who expressed interest or encouraged others to step forward to represent your fellow firefighters as UFUSA Shop Stewards/WHSRS in the recent call for nominees.

Congratulations to those who have been elected unopposed; we look forward to working with you.

Jason Draper 'A' Shift Relievers

Michael Clark 'B' Shift Relievers

Mat Williamson 'D' Shift Relievers

Neil Mangelsdorf O'Halloran Hill

WHSRs have been invited to participate in the WHSR 1 five-day training course commencing 14 September 2020 after which they will be qualified to exercise their powers under the Work Health and Safety Act.

Those who have completed the level I course are being invited to the three-day WHSR level II course commencing 12 October 2020; enrolments are now open; however, places are limited.

In solidarity

Max Adlam

Secretary