



# WORD BACK

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## SENIOR FIREFIGHTER LEVEL II UPDATE

The *South Australian Metropolitan Fire Service Enterprise Agreement 2017's* (EA) new clause 31 introduced Senior Firefighter, Level II Qualified at a pay point halfway between Senior Firefighter level I and Station Officer level I (approximately \$6000 per annum).

As well as needing to meet the SDF requirements and maintaining skills currency, EA clause 31 requires that the SFQ Level II employee will “act up” to the position of Station Officer if required by the MFS and to maintain currency of skills.

Significant concern was raised with our office by members in relation to the role and substantial responsibilities of Station Officers and the inadequacy of the training provided to those now being required to “act up” to this position. Concern was also raised by members regarding the inconsistency in application of SAP 36 when acting up SFF and the need for an updated SAP to better reflect current modern-day practices.

The UFUSA State Council determined at the time that this situation was unacceptable and poses a serious WHS risk requiring focused attention by the MFS with a view to resolution.

A subsequent skills analysis conducted in 2019 by the UFU and the MFS identified critical gaps in the training provided to employees who would be expected to “act up”. A working party was then established comprised of the UFU and the MFS to work collaboratively on the syllabus and assessments of an enhanced SDF which will better prepare and equip Senior Firefighters to act up as Station Officers.

After 2 years of hard work, a proposal for enhanced training and process for SF level 1 employees to progress to SF Level 2 Qualified has been developed which your State Council believes we will be able to recommend to you.

A small number of *industrial* considerations however remain to be resolved between the parties.

These were the subject of a high-level meeting between the UFU and MFS management on Tuesday, 26 August 2020 which we sought in order to progress and find a resolution ASAP to avoid continued excessive delay.

Despite all the work which has gone into this exercise to date, it is clear that there are no perfect answers in sorting out the imperfect wording in clause 31 in the context of the enhanced training and arrangements proposed and the impact on firefighters as employees.

For example, the 54 members currently employed as Senior Firefighters level II and who have already completed the current SDF requirements are in receipt of the additional payment must not be financially disadvantaged.

Our UFU proposes that this group will retain their current pay level and also be strongly encouraged to enrol and participate in the new SDF. This will ensure that anyone acting up has successfully completed the training and development which equips them to confidently and safely take on “acting up” in this role.

It is anticipated that most if not all of the specified current group will enthusiastically embrace the proposed enhanced training. However those who are unable to successfully complete or who do not wish to enrol in the new SDF or who do not wish to participate in “acting up” in future, should be “grand parented” or quarantined at their current pay rate. The parties do agree that this legacy issue is highly likely to affect only a very small group of employees, if any.

It is acknowledged that there are also 55 Senior Firefighter level I’s ready and raring to get started on the new SDF and State Council has had a constant concern about progressing this matter as quickly as possible in order that the training can proceed as a priority. There has already been too much delay.

A further industrial issue yet to be resolved is the proposal to segment the \$6000 per annum payment into perhaps two(?) progress steps through the SDF. These would constitute permanent rates of pay.

It is likely that there would be proposed a final third segment *coming out of the current \$6000 payment* (no quantity for the allowance has yet been mooted) to segue into an *allowance* payable to those who have attained Senior Firefighter Level II Qualified recognising the maintenance and currency of skills. Those who do not maintain currency of skills to act up would not continue to receive this skills allowance and would not remain qualified to “act up” as a Station Officer.

It is noted that the detail of the requirements involved in maintaining currency of skills have not yet been developed.

We felt that MFS management was receptive to hearing the ideas on Tuesday and the Chief said that they will consider the principles and ideas proposed by the UFU to resolve the outstanding issues.

We eagerly anticipate their positive response in the near future and will keep you advised.

#### **PORT PIRIE TRANSFER ALLOWANCE CLAIMS**

On 21 August 2020 the MFS issued Memorandum 48/2020 regarding members’ potential entitlements to travel and/or meals for their transfer to Port Pirie and related proceedings currently on foot in the South Australian Employment Tribunal (SAET).

Unfortunately, the MFS’ Memorandum is **misleading** in recommending employees to “retain any paperwork including lodgement of claims until the matter is heard” on the basis that the MFS “will accept the judgement and eligible employees will be back-paid based on the evidence provided and consistent with the *Fair Work Act 1994*, [section] 31, Limitation of Action”.

If any part of your claim is more than 6 years old, we urge you **not** to follow the MFS' recommendation as **you may lose part or all of any entitlement you have**. Section 31 of the *Fair Work Act 1994* requires claims to be made within 6 years, unless you seek an extension of time from the SAET, which we are currently doing for a number of members in proceedings already on foot.

We reiterate that if any part of your claim is more than 6 years old you should **make a claim as soon as possible** and then get in touch with the UFUSA. This will ensure you are doing all you can to preserve any entitlement you might have. For further advice see Wordback No 29 ([here](#)) and Wordback No 30 ([here](#)).

### **PORT AUGUSTA DISPUTE**

Concerns about the management of the Port Augusta Station and indeed Regional Operations within the MFS are ongoing. Our union continues to urge the MFS to address the substantial issues raised with them by us on behalf of members in February 2019 and even longer before that by members directly to management.

While some actions have progressed, it seems that most matters raised and complaints lodged are still a long way from proper resolution, leaving grave concerns in the interim about the provision of services to the local community by the MFS.

Members report great distress at the inability of MFS Port Augusta to provide consistent turnouts to incidents, at the frequent lack of firefighters qualified available and the reported turnout of appliances with less than the required number of crew.

Members also advise of their distress at hearing reports that "superior" officers are trying to discredit the crews rather than self-reflecting on and addressing their own outdated and often non-existent "management". Multiple psychological injury reports have now been lodged and accepted but nothing seems to change in relation to the cause of such injuries.

The very clear public sector Code of Conduct seemingly does not appear to apply to some people in the MFS Regional Operations, with members reporting behaviours by some senior officers including swearing, bullying, hectoring, lies and victimisation.

Some say it's always been like this in regional operations and won't change. We will continue to hold hope that the current MFS leadership mean what they say when they speak of cultural change within the Service and that accountability extends to even high rank. Our union will continue to work on this area and we will keep you updated. More very soon.

### **RESOURCING, DPM AND OUR ENTERPRISE AGREEMENT**

As reported in Wordback No30 of 2020, worksite visits are now underway to report on and discuss these important issues with members. Please let us know if your shift at your Station or worksite would like to meet in the near future and we will set that up at time most convenient for you ASAP.

In the meantime, updates will continue to be provided in Wordback.

## **YOUR UNION OFFICE WORKING BEE**

Our indefatigable President Chas Thomas is organising yet another working bee on our union office at 148 South Road Torrensville. Members own this building and it's a major asset of our union, so we've been giving it much-needed and overdue loving care and attention through working bees, stage by stage over the last two years.

The next working bee is being held on Monday, 7 September 2020 from 09:00 to 1500 hours and you're all warmly welcomed and encouraged to come along and join us. Lunch and refreshments will be provided so please let us know if you are able to help by calling either Chas on 0413 002 656 or Gail at the union office on 8352 7211.

## **WORK HEALTH AND SAFETY REPRESENTATIVE TRAINING**

Thank you to all WHSRs employed by the MFS who have enrolled in the WHSR Level I training course scheduled for 14 – 18 September 2020. Paid leave has been sought and granted by MFS management for the five-day training course. Correspondence with details will be sent to participants shortly.

Those WHSRs who have already completed the Level I training course are invited to the three day Level II course in October 2020; enrolments are now open however places are strictly limited.

**In solidarity**

**Max Adlam**

**Secretary**