



United Firefighters Union
Queensland



2012

The year in review

2012 has been a major year for our union; considerable new challenges were presented to us and these will continue into 2013. I have summarised just a few notable issues from last year.

Centenary of the Brisbane General Strike (1912-2012).

2012 marked the centenary of the Brisbane general strike. This historic strike commenced from January 30th 1912 and spread to some regional centres. The dispute arose when all unions supported tramways drivers who were locked out for wearing union badges during their campaign for union rights. February 2nd 1912 was the infamous “Black Friday” when police baton charged and bashed marching strikers and 70-year-old Ms. Emma Miller retaliated by stabbing the police commissioner’s horse with her hatpin.

The federal labor Prime Minister, Andrew Fisher refused to send military to assist the state government and donated money to support the strike instead.

Three years after the strike, there was a massive swing to Labor and the 1915 T.J Ryan government was elected.

100 years later Queensland unions commemorated the historic struggle for union recognition and the ongoing battle to win and defend workers’ rights.

Election of the Newman Government.

March 2012 saw the election of an LNP government with a massive majority in parliament. New Minister Jack Dempsey.

The new government settled on Jack Dempsey as the police and emergency services minister. Your union wrote to the minister numerous times seeking a meeting, commitments and raising various concerns, particularly regarding cost cutting and bargaining.

Unfortunately, the minister avoided your union most of the year, and 2012 concluded without a single meeting between the UFUQ secretary and the Minister.

Breaking News!

Just prior to the Christmas break the minister’s office contacted your union and proposed to meet.

We hope that 2013 brings better communication between the minister and your union.

Legislative changes.

The new government introduced a range of new laws, including key changes to industrial and labour laws that hadn't been announced before the election. Your union participated in parliamentary committees and made submissions about some of the legislative changes, although many changes were pushed through with no consultation and little debate.

Here is a summary of some of the legislative changes –

- Changes to the bargaining laws to make it harder for unions to organise industrial action;
- I.R minister can veto industrial action and force arbitration after 21 days conciliation;
- Fines and penalties for taking industrial action;
- Government can bypass the union and put substandard agreements out to ballot;
- Requirements for the industrial commission to take account of the government's 'fiscal strategy';

- The treasury to brief the industrial commission;
- Lawyers to appear more regularly in the industrial commission;
- Employment Security and job protection clauses and awards and agreements invalidated;
- Termination, Change and Redundancy (TCR) provisions watered down;
- Appointment of new industrial commissioners;
- Industrial commissioners to swear an oath of loyalty to the Queen;
- Labour Day public holiday changed to October (and the recent changes to the Queen's birthday holiday reversed).

Workers compensation review.

The state government has commenced a review of workers compensation laws. UFUQ, along with other Queensland unions, is apprehensive of attacks on injured workers rights and a diminution of protection for their families.

Job Cutting.

The new government threatened to slash 20,000 public sector jobs and by the year's end had sacked over 6,000 people. Thousands more positions are left unfilled, temporary contracts haven't been renewed and services and jobs have been put out to tender. Job losses are predicted to exceed 14,000 by next year.

Public Sector Enterprise Bargaining.

The government forced a hard line bargaining position across all public sector agencies. The common claims were low wage rises, abolition of consultation and employee refusal provisions, introduction of so-called "managerial prerogative" and a green light for agency and department management to pursue claims against their workforce.

QFRS Bargaining.

After many months delay QFRS were authorised to bargain with unions in mid-June. QFRS held a meeting just two weeks before the QFRS CA expired.

QFRS tabled a raft of sweeping demands consistent with the new government's policy and an agenda of QFRS senior management being unleashed to attack professional front line firefighters.

QFRS demands included –

- Interrelated demands with wage adjustments strictly conditional on firefighters conceding rights and conditions;
- No more than “up to 2.7%” wage adjustment based upon conditions trade-offs;
- Aggregate wage buying out public holiday penalties, travel and meal payments, 5 overtime shifts per year paid at time and a half.
- The aggregated rate not paid on sick leave or superannuation;
- Introduction of a casual segment of the workforce;
- Removal of consultation and 20 agreement clauses;

Our union branches adopted resolutions across the state vowing not to accept any agreement unless it was endorsed by SCM.

Industrial action.

Industrial action planned for August 4th was suspended after QIRC accepted QFRS's arguments that insufficient explanation of our “fire calls” only action was included in our notification of the action for QFRS to understand what the action would entail.

Your union then applied under the new legislation for formal postal ballots to occur. Brisbane roster officers led the charge and took a 24 hour unpaid stoppage.

Firefighters, station officers and communication centres were balloted under the cumbersome and complicated new system, despite a number of problems with the electoral commission balloting process, a record 99% vote in favour of taking protected industrial action was returned.

2 hour “fire calls only” bans commenced in October and after initial threats to withhold pay, QFRS paid officers for their entire shift.

Further industrial action occurred in November in the form of 3 hour periods of “fire calls” only bans. QFRS did not deduct payment for these periods.

The industrial action garnered a lot of media attention.

QIRC enterprise bargaining conciliation.

QFRS and the state government sought the assistance of the QIRC in enterprise bargaining. After a few report back conferences the government asked QIRC to refer the matters to arbitration. Your union persisted with attempts and options to try to negotiate an acceptable package. The government maintained a fairly fixed negotiating position throughout and persisted with submissions for the matters to be arbitrated.

Your union opposed the matters being referred to arbitration. The conciliation process took many months and QIRC issued a statement on 28th November 2012 referring matters to arbitration.

QIRC noted that the industrial relations environment prevailing when previous agreements were negotiated “no longer exists”. The tribunal noted that “the employer is much more proactive in advancing its agenda rather than was the case in the past” and this change “has occurred in light of fiscal imperatives being pursued by the government”.

QFRS and the state government having been unable to achieve all of their demands by concession have forced us into arbitration against our will and will now try to convince the QIRC to order their demands.

Your union suspects that the government hopes our public campaign will subside and they can continue to attack us behind closed doors in the QIRC.

Our campaign will have to escalate now we have been forced in arbitration against our will.

Firefighters must get stronger and louder during 2013!

Media.

Your union had an enhanced media profile throughout 2012 as our enterprise bargaining campaign escalated. Firefighters were featured heavily in print, electronic media, radio and TV news. I have been very busy issuing press releases and responding to journalists. While some media was inaccurate, mostly it served to amplify our concerns to the community and put pressure on the government and QFRS.

UFUQ & United Voice (Joint Campaign).

This year UFUQ and United Voice joined forces in an unprecedented alliance to defend our common interests in the new environment of service cuts and attacks on our employment conditions. The joint media campaign has been effective. On August 24th firefighters, ambos and their supporters staged a joint march and rally where an impressive turn out of some 5,000 people was widely reported in the news.

We launched a joint TV advertisement, the ‘standingwithus.com’ website, delivered joint flyers and postcards and have united in joint rallies and media events.

Ambulance and firefighter delegates also paired up to visit their local MP’s and have arranged a number of regional demonstrations.

Firefighters and ambos joined with all other Queensland unions in a massive day of action that featured rallies across the state including a massive protest at parliament house on September 12th.

Fiskville.

In July 2012, the Victorian Country Fire Authority report into live fire training at Fiskville confirmed that firefighters had been subjected to repeated exposures to toxic carcinogenic chemicals.

Presumptive legislation.

This year the federal firefighters' union has made significant advances in our national campaign for presumptive legislation. The legislation means that firefighters who have been exposed to our work related hazards and develop illnesses will not have the onus to prove the medical conditions are caused by work. Progress has been made in the Commonwealth, Western Australian, South Australian and Tasmanian jurisdictions.

Recruit courses cancelled.

QFRS cancelled the firefighter recruit course despite people having already been selected to participate. No further recruit courses have been scheduled.

Charter.

QFRS Commissioner, Lee Johnson, Director General Kelvin Anderson, and Minister Jack Dempsey all signed a comprehensive charter with the Rural Fire Brigades Association committing to amongst other things, recognising RFBAQ and volunteers as "core partners" and to "consult with representatives of the RFBAQ on matters that may impact on volunteers".

Despite numerous written requests none of these three individuals would agree to sign a similar charter for full time and auxiliary firefighters or even discuss it with your union.

Auxiliaries' Agreement and Award.

Despite your union's persistence, QFRS and the government refused to agree with our proposal for a certified agreement for auxiliary firefighters. The government stated that they would only flow on whatever pay increase arose from the QFRS agreement via the QFRS "standing order".

Your union took the matter to the QIRC and after facing more government stonewalling; in September we lodged an application for a first award to cover auxiliary firefighters.

Although the application may take some time to progress through the QIRC it provides a process to secure some minimum entitlements for auxiliaries.

QFRS and the government haven't advised as yet as to whether they will oppose the making of an award.

Labour Day.

The previous state government, held a public review of public holidays, and legislated to move the Queen's birthday holiday from June to October.

The LNP government reversed that decision, moved the Queen's birthday public holiday back to June and shifted Labour Day to October.

Labour Day has been celebrated by Queenslanders in May for over a century. Many people refer to it as "Mayday".

The Queensland labour movement resolved to continue to celebrate our achievements in May.
It is important that Mayday 2013 sees the biggest ever turn out to demonstrate our resolve.

Disputes.

QFRS and UFUQ were in dispute over a number of issues besides enterprise bargaining. QFRS complained to QIRC over the view adopted by members in Gladstone during the roll out of new Operational Support Units (OSU's). Members believed they should be paid the 'flexibility allowance' and that staffing was inadequate. QIRC did not accept your union's arguments about the allowance, but did recommend that UFUQ and QFRS jointly consider staffing issues in all stations.

A number of members have been represented and supported by the union in individual matters such as discipline and dismissal during the year.

QFRS also complained to QIRC about station officers in Cairns who elected not to renew lapsed "Bronto" accreditation. That dispute will be arbitrated.

I issued a CODE RED instructing members to avoid voluntary unpaid training days or roadshows after such so-called voluntary activities increased to an unacceptable level.

Federal legislation about state industrial laws.

Our national firefighters' union has been active in lobbying federal parliamentarians about our issues, such as presumptive legislation and unfair state industrial laws.

The federal government legislated to protect state government workers 'employment conditions when there is a transfer of business from the public service to a private company.

The new federal laws are intended to protect conditions of outsourced jobs and will hopefully act as a disincentive for outsourcing public sector jobs to the cheapest bidder.

The Greens MPs introduced a bill into federal parliament seeking to launch an Inquiry into state industrial laws and state public sector employees' rights at work. I wrote to every federal MP asking them to support the bill.

The federal parliament supported the bill and an Inquiry will occur during 2013. I hope the Inquiry reveals some options for the federal government to legislate to override some of the new Queensland labour laws, especially those which undermine international standards of job protection.

Keelty review.

In November the government announced a ministerial review into the police, corrective and emergency services. The review will be headed by former federal police commissioner, Mick Keelty.

The review will be wide ranging and will include consideration of cross agency co-ordination, current policies and legislation, efficiencies and national and international benchmarks.

I wrote to the director general Kelvin Anderson in December stating that the UFUQ wanted to participate in the review. Mr. Anderson replied that he would ensure our request would be “passed on” to Mr. Keelty.

Summary.

2012 was an eventful year, which foreshadows a challenging year ahead. There are a number of forces gathering under various guises to attack our rights. We need to gather all of our resources and energies and get bigger, stronger and louder during 2013!

I will need to call upon all members to play an even bigger part in defending our rights next year.

I look forward to the year ahead as a proud UFUQ member.

John Oliver.
State Secretary
United Firefighters' Union Queensland
December 2012.

