



UNITED FIREFIGHTERS UNION OF AUSTRALIA  
UNION OF EMPLOYEES QUEENSLAND

22 August 2014

Hon C K T Newman MP  
Member for Ashgrove  
PO Box 3010  
ASHGROVE EAST QLD 4060

Dear Premier

**Auxiliary firefighters' employment conditions.**

You are aware of issues regarding auxiliary firefighters' employment conditions as matters have been raised by our union in correspondence to you, a parliamentary committee, and the matters have been discussed in parliament.

I am providing you with an update as to where matters are up to.

You will recall that after a period of approximately one year of discussions and industrial commission proceedings, the Queensland Industrial Relations Commission issued a decision on 19<sup>th</sup> September 2013 that an award should be made for auxiliary firefighters.

Subsequently QIRC made an award by consent of the fire service and the firefighters' union.

The award was the "*Queensland Fire and Rescue Service Auxiliary Firefighter Interim Award – State 2013*". This was the first award for auxiliary firefighters in Queensland.

The award came into effect on 24<sup>th</sup> October 2013.

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The state government introduced a Bill into parliament on 17<sup>th</sup> October 2013, which if passed would have the effect of rendering the first award for auxiliary firefighters to have "no effect".

The Bill was the *Industrial Relations (Fair Work Act Harmonisation No 2) and Other Legislation Amendment Bill 2013*.

The union wrote to every Member of Parliament and advised them that the effect of the Bill, if it was passed in the form it was introduced, would extinguish the auxiliary award. The union asked every Member of Parliament for assistance in ensuring that the Bill was amended to allow the auxiliary award to continue to have effect.

The union also provided submissions and appeared at the parliamentary committee into the Bill and advised that the Bill would extinguish the award.

The union initially received some written assurances from members of the government that the Bill would be amended to exclude the auxiliary award from aspects of the Bill that would render it to have "no effect".

Ultimately, the written assurances were not fulfilled, and the Bill was passed by parliament on 19<sup>th</sup> November 2013 with the effect that the auxiliary award became extinguished from 27<sup>th</sup> November 2013.

The union informed our members as to which Members of Parliament replied to our request for assistance to protect their first award from being extinguished by the Bill, and which Members of Parliament spoke in favour of the Bill which extinguished their award and which Members of Parliament voted for and against the Bill which extinguished their award.

The Act which resulted from the Bill also included a range of other industrial relations changes, including a process of "modernising" existing state awards which were in effect as of 1<sup>st</sup> December 2013 and ensuring that all employees covered by those awards then became covered by new 'modernised' version of those awards.

You will be aware that the auxiliary interim award was not "in effect" as it had been extinguished by the Act, and the relevant firefighters had been reverted to award free status by the parliament. Their award could not be modernised as the parliament had legislated it to have "no effect".

The Act also included new provisions which allowed for a union to make application for new modern awards. As our members' award had been extinguished by parliament, we made application for a new modern award under the amended Act and included all required content, and did not include any non-allowable content.

The firefighters' union made application for a new modern award, on 3<sup>rd</sup> December 2013, under the new rules, set by parliament in the new Act.

The fire service opposed our new application for the making of a modern award to cover auxiliary firefighters, and have obstructed and delayed matters so that the auxiliary firefighters still remain "award free". The fire service continue to oppose the union's application for an award.

In 10 months since parliament voted to extinguish the auxiliary firefighters' first award, there is no progress whatsoever on the making of an award to cover them.

Our union will persevere with our endeavours to have an award made for these dedicated firefighters.

However, at this point in time, given these employees are still not covered by an industrial instrument, their employment conditions remain unfair and are significantly below commonly acceptable minimum standards of employment.

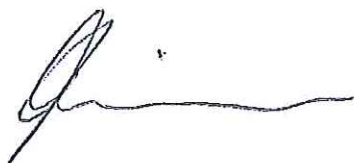
On that basis, the union will now make application to the Queensland Industrial Relations Commission (QIRC), seeking a declaration that the auxiliary firefighters' contracts of employment are unfair when compared with minimum standards provided to other employees.

We are applying for the QIRC to amend the unfair contracts to include fair employment standards and order financial compensation from 27<sup>th</sup> November 2013, the date from which the employees were reverted to "award free" status by the parliament.

I would appreciate your conveying your support for auxiliary firefighters attaining fair employment conditions, and assisting wherever possible in ensuring that the fire and emergency service does not continue to obstruct and oppose our endeavours on behalf of these dedicated workers.

If you would like to discuss this matter further with me, or want further information, please contact me on (07) 3844 0366.

Yours faithfully

A handwritten signature in black ink, appearing to be 'John Oliver', with a long horizontal flourish extending to the right.

**John Oliver**  
**State Secretary**