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### **Award modernisation – what are the fire service, the state government, QAFA and the QIRC playing at now?**

You will recall my previous updates about the so called “award modernisation” process legislated by the state government.

According to the legislation, the process is supposed to be about “modernising” existing state awards, by removing non allowable content and inserting mandatory content.

The process is commenced by the Attorney General’s written “request” which sets a timetable for the process to be completed.

The Attorney General, Jarrod Bleijie made a written “request” to Vice President Linnane in December 2013 (although this request was not publicised by QIRC) and he has subsequently varied it 3 times. You can see these “requests” and variations on your union website, although properly signed and dated versions of all of these documents have not been made available to us.

Unions are not advised by the Attorney General or the QIRC when these written “requests” are made or “varied”. None of these documents have ever been filed in the QIRC Registry. We are expected to check the QIRC website and notice if there have been any changes. Most of the documents we see from the Attorney General are unsigned and not properly dated.

The Attorney General’s “requests” and variations seem to extend beyond timetabling and delve into award content matters ordinarily expected to be dealt with independently by the QIRC.

The latest version of the Attorney General’s “request” published by QIRC is dated 29 August 2014 and identifies our awards as being in the very last group to be modernised.

Although the latest “request” timetable for modernising our QFES awards, requires they be modernised by the end date of 31 December 2015, we received a letter from QIRC on 10 September 2014, stating that the “request” requires our awards to be modernised by 30 April 2015.

The QIRC correspondence also states that one of the “awards” to be modernised is “Auxiliary Firefighters (presently award free)”.

The QIRC correspondence also states “the present thinking of the 'AMOD Team' is to arrive at an outcome whereby only one Award will apply”.

The QIRC 10 September 2014 correspondence also requested your union to provide the AMOD team by 24 September 2014, with any documentation and/or information we might have which can assist them to develop a draft award. (That is within 14 days from the receipt of the letter).

Your union has already provided to the fire service on 14 April 2014 completely redrafted versions of our two awards with accompanying explanatory tables showing every change and why they have been made.

In the last 5 months, the fire service have refused to respond to our documents and have not met with us to discuss the documents and information we provided them. The fire service have provided your union with absolutely no documents or proposals whatsoever despite suggesting that they might like to have “one award”.

Queensland Auxiliary Firefighters Association (QAFA) say they support the government and the fire service position but QAFA haven't revealed exactly what it is they say they are supporting.

Your union has replied to the QIRC requesting a copy of the Attorney General's “request” they are referring to, as the information the QIRC now say is in his “request” is not in any version of the “request” we have seen to date.

**There may be yet another varied award modernisation “request” circulating behind closed doors that has not been revealed to us yet!**

The QIRC letter asking us to provide them with documents within 14 days comes at a time, when our appeal against their decision to “strike out” our application for a first auxiliary award is under directions for exchange of submissions and is scheduled for hearing in the Industrial Court in November 2014.

It took the QIRC 2 months to list our application for a modern auxiliary award for a call over hearing, and less than 24 hours to list the fire service's application to strike it out.

We filed our test case “unfair contracts” application on behalf of 11 auxiliary firefighters on 25 August 2014, this matter has not even been listed for call over by the QIRC yet. These individuals are amongst the larger group of auxiliary firefighters who are disadvantaged because they are still “award free”.

The QIRC's “present thinking” seems to line up with that of the fire service despite the fire service and the government actively sabotaging the auxiliary firefighters' right to an award for the past two years.

The government and its advisors are chopping and changing all over the place on these issues. For example, the auxiliary firefighters had a first award last year, which would have fallen under the “award modernisation” process along with all other awards.

However, when the “award modernisation” legislation was passed, despite your union’s lobbying and informing the government of the consequences, the government legislated the auxiliary award to have “no effect”, so that it could not be “modernised”.

Your union then applied for a new “modern” auxiliary award, and the government and the fire service have been opposing and obstructing that progressing. That application was filed last year, and could have been finalised by now if it had been allowed to progress properly before the QIRC.

The fire service recently advised us of their opinion that there is no urgency to deal with award modernisation as our awards won’t be dealt with until the latter half of 2015 and now we get a letter from the QIRC telling us there is a “strict timetable” and requesting documents within 14 days.

In this background we also have “QAFA” publicly stating that they support the government’s award modernisation process, and that they do not support the 11 auxiliary firefighters’ “unfair contracts” case. Who knows what “QAFA” is stating privately about these matters to government?

In relation to the number of other non QFES awards that have been now “modernised” by the QIRC, they have had a number of conditions stripped away, mandatory provisions included such as a capacity for “individual flexibility agreements” and the modern award wage rates are now already 3% below the comparable pre modernisation award rates.

Members who wish to follow the progress of these matters are encouraged to look at our dedicated “Award Modernisation” section on our website. <http://www.ufuq.com.au/modernisation-2/>

**John Oliver – State Secretary**

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