



17 July 2012

EB NEWSLETTER

8/2012

In This Issue

Payroll Deduction for Union dues, Industrial Laws, protected action and update on Enterprise Bargaining for all members

15 days to go!



THE STORY SO FAR....

Government changes industrial laws

Members would be aware from previous UFU newsletters that the new state government changed industrial laws to tilt the balance in their favour as an employer. Initial changes included making it more difficult for state government employees to take legally protected industrial action and also to require the Industrial Commission to take account of the government's 'fiscal strategy' when making any decisions about your wages and conditions.

Your union made submissions to the parliamentary committee inquiry into the new laws but the submissions were ignored.

Since those laws were passed, new laws have been introduced to allow the government to deduct overpayments from health workers without their consent. This is a radical change to long standing industrial law which does not affect you at this stage.

The recent LNP state convention apparently adopted a resolution to abolish the current system of members paying their union dues by automatic payroll deduction. Currently your dues are in the government's hands before they pass it on to the union. We are currently looking at ensuring our system of paying union dues which does not involve the government handling your money. In the event the Government press ahead with these further changes, our resources will be diverted away from the current issues while we are busy arranging membership payments to ensure that we have the resources to take the fight on right now and into the future.

All of these legislative assaults are attempts to weaken us and give greater advantage to the government as they try to take away your rights and conditions.

We intend to make arrangements so that you can pay your fees directly to your union so the government is not handling your money.



The LNP also resolved to alter the Occupational Health and Safety laws to remove some of the current rights employees have to inspect safety hazards. We do not have details of those proposals, but once they are on hand we will send out to all members.

QFRS demands

Members would be aware that QFRS has demanded a range of tradeoffs under their certified agreement proposal.

As previously reported the government demands include:

- Reducing payroll 'complexity'.
- 'Instituting managerial prerogative'.
- Removing impediments to 'organisational efficiency'.
- Abolition of consultation with employees.
- Removal of any provisions which allow employees 'mutual agreement' over any issues.
- The removal of approximately 20 clauses from your current certified agreement.
- Variation of the underpinning awards so as to lock in all changes beyond the duration of the certified agreement.
- Introduction of casual employees.
- Introduction of an aggregate wage.

Aggregate wage as proposed by QFRS would include:

- Base wage.
- Weekend and shift penalties.
- 38 hour week allowance.
- Average public holiday penalties.
- Buy out of meal allowance.
- Buy out of travel allowance.
- Special Flexibility Allowance.
- 5 overtime shifts paid at 150%.
- A maximum pay increase capped at 2.7% per annum.
- The wages package is proposed by QFRS as effectively buying out all future claims for any new allowances.
- Members would in effect 'owe' QFRS 5 overtime shifts as they would have been pre-paid at 150%. Members would be required to work the 5 shifts they 'owe' prior to being paid any overtime at 200%.





Negotiations

Negotiations are at an early stage. There has been no agreement on any matter whatsoever.

Union negotiators have advised the QFRS that the current government demands will not form an acceptable bargaining package.

Mindful of member feedback, we have told QFRS that we could consider more modest wage rises in the first year as long as the overall package over the life of the agreement was fair, with rises built in later on.

We also indicated that notions of 'backpay' were not critical and we would not be averse to a later commencement date if that would contribute to a better overall deal for members.

We have indicated that we could consider an aggregate wage option if it was fair and allowed for an improved remuneration package. We have advised QFRS that their proposals such as, incorporating into a salary 5 pre-paid overtime shifts at 150% and expecting members to 'owe' QFRS 5 days overtime for no extra money, before overtime was paid, was unlikely to be acceptable. Similarly, we advised them that 'buying out' average travel and including it into a salary would be problematic, although we could consider an arrangement of averaging out meals if it was fair.

We have advised QFRS that we are not likely to agree to the introduction of casuals across the service. We have suggested that as an alternative we could consider a flexible part time arrangement for qualified firefighters who are transitioning into retirement.

We have advised QFRS that we will not agree to indiscriminate stripping of the current certified agreement provisions.

During negotiations we are examining very carefully the intended effect of each change QFRS are proposing. Although negotiations will be difficult we intend to continue our attempts to get the best deal we can.

Members' response

Members have resolved not to accept any QFRS proposed certified agreement that is not endorsed by the UFUQ. Members have also indicated that the retention of your rights and entitlements are critical.





Branch resolutions

The following resolution has been adopted by a number of local branches:

"We the UFUQ members of the ('x') Branch:

We note the state government's legislative changes which are designed to restrict our rights to take protected industrial action and give them an unfair bargaining advantage. We endorse the actions of the UFUQ Secretary in authorising our taking of protected industrial action in the form of 'fire calls only' from 1 August 2012.

We resolve to commence taking industrial action on 1 August 2012 and continuing with such action until the State Committee of Management determines such action be modified, suspended or cease.

We resolve to support our fellow fire fighters to achieve a fair certified agreement and resolve to vote to reject any QFRS proposed agreement which does not have the support of the State Committee of Management.

We note that the state government is currently attacking other public sector workers through enterprise bargaining. We resolve to support other workers where possible and call upon them to support us if they are able.

We note the state government is currently considering moving the ambulance service into the Health Department. Ambulance officers belong with us as part of emergency services.

We note the state government is attacking all state government employees' working conditions, including firefighters, paramedics and our related staff. We will join in with a united campaign with the ambulance division of United Voice wherever possible".

Protected action

Members will be aware that we have given notice of protected industrial action commencing on 1 August 2012. This notice was given under the old laws prior to the commencement of the new laws. We believe our notice exempts us from the requirement to apply for a protected action ballot under the new laws.

The new legislation includes the following "transitional provision":

782 Application of provisions about protected action ballots

(1) This section applies to protected industrial action started before, on or after the commencement, if notice of the intended action was given before the commencement under previous section 175.

(2) Chapter 6, division 6 (Industrial action) as it was in force before the commencement continues to apply to the protected industrial action.

Our notification was given on 7 June 2012 and the new Act commenced on 12 June 2012. QFRS have made application to the Industrial Commission for orders declaring





our notification to be invalid. We intend to defend that application. Members will be advised as to the progress and outcome of those proceedings.

Protected action ballots

To date there have been two applications for protected action ballots made by other unions. Both applications did not get past square one as the QIRC rejected both of them.

Union Campaigns

Indiscriminate cost cutting is getting out of hand. The distinction between 'so called' front line jobs and others is getting blurred. We have already seen two recruit courses cancelled which will no doubt leave QFRS short staffed in the areas they are needed most.

Congratulations to those UFUQ members who attended the public sector union twilight rally against job cuts on Tuesday 16 June 2012. Our delegation was well noticed and appreciated. Every Queensland union was there!

United Voice/UFUQ

Firies and Ambos have a common interest in defending our rights and our jobs. UFUQ and United Voice (the ambos union) have written a joint letter to the Hon Mr Dempsey, Minister for Community Safety expressing our shared union concerns about staffing levels, the suggested move of ambulance into the Health department and enterprise bargaining concerns about the abolition of consultative arrangements. To date the Minister has not responded.

We are currently looking at a TV and radio media strategy to highlight the critical work Firefighters do.

Auxiliaries

The state government has advised UFUQ that they haven't approved any negotiations to commence in relation to Auxiliaries industrial terms and conditions of employment.

UFUQ have written to QFRS proposing that some changes be made to the existing standing order and a timetable be set down to commence enterprise bargaining for auxiliaries.

UFUQ have asked that Auxiliaries be granted an increase to hourly rates and other allowances.





From 1 July 2012

- An increase to base hourly rates and Captain's allowance
- Minimum payments for work performed on weekends
- Minimum payments for work performed on public holidays
- Pager on call allowance

From 1 September 2012

- Commence phase in of superannuation payments to equivalent of career firefighters.
- UFUQ and QFRS commence a timetable of negotiations for a certified agreement no later than 1 September 2012.

To date there has been little response other than an acknowledgement of our claim. UFUQ has been following this matter up with phone calls and further correspondence. The Executive of the UFU is now considering a strategy for more direct action to push your claim.

Action

Your union is currently battling on a range of fronts and you have shown great support. Your continuing and escalating involvement will be required over coming weeks as we battle to protect your rights and conditions. Please get involved as much as you can when called on!

Contact us:

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State Secretary

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15 Days to go!

John Oliver
State Secretary

Authorised by John Oliver State Secretary United Firefighters Union of Australia Union of Employees Queensland