



2014

UFUQ

**Year in review
Report to members.**

Early in 2014, firefighters were again found to be amongst the most trusted professions in the community.

Despite being amongst the most trusted and respected members of the community, 2014 was another challenging year of grappling with a state government and a fire service who showed us little respect, leaving us to time and time again defend our employment rights in adverse circumstances.

We saw off targeted, concerted, sustained attacks for yet another year.

As the political climate changes we consider our “fair weather friends”, within and outside the fire service, who conveniently used the last 3 years to attack us or turn their backs on us.

We wonder whether these “fair weather friends” might have gone along too readily with the outgoing government’s dictatorial agenda.

Late last year union meetings resumed on stations and our rights to be consulted and involved began to be reinstated.

We tackle 2015 with optimism and pride drawn from having withstood three years of relentless attacks. Although we may have more fights ahead of us, if we keep sticking together, we will stay a strong, united and successful union.



Cairns UFUQ meeting in the park

By-elections.

Over 170 members demonstrated the influence firefighters and our supporters can wield at the ballot box.

In a critical show of public solidarity and strength the union informed voters about the negative policies being pushed by the state government, especially in relation to running stations short staffed, taking trucks off the road, or closing stations for shifts or longer.

The Redcliffe by-election achieved a swing of 17.2% against the government, followed by Stafford with a swing of 19.1%.

Our prominent role in those by-elections sent a message to all political parties, that they should work cooperatively with firefighters and not attack us.

The turnaround in the attitude of the outgoing government was obvious not too long afterwards.

We need to continue in the future to develop our membership involvement, activism and collective union strength to defend our rights in whatever way we can, and using all means.



Redcliffe by-election

Commitments from outgoing and incoming government.

Late last year your union and the outgoing government agreed to an accord to resolve some of the ongoing disputes.

Matters such as introducing “presumptive legislation”, developing a “reserve roster” of qualified fireys, providing fair employment conditions for award-free auxiliary firefighters, and restoring consultation were agreed.

The incoming government gave written commitments to your union in 2013, when they were in opposition, about matters such as introducing “presumptive legislation”, ensuring staffing arrangements are implemented to ensure safe standards, reviewing the organisational and management structure, maintenance of fair industrial standards, an award for auxiliaries, and a review of all changes caused by the Keelty report.

These commitments were intended to be enacted on their return to government.

Your union believes that prior to the 2015 election we had a sound basis for moving forward with whoever won the election, and would be able to progress from the incessant battles of the last 3 years.

Given the commitments we already have, we anticipate getting a fair hearing with the incoming government about matters concerning our members.

Allison review / media.

The former government commissioned an independent inquiry into the “culture” of the fire service.

Like most inquiries commissioned by government, the results were probably pre-determined from the start.

The report was basically a cheap and nasty cut and paste job full of irrelevant anecdotes from unrelated services such as the military. In many ways, the stitch up job was similar to the approach taken in the sloppy “Keelty review”.

The report claimed that the fire service has a ‘toxic culture’ of discriminating against women.

The hidden agenda behind such exaggerated and baseless claims is not immediately evident.

The report was opportunistic and was initiated on the basis of a single incident which the fire service leaked to the press.

Your union is concerned about any discrimination against our members and does not support harassment and bullying of any kind. We stand up for each other and respect each other, any departures from that conduct is unacceptable.

It is regrettable that the former government and the fire service would attempt to compromise the standards we abide by, and bury the message in an exaggerated, politically inspired report.

Political attempts to discredit firies.

As we have previously reported, political agendas have emerged in the USA and UK to diminish the positive public profile of firefighting professionals.

The motivation for the attacks are about diluting firefighters unions' capacity to mount public and political campaigns to defend our wages, conditions and entitlements.

Reports of similar agendas are being developed in Australia.

We have also heard of some coordinated activity between Australian fire services management, to push common agendas.

Legislative changes.

The former government continued its stream of new laws which disadvantage workers, 2014 brought attacks on the health and safety act and restrictions on employee safety reps.

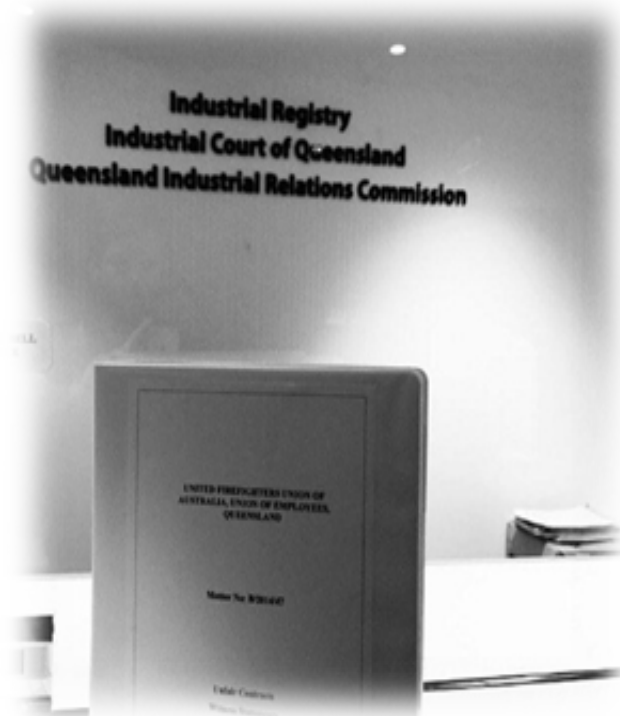
The UFUQ made submissions to the relevant parliamentary committees pointing out the flaws in the new laws.

On a brighter note the government repealed its laws which placed restrictions on union campaigning, on the basis that similar laws interstate has been found to be unconstitutional by the High Court.

A snapshot of laws passed over the past 3 years which adversely affect Queensland employees can be found on your union's website.

In practice, the current laws are weighted against us and in the government's favour.

We can reasonably expect the incoming government to review the legislative changes inflicted upon fireys and other workers by the outgoing government.



Documents being submitted to QIRC

Pay rises for politicians.

2014 evidenced that there is one law for the pollies and another for us when the so called independent tribunal granted massive pay increase to politicians.

The stark difference between the so called independent tribunal granting politicians huge pay rises and the supposedly independent QIRC which is hamstrung by new unfair industrial laws couldn't be more obvious than in this example.

The supposedly independent QIRC was forced by legislative changes to consider the state's fiscal strategy in arbitrating our wages and conditions and caved in to government threats about sacking staff and cutting services.

The "independent tribunal" that sets politicians' wages was given open slather to decide whatever they wanted with no interference or threats.

I am convinced that in the future we need a genuinely independent tribunal to review our remuneration, when we can't reach agreement with the government and our employer.



Politician pay rise protest

Readers digest 'most trusted profession' poll.

2014 was the 10th anniversary of the annual readers' digest "most trusted professions" poll. Once again paramedics and firefighters topped the poll.

You can access the poll results at this web address –

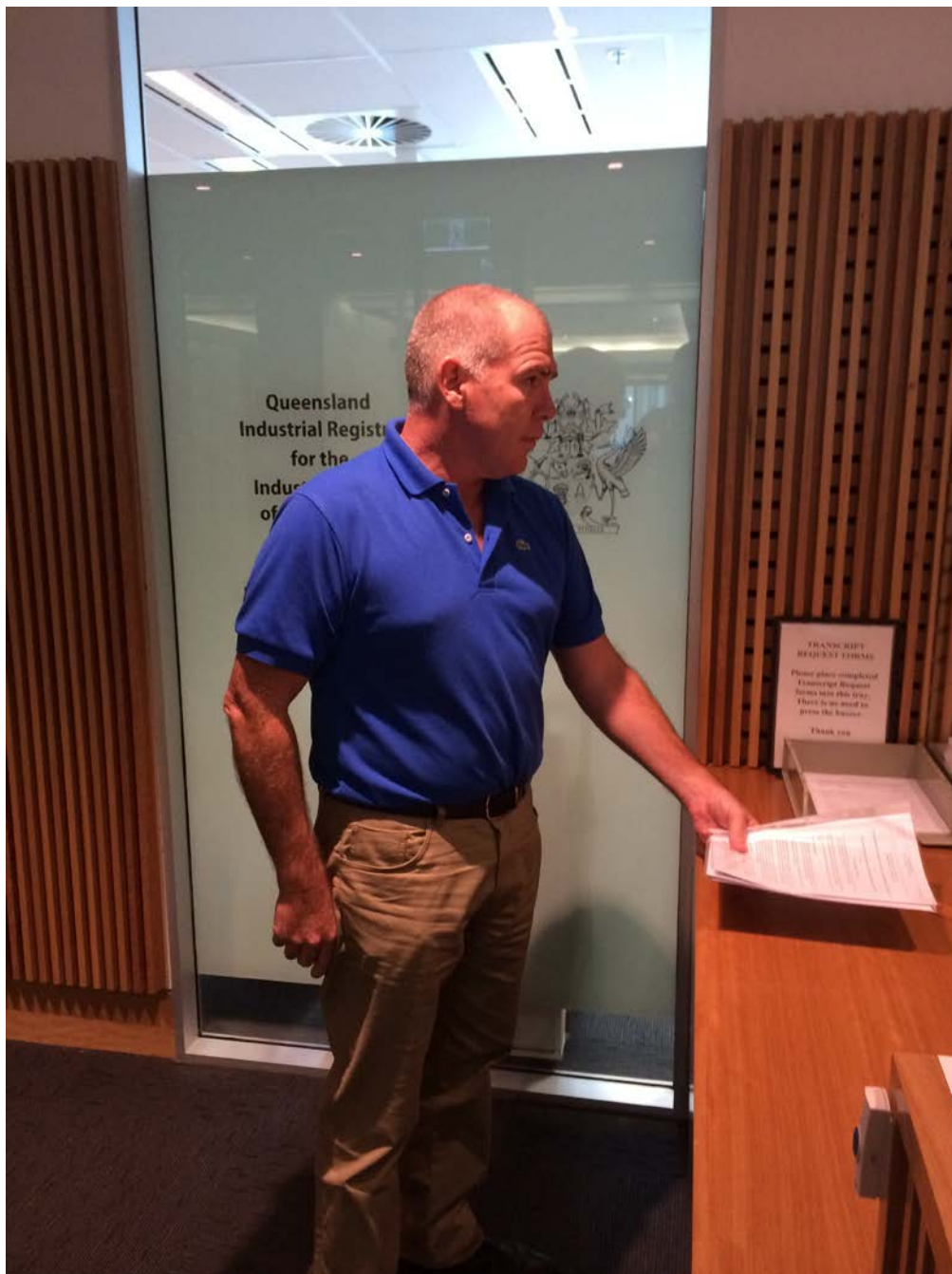
<http://www.readersdigest.com.au/trusted-people-2014>

Tim Batson case settled.

Our long running defence of our member Tim Batson paid off with a confidential settlement this year.

Tim maintains employment with QFES, despite attempts to terminate his employment in 2011.

We cannot discuss the details of the matter, due to a settlement involving confidentiality.



Documents being submitted to QIRC



Witness waiting to give evidence to QIRC, sitting with State Secretary John Oliver (seated) and Senior Industrial Officer John Spreckley (standing).

Freedom of Association case.

Your union filed a “freedom of association” case against the fire service, on the basis we alleged that the fire service was restricting the rights of a member to be fairly represented in a disciplinary process, and was restricting union representation.

We had become increasingly concerned about the developing attitude of some individual managers who were ambushing members at meetings without informing them beforehand what the meetings were going to be about.

Moreover managers were trying to obstruct or avoid members being represented by their union.

The “freedom of association” matter resolved through conciliation at QIRC.

Members need to maintain vigilance and ensure that you seek union advice and representation when you are approached by management about any matter which could adversely impact on your job.

Union rules changes.

The UFUQ successfully applied to alter our registered rules to allow for official recognition and protection for workplace union delegates.

The rule changes will support our ongoing strategy to ensure we have strong representation in every workplace and union representatives are protected by law under our rules.

Auxiliary employment conditions.

Your union persisted all year in our push to win auxiliary firefighters improved employment conditions.

Auxiliary firefighters are the only Queensland public sector wages employees who do not even have a basic award.

These employees do not receive any of the entitlements provided to other employees such as on-call allowance, weekend and public holiday rates, shift allowances, and until recently only had one hour engagements.

The fire service have obstructed and delayed at every turn and tied us up in the courts and tribunals instead of just getting on and fixing up the obvious unfairness of the situation.

We won two hour minimum engagements for call-ins, instead of the previous one hour and four hour minimum engagements for public holiday call-ins.

In December, the outgoing government finally agreed with your union regarding the principle that auxiliary firefighters should have an award, with fair minimum standards of employment.

The incoming government also gave us a commitment in 2013, when they were in opposition, that if they were elected, they would ensure that auxiliary firefighters were provided with an award.

We expect that 2015 will be the year that we finally win an auxiliary award for all auxiliary firefighters in Queensland.



Auxiliary station visited in Far Northern region

Award modernisation.

The outgoing state government legislated to introduce a so called “award modernisation process” of “stripping” out award entitlements and inserting new government mandated provisions.

We currently have two main existing awards:

QUEENSLAND FIRE AND RESCUE SERVICE AWARD - STATE 2012

QUEENSLAND FIRE AND RESCUE SERVICE COMMUNICATIONS CENTRES
AWARD - STATE 2012

These awards currently prescribe minimum entitlements of employment and are supplemented by our certified agreement (or determination) which prescribes higher wage rates and additional entitlements.

The so called “award modernisation” process is designed to strip awards back to a minimum “safety net” and to insert what the legislation describes as “flexible modern work practices” and provisions about “efficient and productive performance”.

Non allowable content.

Awards will not be able to include a range of matters, with the legislation specifically stating matters are not permitted to be included.

Many such matters are currently in state awards but have now been invalidated.

Non allowable content includes:

- Contracting out provisions
- Employment Security
- Union encouragement
- Organisational change
- Policy incorporation
- Restrictions on the type of engagements
- Restrictions on “flexible rostering”
- Accident pay
- Training arrangements
- Workload management
- Service Delivery
- Workforce planning.

Many of the legislative restrictions on award content also apply to the negotiation of certified agreements, which will make it more difficult to advance working conditions into the future.

In particular, new certified agreements will not be able to include types of engagements or classification structures which are inconsistent with the underpinning awards.

There will be restrictions on the capacity to vary award wage rates and classification structures and stringent “work value” tests will be applied.

These aspects of award modernisation will flow into the making of certified agreements and will limit our capacity to bargain or arbitrate for improved classifications.

QIRC commenced “modernising” our two awards towards the end of 2014, your union has attended numerous industrial commission conferences and provided written submissions.

Your union argued to retain existing entitlements wherever we could and we also argued that the existing award provisions about “absenteeism management” and “medical examinations” should be deleted.

We expect a new modern award to be finalised during 2015, although it won’t operate in practice, because we are covered by existing certified agreements and an arbitrated “determination” made under older legislation.

The incoming government may adopt a different attitude to the whole issue of so-called “award modernisation”. If so, the UFUQ will be providing input on amendments to the existing legislation enacted by the outgoing government with the aim of addressing the imbalance and protecting members award entitlements.

You can find detailed information about the “award modernisation process” on your union website.

149 arbitration.

QIRC Full Bench CA/2012/56 arbitration decision

Background

Members recall that a change in state government policies and industrial laws commencing in March 2012 began a sustained attack on our employment conditions and professional standards.

In July 2012 the fire service imposed demands against firefighters and communications officers and embarked upon an enterprise bargaining assault under the new laws.

The fire service demands were extensive and included the removal of consultative provisions and another 20 existing agreement clauses, casualisation of positions, and the introduction of a so called “aggregate wage” which removed travel and meal claims, public holiday penalties and required 5 compulsory overtime shifts to be worked each year at reduced pay rates.

The radical demands were integrated with a “smoke and mirrors” wage adjustment with a potential to leave members worse off.

The fire service strategy was to force us into an unfair biased arbitration that we didn’t want and they thought had been “fixed” by the new unfair laws.

Arbitration process.

The arbitration process commenced at the start of 2013 with the fire service and your union preparing evidence and material for the hearings.

The UFUQ filed approximately 40 affidavits, mostly from members who stepped up to give evidence as well as some expert evidence about the economy and fair wage movements in the community.

Our submissions included evidence that firefighters would be significantly worse off per year if the offer was accepted as is.

QFES filed extensive evidence from treasury officials and finance personnel all of whom suggested that the state government would starve the service of funds if a QIRC decision went against state government policy.

The service also called on management personnel who gave evidence in support of the QFES demands.

The UFUQ proposed that QIRC reject the fire service claims and allow us to retain existing rights and professional standards.

We also proposed the QIRC award base wage annual increases of 3.75% and additional payments based upon skills, qualifications and experience.

The key element of the fire service submissions to the QIRC was a threat to slash jobs and services if the tribunal departed from the government's wages cap.

The formal workplace inspections and hearings occurred from June through December 2013. Many firefighters and communication officers gave evidence at the hearing and were cross-examined.



Evidence folders for commission hearings

Decision.

The Full Bench took over a year to release its decision, finally doing so on Tuesday 23 December 2014.

The tribunal caved in to the former government's threats.

The decision shows that the QIRC accepted in full the fire service's threats to cut services and terminate employment, if the QIRC went beyond what the former state government was prepared to spend, in giving anything to your union in the decision.

Key points in the decision include:

- 2 x 2.2 % base wage increases in 2015 (4 January and 25 October) following on from the interim 2.2% rise provided by the QIRC in December 2013
- Introduction of an allowance for level 2 technical rescue skills
- Maintenance of "consultation"
- Introduction of flexible rostering
- Rejection of improvements or additional pay points for BAO's, Hazmat, Fire Investigators, Comms supervisors, level 1 tech rescue allowance, and long serving experienced firefighters.

There is still a need to develop a final "order" to give effect to the decision.

The order will be released in 2015 and will set out our employment conditions in writing.



Senior Industrial Officer John Spreckley

UFUQ hot spot and new technology.

2014 saw the launch of "HOTSPOT", an "app" on both the apple and android platforms, allowing members to install the app, providing ongoing instant access to UFUQ information directly onto your phones.

UFUQ regularly send information directly to the app, with all publications appearing there as soon as they are released by your union.

We have received much positive feedback regarding the app and it appears there has been a fast uptake of its use.

Labour Day.

We had another fantastic Labour Day commemoration in May 2014.

Despite the state government's spiteful moving of the official public holiday to October we joined with other unions to celebrate our achievements in May as unions have traditionally done for over 100 years.

It was a fantastic opportunity for members and families to get together and have a fun day in the park. We look forward to an even bigger and better celebration in 2015.

We encourage all members who can, to join with us this coming Labour Day, again taking place on the first Sunday in May (May 3).



Labour Day march

Regional tours.

2014 saw UFUQ officers, myself and executive members, undertake a number of tours, of both auxiliary and permanent locations across the state.

Three separate week long tours were undertaken by state office industrial officer Anthony Cooke in 2014, visiting stations and talking with permanents, fire communication officers and auxiliaries in all regions.

SCM and Executive member Peter Chalmers accompanied Anthony on the SWR tour in May 2014. Other tours were conducted with local representatives joining the meeting where possible.

Over 80 station visits occurred in 2014.



Mackay UFUQ station meeting



Auxiliary station visited in Central region



Toowoomba UFUQ Branch meeting, with State Secretary John Oliver and Executive member Shane Malley.



Nambour UFUQ station meeting



State Secretary John Oliver and Executive member Shane Malley



UFUQ branch meeting on the Gold Coast



Ingham fire station



Auxiliary station visited in Far Northern region



Auxiliary station visited in Far Northern region

Change of fire commissioner.

2014 saw the appointment of Acting Fire Commissioner Ms Katarina Carroll.

Ms Carroll was appointed, despite not being a firefighter, due to the changes to the legislation that previously required the role of Commissioner be filled by a firefighter.

Your union advised members in a Code 2 about this law change when it occurred.

I have already met with the current Acting Commissioner and expect to develop a professional working relationship with her for the time of her appointment.

Individual member rights at work.

2014 saw battles against the government and the employer. However, as always, industrial officers of your union also continued to push for fair treatment of individual members.

In amongst the hundreds of pieces of correspondence and the thousands of emails sent and received, your industrial officers continued to provide assistance to an average of 10 members per week, assisting permanent and auxiliary, and a number of fire communication officers across the year.

The UFUQ state office handled thousands of phone calls relating to members' issues and industrial officer assistance.

The year included representing members in a number of Public Service Commission appeals of discipline and promotion decisions, running unfair dismissal claims in QIRC and also successful applications for reviews of worker's compensation decisions and claims for firefighter cancer was won.

A number of medical retirements were forced onto members and as always, your union worked to assure every member going through that process was treated fairly.

There were many matters your union worked on with members across the year that cannot be reported here, as they are either yet to be resolved or involve confidentiality of the parties.

FOOTNOTE!

2015 state election result.

The 2015 election brought a change in government. Our new minister is Joanne Miller.

I wrote to Mrs Miller as soon as she was given the responsibility of the portfolio and will meet with her to inform her about a number of pressing matters.

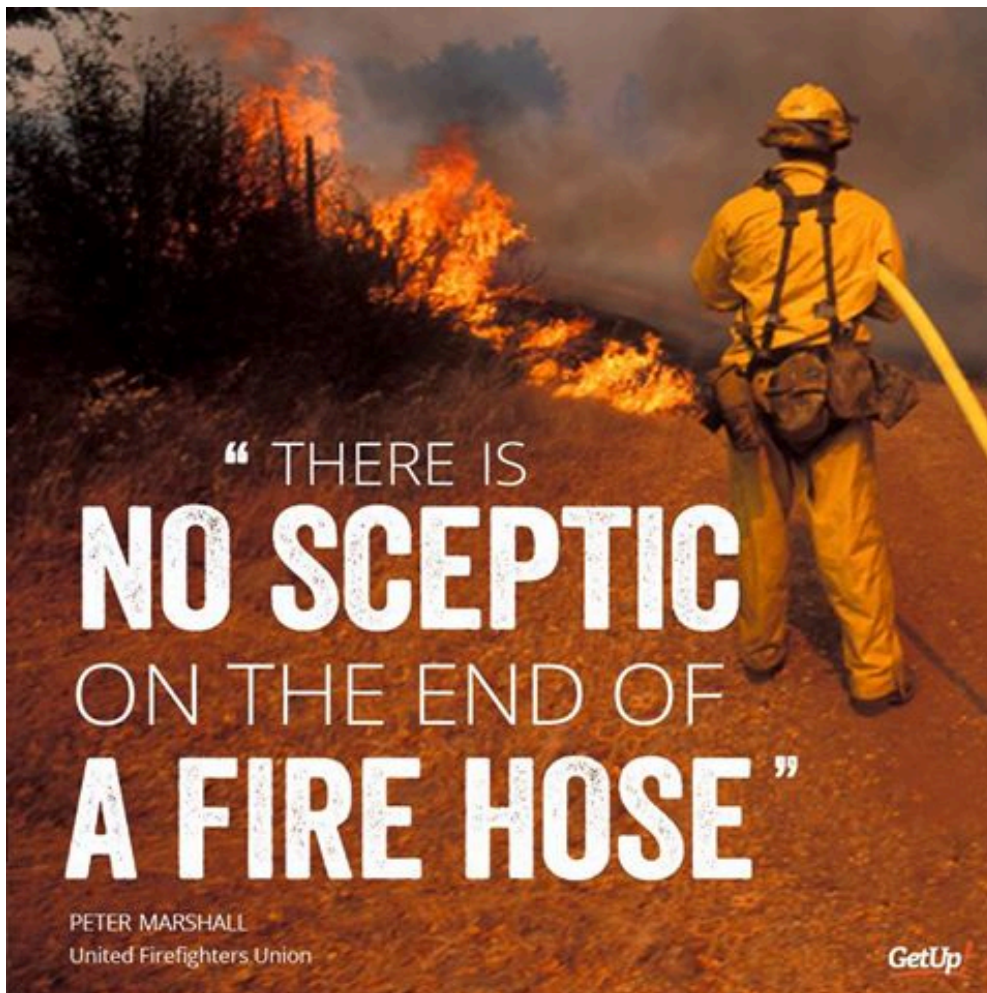
The outgoing minister from the previous government (who did not retain his seat of Bundaberg) avoided dealing with us for most of the previous government's term and stood by and watched as we fought battles with the fire service and the government, in tribunals and courts, in the media and at the ballot box.

When the outgoing Minister eventually did sit down and listen to our concerns, in late 2014, some prospects of resolving disputes emerged.

We hope to have a constructive dialogue with the new Minister and government of the day.



State Committee of Management prior to attending National Firefighter Memorial Day (10 October 2014).



UFUQ and UFUA had active involvement in climate science research and reporting in 2014.



QIRC members inspecting sites during an arbitration.



National Firefighter Memorial Day – Brisbane 10 October 2014