



# THE BUMPER MONITOR

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## *THE UFUA AVIATION BRANCH NEWSLETTER*

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## 1. ARFFS PROTECTING AUSTRALIA'S AIRPORTS?



**Australia has an enviable record in aviation safety, among the best in the world, which has been built on a strong safety governance system, forged over many years.  
Australia's Aviation State Safety Plan (Hon Darren Chester)**

Is this really the case when it comes to ARFFS in Australia?  
Unfortunately it's not and a simple comparison exercise with a world recognised standard like National Fire Protection Association (NFPA) National Fire Code (NFC) 403 shows just how poorly protected the 27 out of nearly 200 certified civilian airports in Australia with an ARFFS are. Not only is the current state of ARFFS barely compliant with minimum ICAO standards, the response to UFU members legitimate safety concerns is to now reduce these services even further.

The first thing to consider is that the International Civil Aviation Organisation (ICAO) provides guidance to ARFFS providers in the form of Annexes and Airport Services Manuals. These have International Standards and Recommended Practices for ARFFS providers. It also needs to be remembered that these standards especially the standards on agent and discharge rate requirements are the absolute minimums worked out by scientific methods and collation of actual crash data. These give you the Theoretical Critical Area (TCA) of a post-crash fire which provides ARFFS enough agent to create a fire free area around the fuselage to allow passengers to escape and firefighters to enter and initiate rescue. Already based on old research of actual crash data the TCA is then reduced by a third to give us what is called the Practical Critical Area (PCA). The agent calculations are worked on providing enough agent to extinguish the fire in the critical area (Q1) and sufficient reserve agent to keep the fire out and prevent re-ignition (Q2) while ARFFS attempt rescue. It also

provides for a discharge rate based on a critical application rate for fuel fed fires. As all firefighters know if you can't supply enough agent to overcome the intense heat of a large fire it will not go out, it simply converts your water to steam and it disappears off into the atmosphere. Any foam you did use will then break down and the fire will grow back to its original size or greater. Basic fire science, for any firefighter.

So the ICAO standard only gives us 2/3's of the absolute minimum figures required to be able to put out the external fires and keep them out. There is no extra agent for fighting internal fires. There is also no guarantee that only 2/3 of the critical area is on fire, given the massive fuel loads on modern large aircraft. This is why unlike Australia very few if any major airports in the world use these absolute minimum figures from ICAO to base their total agent capacity on. A brief study of any modern crashes even in some where there was no fire involved shows that ARFFS use three or four times the agent levels in the ICAO standard at a crash. Menchini (2003) stated in his computational fire modelling report: However, with New Large Aircraft (NLA) carrying larger amounts of fuel compared to the majority of commercial passenger carrying aircraft, NLA have the capacity to **create a significantly larger** accidental fire threat.

**So at best Australia may have just enough agent to get the external fire out if they are lucky. There is no extra agent to fight internal fires and protect the persons trapped or incapacitated by the crash forces. So what is the current provider's solution? Reduce agent capacity and staffing even further and approach the regulator to remove the ARFFS rescue function and rely solely on the Calvary arriving in the form of mutual aid.**

It needs to be remembered by all the other emergency services that the expectation of rescue workloads at a major crash scene won't change it will simply transfer from the current **user paid** provider, to the State picking up the rescue costs for free. EG: save their costs and stick the State services with the rescue bill. Unless of course the survivors trapped inside are all dead by then, which is a much more likely scenario.

This is also in direct contravention of ICAO Annex 14 Ch 9.2: The rescue and firefighting service is provided to create and maintain survivable conditions, to provide egress routes for occupants and to **initiate the rescue of those occupants unable to make their escape without direct aid.** The rescue may require the use of equipment and personnel other than those assessed primarily for rescue and firefighting purposes.



References:

ICAO Airport Services Manual Part 1 (Doc 9137) RESCUE AND FIRE FIGHTING Fourth Edition — 2014  
ICAO Annexe 14 Volume I Aerodrome Design and Operations Sixth Edition July 2013  
Civil Aviation Authority UK CAP 1036 Global Fatal Accident Review 2002 to 2011  
Menchini C.P. (2013) COMPUTATIONAL FLAME CHARACTERIZATION OF NEW LARGE AIRCRAFT  
IMMERSED IN HYDROCARBON POOL FIRES DOT/FAA/TC-13/31 August 2013  
Canadian Aviation Regulations Subpart 3 Aircraft Rescue and Fire Fighting at Airports and  
Aerodromes. Division I General. Application 303.02 (1) (1996)

## 2. KNOW YOUR RIGHTS

A member who was the subject of a workplace investigation recently phoned the office to say that his manager told him he was not allowed to discuss the matter with anyone. The member was extremely stressed as would be expected under the circumstances.

The facts are:

- **it is your right** to have sufficient notice of any interview/meeting and sufficient time to prepare for the interview; and
- **it is your right** to bring a support person to the interview [a support person can be your Union representative]

While investigations are supposed to be treated confidentially [though this rarely, if ever, happens in AS/ARFF], and workers must not discuss the conduct of an investigation with any other worker, you are allowed, **and it is your right**, to discuss the matter with your support person and to discuss the matter with your Union or legal counsel when seeking support, advice or assistance.

## 3. ARFF Contamination Issues:

Significant media attention has been directed towards the current situations in the CFA Fiskville fire training area and several Defence Force bases with serious contamination issues also mainly attributed to hot fire training. Oakey and Williamstown air bases are two significant defence sites which have had quite a lot of study and research done over the past three years.

The UFU Aviation branch has repeatedly raised these same issues with Airservices and the potential impact on health that has been proven in the Fiskville case and has led to a Ministerial enquiry into the CFA's handling of that situation.

PFOS and PFOA along with the rest of the family of Perfluorochemicals (PFC's) are known to be either ingredients or degradation products from the foams used on a daily basis by ARFF staff in training and operations until quite recently.

The very in depth and respected C8 science panel research which was used recently by the US courts to successfully award damages to plaintiffs suffering certain cancers, shows Perfluorochemicals probable involvement/link in the increased incidence of:

1. High Cholesterol
2. Kidney Cancer
3. Testicular Cancer
4. Thyroid Disease
5. Pregnancy-Induced Hypertension/Preeclampsia

## 6. Ulcerative Colitis

This evidence is strong enough for the US Court system to award damages but it is still disputed by Airservices.

It is also very important to note that the co-operation of CFA Senior management was seriously challenged by the parliamentary enquiry committee. This is noted in the forward to the special report to Parliament:

For these reasons it is disheartening for this Committee to have to table this special report. Decision makers within the CFA have done a disservice to the CFA legacy and CFA firefighters twice over. First the tragedy of Fiskville itself and now the refusal to provide vital information to this inquiry.

Every member of the Committee conducting the inquiry into Fiskville is committed to seeking out the truth. The Government referred this important matter to this Committee because in the words of the Premier of Victoria, the Hon. Daniel Andrews: 'We need a full and frank inquiry to answer every question honour every worker and reassure every family'.

Given the distinct similarities between Fiskville and the ARFF Airport training grounds and Airservices reluctance to monitor staff health it would be in the UFU's best interest to ask the minister for a similar enquiry into Airservices historical practices and current refusal to protect and monitor the health of staff both past and present.

The Victorian Enquiry was prompted by the UFU Victoria Branch and the investigative journalism of the Age newspaper. Given the growing weight of evidence that these chemicals are damaging to humans, who are part of the environment anyway, that the Minister is taking this issue as seriously as we are. It would be naïve of the UFU to think that Airservices has spent over a year collecting evidence of their serious environmental legacy from past training practices and choice of firefighting agents, and not to have looked at the health risks and litigation potential of the contamination they have already acknowledged via a letter to the airports, was a result of their actions. This written acknowledgement of their actions will be very handy for UFU litigation purposes.

There is a significant weight of hard scientific evidence that shows that PFC's are harmful to humans. There is no doubt at all that Airservices has exposed its work force to a significant amount of PFC's. Testing of staff and sites have proved this beyond doubt. Airservices has also admitted being responsible for this pollution in writing to the airports. It is also likely still contaminating current staff through the continued use of PFC contaminated legacy training grounds, training aids and bulk storage areas where the PFC dusts still rise to the surface in every heavy rain event. Given the widely publicised actions taken over the CFA training grounds there is no reasonable excuse for an employer with a duty of care to have not taken action to screen the health of past and present staff. The UFU Aviation Branch is working hard on a strategy that will see the best possible chances of bringing those responsible to account.

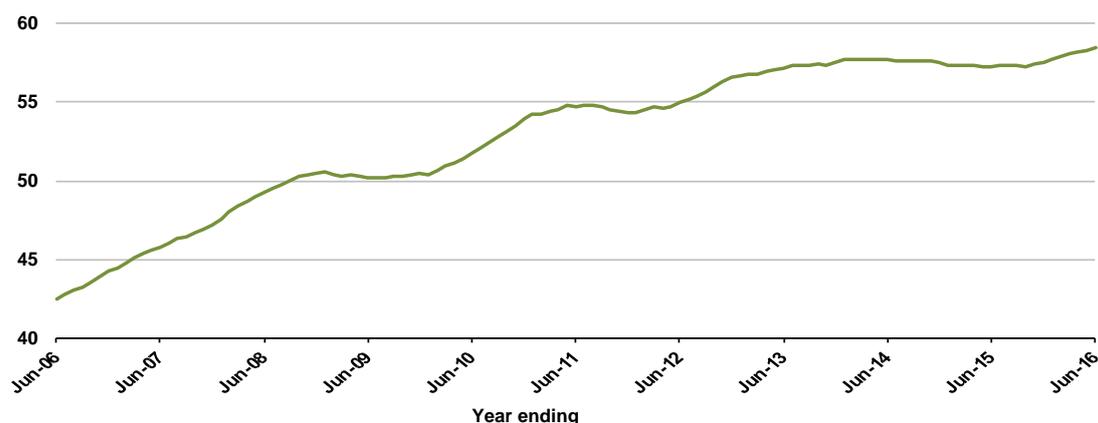
Stay Tuned.

**DON'T FORGET TO LET US KNOW IF YOU HAVE CHANGED YOUR POSTAL OR EMAIL ADDRESS OR YOUR PHONE CONTACT DETAILS LET US KNOW SO WE CAN ENSURE YOUR MEMBERSHIP RECORD IS UP TO DATE.**

**IF YOU HAVE CHANGED YOUR BANKING DETAILS FOR PAYMENT OF YOUR SUBSCRIPTIONS LET US KNOW AS WELL. REMEMBER YOUR SUBSCRIPTIONS ARE TAX DEDUCTIBLE**

## 4. THE SIZE UP

Domestic RPT passenger traffic



### 1 RPT DOMESTIC NETWORK

#### Summary of annual RPT activity

	YE Jun 2015	YE Jun 2016	% Change
Total passengers carried (millions)	57.23	58.41	2.1
Revenue passenger kilometres (billions)	67.44	68.83	2.1
Available seats (millions)	76.56	77.15	0.8
Available seat kilometres (billions)	88.26	88.88	0.7
Load factor %	76.4	77.4	1.0 *
<u>Aircraft trips (000s)</u>	<u>633.1</u>	<u>637.0</u>	<u>0.6</u>

\* percentage point difference

Ok so we all know our ARFF Executive keep crying poor on behalf of the airline industry. Perhaps the \$1.5 Billion profit posted by Qantas was not enough and they are probably doing it tough like the Chief (Captain Un-Credible) says (we all know he wouldn't lie to us) so it's only fair we all take a hit to help them out. I mean its only people's lives we are here to protect it's not like we do anything important is it? So in the past decade the airlines have enjoyed an increase of nearly 20 million domestic passengers from just over 40 million to just under 60 million so a 50% increase in passenger numbers since 2006. No wonder they are broke with figures like that. Perhaps we should pass the hat around for them.

So the table below shows the top 50 airports passenger numbers. The highlighted ones are a concern. Looks like if Captain Un-credible gets his way 8 of our airports protecting nearly 3 million passengers a year between them will be at serious risk of closing. It also shows that if we were as bad as the next worst country when it comes to regulations which is Canada we would cover another 9 airports with ARFFS and protect a further 1.9 million lives a year.

Has Captain Un-Credible told you how much he admires Canada yet, of course if we were fair dinkum like the USA and UK we would cover all of the 50 top regionals and protect another 4.2 Million lives every year. Or in the case of the UK we would protect everyone (5.5 Million lives) because **regional Australians lives should matter** as much as anyone else's.

	<b>Top 50 Regional Airports</b>	<b>YE Jun 2015</b>	<b>YE Jun 2016</b>	<b>% Change</b>
1	Cairns	3 936.6	4 141.8	5.2
2	Hobart	2 186.5	2 312.9	5.8
3	Darwin	1 765.2	1 783.7	1.1
4	Townsville	1 548.9	1 546.6	-0.1
5	Launceston	1 273.2	1 322.3	3.9
6	Williamstown	1 157.7	1 171.8	1.2
7	Mackay	982.7	841.5	-14.4
8	Alice Springs	582.8	602.8	3.4
9	Rockhampton	656.1	593.2	-9.6
10	Karratha	660.9	556.8	-15.8
11	Hamilton Island	493.9	515.3	4.3
12	Ballina	437.0	465.4	6.5
13	Broome	393.5	386.2	-1.9
14	Port Hedland	474.0	381.9	-19.4
15	Coffs Harbour	355.7	375.7	5.6
16	Gladstone	456.7	368.4	-19.3
17	Proserpine	280.8	348.0	23.9
18	Ayers Rock	307.1	338.9	10.4
19	Newman	349.5	320.6	-8.3
20	Albury	247.1	246.7	-0.2
21	Mildura	237.8	243.4	2.3
22	Kalgoorlie	228.2	234.5	2.8
23	Port Macquarie	226.3	224.0	-1.0
24	Wagga Wagga	210.5	214.4	1.8
25	Emerald	230.5	204.9	-11.1
26	Dubbo	203.9	201.0	-1.5
27	Mount Isa	218.9	193.6	-11.6
28	Port Lincoln	190.9	182.4	-4.4
29	Hervey Bay	162.9	169.6	4.1
30	Bundaberg	156.7	167.3	6.8
31	Tamworth	155.6	167.3	7.5
32	Paraburdoo	179.7	163.3	-9.1
33	Devonport	144.6	145.8	0.8
34	Armidale	124.4	129.0	3.7
35	Moranbah	156.2	124.6	-20.2
36	Geraldton	123.6	118.8	-3.9
37	Roma	208.6	107.1	-48.6
38	Kununurra	108.5	106.3	-2.0
39	Thursday Island	88.4	95.6	8.2
40	Wellcamp	37.5	89.2	NA
41	Learmonth	85.6	86.1	0.6
42	Mount Gambier	77.0	77.2	0.3
43	Weipa	66.7	76.3	14.4
44	Gove	79.2	73.0	-7.9
45	Griffith	66.9	68.6	2.6
46	Whyalla	63.0	66.8	6.1
47	Burnie	62.2	62.0	-0.3
48	Merimbula	59.0	61.7	4.6
49	Olympic Dam	74.3	54.3	-27.0
50	Albany	57.0	53.3	-6.5
	<b>Total top 50 regional airports</b>	<b>22 630.2</b>	<b>22 581.7</b>	<b>-0.2</b>
	<b>Total regional airports</b>	<b>23 975.6</b>	<b>23 875.5</b>	<b>-0.4</b>
	<b>Total domestic network</b>	<b>114 465.9</b>	<b>116 812.7</b>	<b>2.1</b>

## **5. ADVERTISING OF AND OFFERING OF FLY-IN-FLY-OUT POSITIONS**

On 14<sup>th</sup> September the Fair Work Commission handed down its decision on the Union's application to determine whether or not Airservices could advertise FIFO vacancies with a designated home location other than the employee's place of residence and only pay travel costs for part of the travel from the actual place of residence to the FIFO post.

The Commission's decision can be summarized as follows:

- Question: Can the offer of a FIFO position under clause 4.8 of the ARFF Agreement require an employee to change their place of residence or home location?

Answer: Subject only to the right to transfer employees under clause 4.10 of the EA, Airservices may advertise a FIFO position on that basis that it commences from a nominated home location and in order to be considered for an appointment at a particular FIFO Unit, employees who live at a different home location would need to undertake to relocate to the nominated home location and does not contradict the provisions of the EA..

To accept or not accept an appointment under the conditions advertised is purely a matter for the individual.

## **6. DECISIONS OF FEDERAL COURT ON APPLICATIONS FOR HIGHER DUTIES ABOVE FIRE COMMANDER LEAVE, HOURS AND OVERTIME AT LEARNING ACADEMY AND REST RELIEF [NO 8 HOUR BREAK] PROVISIONS**

On 22<sup>nd</sup> of September Jones J handed down her decision on the above matters. The decision was:

- Higher Duties - the higher duties provisions of the EA do not apply to higher duties performed at FSM level and above because any reference to a classification must be to a classification covered by the EA. The effect of this decision is that Airservices can continue their existing practice of not properly remunerating officers performing higher duties in contract positions. That is, not paying officers the "substantive salary" of the higher classification.

Again, it is up to the individual if they elect to perform the higher duties at less than the substantive rate of the higher position and, in most cases, effectively in most cases receive less than they would if they had remained on shift.

- Learning Academy hours of duty and overtime

In summary, for FIFO employees, hours worked are to be calculated over a 4 week cycle [notional 2 weeks on followed by 2 weeks off forming the roster cycle]. Any hours worked over and above 152 in the 4 week cycle are paid at the additional hours rate.

Because the Judge's decision is confined to employees working under FIFO arrangements. Our legal advice is that employees not working under FIFO arrangements

would need to be considered separately on this basis and the Union is taking further advice on this particular aspect.

- Clause 4.7 Rest Relief [no 8 hour break]

The Judge's decision on this matter is most interesting and significant. The Judge has interpreted the provisions of clause to mean the following:

- i. Clause 4.7.1 is clearly concerned to **ensure** that an employee is entitled to an 8 hour break [plus reasonable travelling time] from the end of one rostered shift to the start of the next rostered shift.
- ii. Subclause 4.7.1 is held by the Judge to be a **prohibition** on an employee being required to work their next rostered shift if they have not had an 8 hour break [plus reasonable travelling time] before the commencement of their next rostered shift. Further, **you are entitled to absent yourself from duty** until you have had an 8 hour break [plus reasonable travelling time] without loss of pay for any hours you do not work on your next rostered to achieve your 8 hour break [plus reasonable travelling time].
- iii. In the words of the Judge, ***"clause 4.7.1 directs that 'you', an employee, 'will not be required' to attend for duty until the employee has been absent from duty until the employee has been absent from work for eight hours."***
- iv. In regard to subclause 4.7.2, it was held that the words *"If you are required to work without eight (8) consecutive hours off duty"* mean that if you have completed a rostered shift and before the commencement of your next normal rostered shift you are required to work additional hours or are recalled to duty when you are rostered off duty and this has the effect of denying your right to be absent from duty for eight hours from the end of your last rostered shift to the start of your next rostered shift, you are entitled to be paid at the additional hours rate until you enjoy an eight hour break [plus reasonable travelling time] without loss of pay.

If the employer tells you that you are required to report for duty at the commencement of your next normal rostered shift without having an 8 hour break plus reasonable travelling time remember, it is your right to absent yourself from duty until you have had an 8 hour break [plus reasonable travelling time] and you are entitled to exercise that right.

If the employer insists you are required to attend for duty as rostered without having had an 8 hour break [plus reasonable travelling time] you should ask for the requirement to attend for work in writing with a statement that the provisions of clause 4.7.2 will apply and you will be paid at the additional hours rate for your next rostered shift and for all hours worked until you have had an eight hour break [plus reasonable time].

As the provisions of clause 4.7 are concerned about ensuring you have a proper break between shifts and your employer is primarily concerned with your health and safety at work, it is management's responsibility to manage crewing and not yours.

Remember, the court has held that it is your right to absent yourself from duty until you have had an eight hour break away from work and in addition, in accordance with the provisions of your EA, reasonable travelling time.

If you have any questions about this decision, which is a significant one in terms of your rights at work, do not hesitate to contact your Organiser, BCOM Delegate or the Branch Secretary.

## 7. LETTERS TO COMCARE AND CASA



### United Firefighters' Union of Australia Aviation Branch

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13<sup>th</sup> October 2016

The CEO CASA  
GPO Box 2005  
Canberra ACT 2601

Dear Mr Skidmore,

Thank you for your reply to the UFU concerns raised in our letter to you on 11<sup>th</sup> August 2016.

In opening, the Union notes that Airservices ARFF only provided a SCARD [Safety Case Assessment and Reporting Determination to CASA for determination on 12<sup>th</sup> August 2016, only one day before the intended implementation of changed rostering and Category coverage arrangements at Perth Airport. A reasonable person would ask how such a significant matter can be assessed and approved on the same day. Such a turn around on such a significant consideration begs the question of how robust is the process for assessing and approving issues of such importance to Fire Fighter and public safety.

Unfortunately, your reply does leaves the Union confused. The original risk assessment on the A380 operations based on well over 200 years of collective ARFF operational experience rated covering the A380 with Cat 9 staffing as a 'B' class safety risk. Far from being a business decision to enhance its service delivery to provide Category 10 level of ARFF at Perth during A380 movements, it was an operational decision based on a proper, open and accountable risk assessment process undertaken around 2006 which identified the following serious safety issues which warranted Category level of ARFF at airports with A380 movements:

1. Lack of supervision leads to ineffective operations
2. Multiple sectors
3. Multiple crews on BA

4. Safety of Fire fighter and passengers
5. Loss of control
6. Insufficient staff for second CABA team

To the best of the UFU's knowledge, nothing has changed which diminishes those risks and in fact, a further risk is clearly identified in the ICAO Airport Services Manual Part 1 (doc 9137). At 2.3.9 of the Manual it states that "As of 1 January 2015, at aerodromes where the level of protection is reduced in accordance with the remission factor allowed in 2.1.3 b) and where operations by aeroplanes larger than the average size in a given category are planned, the recalculation of quantities of extinguishing agents required in 2.3.7 would need to be computed based on the largest aeroplane in the reduced category. As an example, an Airbus A380 (category 10) is operating infrequently into a B747 aerodrome (category 9). If the number of movements of the A380 is less than 700 movements in the busiest consecutive three months, the aerodrome is allowed to provide a category 9 level of protection, as permitted in 2.1.3 b)." This means that Cat 9 requirement of 3 vehicles in the current Mk 8 configuration will not meet the minimum agent requirements (27,859 Litres) of the current ICAO Standard.

Another issue of serious concern is, if what CASA have agreed to is not really Category 9, why has CASA accepted a hybrid staffing model with no Task Resource Analysis (TRA) being conducted when the Airport Services Manual says this "should be considered to establish justification as to the minimum number of qualified/competent personnel to deliver an effective airport RFF Service to deal with an aircraft incident/accident." The Union believes that both Airservices and CASA were advised via a States letter of the introduction of the TRA methodology. While current Airservices ARFF staffing models are developed on old risk assessment based methods, none of those models include category 9 staffing at either 11, 13, 14 or 17 staff. The accepted staffing model for Category 9 is 2 officers and 8 firefighters, the accepted staffing model for Category 10 is 3 Officers and 11 Firefighters. At busy stations where responses to structural fires or alarms impact on category by more than 1%, these staff are also supported by a Domestic Response Vehicle (DRV) Capability as per the approved risk assessment CASA agreed to with the implementation of the DRV.

The Airport Services Manual also states that "if an airport operator requires the RFFS to attend structural incidents and road traffic accidents in addition to aircraft incidents/accidents due regard **must** be given to the inability of not meeting required response times **and robust procedures** should be introduced accordingly."<sup>1</sup> Since responses to aircraft and buildings are both requirements under regulations ARFF needs robust measures in place to ensure neither of these regulated response capabilities are compromised. **The DRV formed these robust procedures.** The Union infers from your reply that simply dropping category every time there is an alarm is now an acceptable risk. In the Union's view CASA has now approved a system where a fire officer may have to choose between turning out to a terminal full of people or an aircraft full of people and be damned either way if it turns out to be the wrong choice.

It is the Union's view that the approval by CASA of Airservices/ARFF rostering and Category level of ARFFS at Perth as another example of both Airservices and CASA's complete disregard for the Chicago Convention that the Air Navigation and Airservices Acts state are meant to give effect too. The UFU see's ICAO's recommended practices in the same way that Codes of Practice are

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<sup>1</sup> ICAO Airport Services Manual Part 1 section 10.5.1

seen in WHS Regulations it must be demonstrated when not strictly complying with Standards or Codes of Practice that the standard for compliance has been met via an alternative method.

Yours faithfully

Henry Lawrence  
Branch Secretary

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Comcare Safety Inspector,

Dear Sir/Ma'am,

The United Firefighters Union would like to draw your attention to the following breach of Regulation 37 Page 42 of the WHS Regulations 2011:

#### **1 MAINTENANCE OF CONTROL MEASURES**

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A duty holder who implements a control measure to eliminate or minimise risks to health and safety must ensure that the control measure is, and is maintained so that it remains, effective, including by ensuring that the control measure is and remains:

- (a) fit for purpose; and
- (b) suitable for the nature and duration of the work; and
- (c) installed, set up and used correctly.

In 2005 the decision was made via a risk assessment process that safe mechanical access for ARFFS fire and rescue teams was required to provide a 'safe system of work for Aviation Firefighters dealing with Very Large Aircraft like the A380 Airbus. In 2007 a Turntable ladder was loaned by FRNSW to Aviation Rescue to provide safe access and rescue options. In 2008 the first of the ARFFS Morita Turntable Ladder Platforms (TTLP) was bought into service in Melbourne and in 2010 another one was bought online in Sydney. The third TTLP vehicle is currently in place in Perth, while Brisbane simply relies on a letter of agreement with QFES to provide an Aerial vehicle based simply on its availability. EG: if it is at another incident, fire area or being repaired it may not be available. The original risk assessment stated:

The height of the upper deck floor on the B747 is 7.8 metres from the ground with the undercarriage extended, the height on the A380 is 8 metres; this is the maximum working height for ARFF ladders (Nine metre ladder). The entry to the upper deck of a Boeing 747 by means of a standard fire service ladder is a difficult task and presents some risk to staff when making entry in this way. The A380 slide design and configuration has virtually made access to the upper deck by conventional fire service ladders impossible. Current operational practice is to place the ladder close to the door, operate the door release or release the escape slide, reposition the ladder in the doorway and then to make entry. With the concentration of five slides aft of the main plane this is no longer possible as there is no clear area to pitch a ladder.

There is also no safe rescue procedure (SOP) in place for rescuing persons incapacitated and unconscious in the upper or mid-level deck areas of the A380. It is ARFFS accountability to provide rescue capability as is clearly written in Australian CASR Regulations, MOS 139H and the ICAO standards. It is clearly a requirement of the WHS Regulations 2011 that our members must have a

'safe system of work' in place, to meet these access and rescue accountabilities. In the case of working at heights and rescue from A380 aircraft that means a TTLP.

The Sydney Morita TTLP went off line in February 2016 and has not been in service since. The UFU has been waiting patiently for its return to service but to leave vital safety equipment bought on line to meet the critical risks of working and rescuing from heights for 8 months is clearly a breach of the WHS regulations.

ARFFS is bringing Morita engineers across from Japan to fix the vehicle and we genuinely hope this works. Our problem though is ARFFS complete disregard for their obligations under the WHS regulation for the past 8 months. It is the UFU's belief that the WHS Act 2011 Page 24 requires:

- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable:
  - (a) the provision and maintenance of a work environment **without risks** to health and safety; and
  - (b) the provision and maintenance of safe plant and structures; and
  - (c) the provision and maintenance of **safe systems of work**; and....

The UFU does not believe that waiting on the runway for another fire service to provide safety equipment while people inside an aircraft or structure on fire are at extreme risk and in dire need of immediate rescue is meeting the ARFFS obligations. Our members will be facing extreme WHS or psychological risks by either attempting rescue without the proper equipment or standing by and watching persons die needlessly.

We respectfully ask that COMCARE make these obligations clear to these ARFFS managers, to ensure they do not continue to thumb their nose at genuine WHS risks.

Please note that the arrangements for the TTLP' in Brisbane and Perth should also be investigated. The letter of agreement with QFES to supply an aerial vehicle was supposed to be a temporary arrangement and has now been in place for several years. Perth has just implemented a new staffing arrangement which will mean there is either no permanent staffing on their Morita or only one staff member provided to operate it, in contravention of an existing agreement in place for Melbourne which also runs 4 Large Fire Vehicles, and which requires two staff on the TTLP.

Note we have raised this issue with CASA who somehow feel obligated to raise Non Compliance Notices whenever ARFF have missed a tag and test certificate on a toaster or microwave based on noncompliance with WHS requirements. But a clear breach of WHS Regulation 37 for providing safe systems of work is apparently not their concern.

Regards

Henry Lawrence  
Branch Secretary

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**FORWARD ALL CONTRIBUTIONS TO:** [ufuavat1@bigpond.com.au](mailto:ufuavat1@bigpond.com.au)

*Authorised by Henry Lawrence Branch Secretary United Firefighters' Union of Australia Aviation Branch*