



# NEWSLETTER

United Firefighters' Union of Australia Aviation Branch

---

## JUNE 2013 EDITION

**In this edition of our newsletter:**

- 1. Implementation of Enterprise Agreement 2013-2017**
- 2. 139H – Proposed Changes and Dangers**
- 3. Foam Training – Need For Station Training**
- 4. CFBT – ARFF/UFU CFBT Working Group**
- 5. Station Design**
- 6. Equipment/Vehicles**
- 7. Work Health and Safety**
- 8. Superannuation**
- 9. Thank You Neil Pooley [WA BCOM Delegate]**
- 10. Vacant Organiser Positions**

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

## **1. Enterprise Agreement 2013 – 2017**

The Fair Work Commission approved the *Airservices Australia [Airport Rescue and Fire Fighting] Enterprise Agreement 2013 – 2017* on the 15<sup>th</sup> May 2013 and it commenced operation from the 22<sup>nd</sup> May 2013.

The Agreement delivers:

- Wage increases of 1.965% each 6 months from the approval of the Agreement
- Increases in employer superannuation contributions of 1.5% over the life of the Agreement;
- Additional Hours Meal allowance increased from \$20 to \$22;
- Responsibility Allowance increased from \$20 to \$22 with the number of portfolios and staff eligible for the payment to be reviewed on an ongoing basis from the commencement of the Agreement with expected benefits for members;
- All salary related allowances [excluding Category Allowance and allowances determined by the ATO] increased by the amount of wage increases for the first three years of the Agreement with a further adjustment of 3.9% at the start of year 4 of the Agreement;

In real terms, the Agreement delivers Average Annual Wage Increases [AAWI] of 4.21% and an average increase in overall remuneration, including increased superannuation contributions, of 4.585%.

This is a significant outcome and well above the average 2.5 to 2.6% wage increases being generally and the recent adjustment to award wages handed down by the Fair Work Commission.

## **2. 139H Proposed Changes and Dangers**

For some time now the Aviation Branch has been advocating that the CASR 139H be reviewed and modernised to reflect the latest advances in aviation firefighting techniques and practices. When the CASR 139H was first written there were a number of covenants that limited what could and could not be included in the Regulations. The development of the Regulations was conditional upon there being no additional cost or imposition on the industry or government and that the operational status quo at the time be maintained.

CASA has been attempting since 2008 to progress a Post Implementation Review of CASR 139H but has struggled to complete the review due to a lack of expertise and resources. The Aviation Branch was invited to a 2 day stakeholder's workshop last month to try and progress the review however it was abandoned after 2 hours of discussion once it was accepted the proposed CASA amendments to the 139H MOS lacked any explanatory material and potentially would operate contrary to the 139H Regulation and /or ICAO Annex 14.

The Aviation Branch maintains the position that the 139H Regulation should be reviewed first and then any identified and necessary changes can be made to the 139H MOS.

## **3. Foam Training – Need For Station Training**

Members were asked to complete a survey on the recent foam application training using a handline with a FB10X. The Aviation Branch has long argued for a return to foam training but disappointingly, ARFF have not extended the training to include monitor training using the new foam and bumper monitors.

The survey itself relates specifically to foam application through a FB10X and is worded to restrict responses to whether or not the training met the objective rather than was the objective appropriate to demonstrating the properties of the new foam in a realistic scenario, i.e. on a large fuel fire and through an appropriate monitor.

The Aviation Branch will continue to argue for a return to foam training at stations based on the need to practice with our primary agent through monitors on realistic scenarios and to familiarise members with the different properties that the Solberg foam possesses compared to Ansulite foam.

#### **4. CFBT – ARFF/UFU CFBT Working Group**

In November 2012, a working group comprising ASA/ARFF and UFU representatives was formed with the objective of assessing and sourcing safer fuel sources, alternative practices and improving and enhancing hygiene and decontamination protocols associated with this training. A number of improved practices have been agreed however, the parties are still in dispute over compulsory practical training.

The Aviation Branch maintains its position that the CFBT is unnecessarily toxic and hazardous for the training environment. Members are advised that should they have concerns regarding their own health and safety they should immediately raise those concerns with the local HSR citing the employer's obligation to provide a safe workplace and your right to refuse to participate in an unsafe act/practice.

The Aviation Branch has called into question the ARFF Service environmental obligations and questioned whether they hold appropriate permits to pollute the atmosphere with the carcinogenic and toxic material produced during CFBT burns.

It has been agreed between the Aviation Branch and the ARFF Service that the activity of the working group will be expanded to examine other ARFF training activities and practices to ensure appropriate safety and hygiene protocols and practices are in place for all training activities.

#### **5. Station Design – Upgrades**

The Aviation Branch is actively involved with ASA in the development of station design. So far, there have been a number of teleconferences focusing at this stage on a new Cat 6/7 station model.

From the first conference it was apparent that the teleconferences were more about ticking the "consultation" box rather than seeking genuine input from the Union as just days before the teleconference ground works had already begun for the Port Hedland ARFF station.

The proposed model lacked a "drive through" capability and questions about diesel emissions and mitigation were answered with silence making it apparent this had not even been considered. There were no shower facilities in the transition room with the main showers and ablutions located at the opposite end of the building to the engine bay, which is questionable when response times are critical. Additionally and importantly, this constitutes a clear and serious health and safety issue i.e., contaminated clothing and personnel moving through a "clean" air-conditioned area to shower.

Since the last teleconference on the 5<sup>th</sup> June ASA have provided the Branch with the room data sheets for the proposed new station available so a closer scrutiny of the design can be done. ASA have also now acknowledged the validity of a number of the issues raised by the Branch at previous teleconferences hopefully paving the way for a better final station design.

The next teleconference is scheduled for the 4<sup>th</sup> or 5<sup>th</sup> of July.

## **6. Equipment/Vehicles [John Hancox Portfolio Holder]**

**Vehicles** - Meetings have been held with ASA on ongoing MK8 issues with a follow up meeting with Engineering and Mechanics. The issues have been reinforced through a submission on the new "ARFF Operational Project Proposal" system.

The meeting with Engineering and Mechanics went well as they were able to witness firsthand the issues the Aviation Branch has been raising for ages. A "light bulb" moment.

Issues that the Branch has been pursuing include the number one issue of in-cabin helmet stowage, lighting at low beam, footstep lighting and PPE and equipment stowage.

It is now up to ASA/ARFF to implement fixes for these issues but as they say, past behaviour is a good predictor of future behaviour, so there is not a lot of confidence in a swift response and the Branch will have to remain proactive in pursuing fixes for the problems.

The ASV working group has been revived and will meet again in Melbourne next week. Aviation Branch Vehicle and Equipment portfolio holder, John Hancox, will present the Aviation Branch perspective on ASVs and FR5.

**Equipment** – This is another area where issue have been dragging on for too long and there has also been a distinct lack of real consultation on proposed changes. Consultation is supposed to take place before any final decision on matter is made, not afterwards as has been typical.

The view of the Aviation Branch is that there should be a full review of equipment with a priority list being created and then worked through upgrading and improving equipment with the focus being on "fit-for-purpose". This work should be ongoing and not just done on a once off ad hoc basis.

ERU replacement is the only area in which any real work has been done but again, without any real consultation with the Branch.

Gloves continue to be an issue with no solution yet despite a trial conducted in Melbourne. The Branch has written to the newly established Operations Support Branch warning this is a serious WHS issue requiring urgent attention.

DTO – There is progress on this issue focusing mainly on the purchase of new equipment and again, hopefully meeting the "fit-for-purpose" requirement. On the positive side, round \$2M is being spent in this area but again, consultation has only occurred after final decisions have been made.

## **7. Work, Health and Safety [Mal Lacy Portfolio Holder]**

Here is a brief summary of WHS issues the Branch has been involved in over recent months and ongoing.

- Issues raised at the DCC meeting in Canberra on 9<sup>th</sup> May:
  - Employee Assistance Program – is the program effective – Branch is seeking a review following on feedback from members and an increase in the number of reported stress related incidents;
  - MK8 issues – PPE stowage, lighting, equipment stowage;
  - What is the current status of the Heat Stress Prevention Program;
  - WHS issues with station design and need for Aviation Branch involvement;
  - Status of diesel emissions control program.

Updates on these issues will be provided in our next newsletter.

The Branch has representatives on working groups reviewing CFBT, Plant Risk Assessment, Vehicle Markings, Clothing, Equipment and ASVs.

Finally, the National UFU WHS Committee is attempting to establish preferred procedures for a number of areas so all Branches of the UFU nationally can achieve the safest possible working conditions for all members. Some of the areas on which policy is being developed include operational rehabilitation, clean cabin policy, hygiene management of PPE, station design concentrating on transition areas and control of diesel emissions and safe crewing levels on appliances and on the fire ground.

## **8. Superannuation**

While many members may have already read information from AvSuper or other sources or taken advice on the handling of the increased superannuation contributions provided for in the new Enterprise Agreement, it is worthwhile talking about it again due to phone and email enquiries received in the Union office.

On the 29<sup>th</sup> March 2012, the Federal Government legislated increases in the Superannuation Guarantee Levy [SGL]. Commencing from the 1<sup>st</sup> July 2013 the SGL will be increase incrementally from 9% to 12% by 2019.

Your Union was successful in gaining similar increases in employer contributions for you in the negotiation of the new Airservices Australia (Aviation Rescue and Fire Fighting) Enterprise Agreement 2013 – 2017. However, in accordance with the provision of the Enterprise Agreement you will benefit with payment of the first increase from 1 June 2013. Members of Defined Benefit Funds [DBF] will also receive the benefit of these increased employer contributions.

For members of accumulation funds, employer contributions will increase to:

- 12.75% of base salary from 1 June 2013;
- 13% of base salary from 1 June 2014;
- 13.5% of base salary from 1 June 2015; and
- 14% of base salary from 1 June 2016,

plus the following allowances as appropriate:

- I. Higher duties allowance;
- II. Category allowance;
- III. Responsibility allowance.

The remaining increase of 1.5% will accrue during the life of the next Agreement.

This is a significant gain for members, as employers contributing at a rate greater than the SGL **are not required** to pay any increased contributions until the SGL exceeds the rate of their contribution. Up until the commencement of the new Enterprise Agreement Airservices was contributing at the rate of 12.5% of base salary, 3% higher than the SGL. The increased contributions gained by our Union maintain your employer's contribution rate at 3% above the SGL. This is a significant gain for members and will significantly boost the accumulations in your super accounts.

As mentioned, members of Defined Benefit Funds also benefit from this gain. Members of a DFB will receive the increased employer contributions in the form an additional lump sum payment equivalent to the following percentages of your superannuation salary as at 1 June each year:

- .25% of employee's superannuation salary as at 1 June 2013 increasing to;
- .50% of employee's superannuation salary as at 1 June 2014 increasing to;
- 1% of employee's superannuation salary as at 1 June 2015 increasing to;
- 1.50% of employee's superannuation salary as at 1 June 2016.

Payment of the increased contributions will be to a nominated accumulation fund of your choice. Unless you are a member of the CSS, you can select another eligible choice fund such as AvSuper. The fund you select must be an eligible fund within the meaning of **Choice of Fund Rules** in Part 3A of the *Superannuation Guarantee (Administration) Act 1992* and a fund to which Airservices can deposit your funds without having to apply to participate in the fund.

Members in a DFB should note that:

- The additional contributions through the lump sum payments will not exit you from the DFB but the additional contributions [lump sum payment] will be deposited to an accumulation account nominated by you;
- These additional employer contributions [lump sum payment] will count towards the concessional contributions and any amount over the cap can be taxed on amount over the cap;
- If the additional amount causes you to exceed the concessional cap, the excess contributions would most likely be subject to excess concessional contributions tax, one of the reasons why if you are not sure about your situation you should take advice.

**NB: Members who are making their own additional contributions to super through salary sacrifice should take advice from AvSuper or the fund to which they currently belong to ensure**

**they will not exceed the concessional contribution threshold of \$25000 because of the increased employer contributions and lump sum payments.**

ASA have apparently indicated that the first lump sum payment will be made on the 8<sup>th</sup> July but the Union is awaiting confirmation of that date. In any event, the payment will be calculated on the base salary for your rank at the 1<sup>st</sup> June 2013.

**For advice on these matters the contact numbers are:**

<b>AvSuper</b>	<b>1800 805 088 (Free Call)</b>
<b>CSS</b>	<b>1300 000 277</b>

### **9. Thank you Neil Pooley**

Neil Pooley has resigned from his position as WA BCOM Delegate following his appointment at Port Hedland. Thank you Neil for the great job you did while you were the Delegate and for the great support you have given to WA members and to the Union generally. All the very best at your new Station.

### **10. Vacant Organiser Positions**

Organiser positions are vacant at the following ARFF stations. For the effective functioning of the Union at each station it is important that we fill these vacancies. Expressions of interest are therefore invited from interested members for the Organiser role at:

- Sydney
- Perth
- Canberra
- Darwin

Members interested in taking on the Organiser role at these stations will do so until the next triennial elections due in 2015. If you are interested, please contact your BCOM Delegate or email the Branch Secretary at [ufuavat1@bigpond.com.au](mailto:ufuavat1@bigpond.com.au)