

Branch Newsletter

July 2014



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Industrial Roundup

Your Union is currently working on resolving a number of issues which members have contacted us about and seeking assistance or advice on. In normal circumstances it would be a simple case of phoning or corresponding with the HR/IR section of a business and getting an immediate answer over the phone or a prompt written response. Not so with Airservices/ARFF and is the reason it takes so long to get an answer to some of our questions. For some inexplicable reason correspondence and email enquiries almost invariably receive the following response:

"Can you please provide me some specific details so I can look into your query, including: the employee's name; current position title; higher duties position title";

"..in the interests of ensuring Airservices is able to deal efficiently with your inquiries, that you ensure that you provide all the relevant information, including names, dates, and specific details in your initial request."

Quite often members make confidential enquiries about their rights and entitlements under the EA and don't wish to be identified unnecessarily in pursuing their enquiry with ASA/ARFF **as is your right**. With any enquiry the Union makes on behalf of members, enough information is always provided for a competent HR/IR practitioner to be able to respond to an enquiry without having to know the name of an employee etc, etc. In those instances where it is necessary for the employee's name and other detail to be divulged the member will be told before pursuing the matter on their behalf. The motive for insisting on the Union providing the name of an individual unnecessarily is certainly suspicious and unprecedented in my thirty plus years experience as a Union official.

Be assured that unless it is necessary or you agree to your name and other particulars being provided when making an enquiry with ASA/ARFF your confidentiality will be respected and protected. If the matter cannot be resolved reasonably with the Union the matter can and will be pursued by other means if necessary.

A summary of the industrial issues the Union has been and is currently dealing with is as follows:

- *Carer's leave* – your Union believes that the EA provision of a cap of 144 hours of leave for caring purposes in each 12 month period runs contrary to the affect of the National Employment Standards [NES] which place no limit on the amount of leave that can be accessed subject to the employee having accumulated a sufficient bank of hours to cover the period of leave applied for.

ASA/ARFF are asserting that more than 144 hours of carer's leave can only be accessed in circumstances where the employee has accrued more than 144 hours of NES PCL [National Employment Standard Personal/Carer's Leave]. This matter is subject to ongoing discussion between the Union and ASA/ARFF.

- *Higher duties payments* – the position in regard to conditions applying to higher duties performed above Fire Commander rank are unclear and the Union is endeavouring to clarify the position with ASA/ARFF. Issues go to remuneration, on-call arrangements and additional hours payments.
- *Rest Relief [No 8 hour break]* – the Union continues to receive calls in regard to claims under clause 4.7 of the EA despite be told by ASA/ARFF that previous issues for claims under the clause have sorted out. The Union will be having discussions in the next couple of weeks with ASA/ARFF in a bid to come to agreement on the interpretation and application of the clause.
- *Rental subsidy* – a member on a term transfer recently phoned the Union office saying they had been told that rental on a property can only be up to the value of the rental subsidy amounts in clause 4.10.5 (h) of the EA. This is not correct, the amount of rental an employee pays depends on the type and availability of accommodation at the work location and is not capped at the amount of the subsidy. The amount of subsidy an employee receives is calculated after taking into account the employee contribution provided in clause 4.10.5 (h) and the rental cost but is capped at the amounts at the amount specified in the clause. Any amount owing after the required employee contribution and the subsidy amount has to be met by the employee.
- *Group Flexibility Agreements re accrued leave* – the Union provided assistance to members at Canberra and Avalon in the drafting and negotiation of group flexibility agreements in relation to formalising accrued leave arrangements.

WHAT IMPROVEMENTS CAN ARFF INTRODUCE IN ORDER TO REDUCE YOUR WORKPLACE EXPOSURE

Wes Garrett, National WHS Co-ordinator UFU of A Aviation Branch

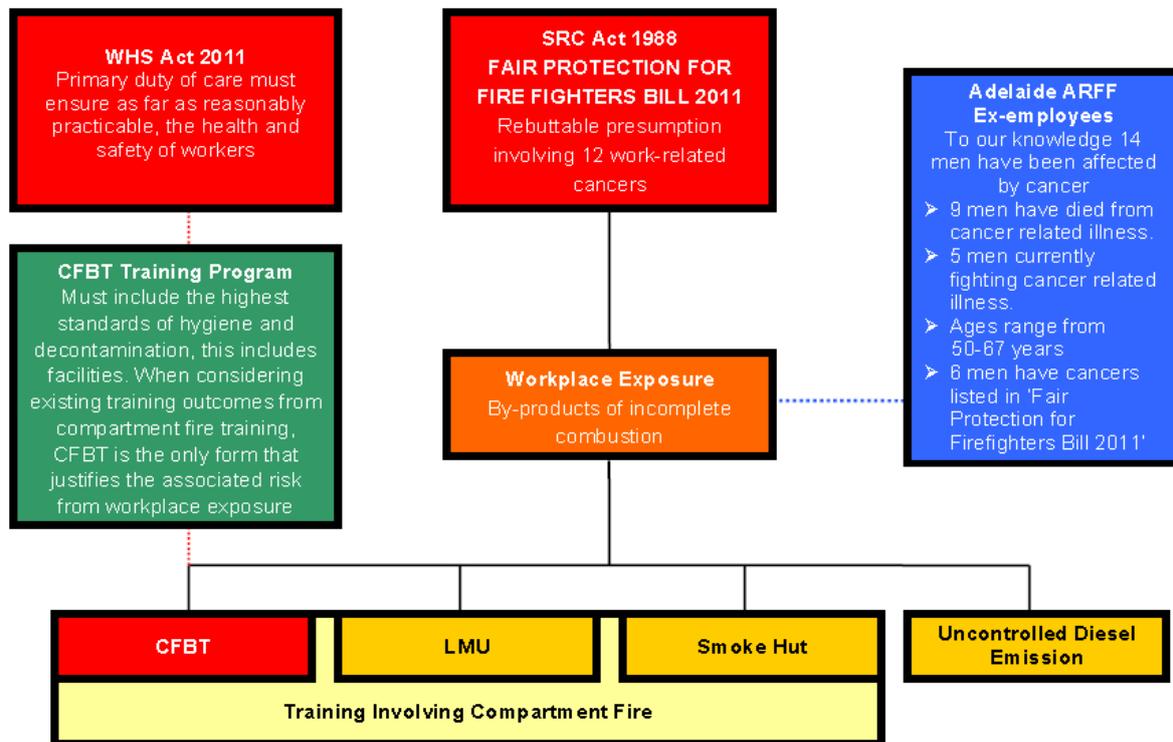
Workplace exposures and the science that underpins "Presumptive Legislation" is a subject that should be of interest to us all. As a direct result of your Union's unyielding efforts to improve the decontamination and hygiene protocols associated with CFBT training, late last year ARFF made an undertaking to extend the scope of those improvements to include traditional forms of hot fire training undertaken in smoke huts and LMU's as well as conducting a full risk assessment to identify and, if not eliminate, mitigate to the greatest extent possible all workplace exposures to toxic and carcinogenic materials encountered by ARFF employees. It needs to be noted that your Union does not support the use of carcinogens in the training environment.

The objective of this working group is to design policies and procedures aimed at eliminating your exposure to carcinogens and the likelihood of firefighters contracting cancers and having to initiate workers compensation claims through the SRC Act - put more simply...preventing cancers.

As it stands today there is a *vast* spectrum of standards practiced within our service relating to workplace exposures and decontamination/hygiene protocols. *These standards must be uniform and consistent throughout our service*, and most importantly, based on industry best practice. Your Union will strongly advocate through the exposures working group for the development of new administrative controls designed to exceed the current standards set by ARFF.

Administrative controls are management dictated work practices and policies aimed at reduction and/or prevention of workplace exposures. The effectiveness of administrative controls on work practices is reliant on *management commitment* and employee acceptance. Our acceptance should be contingent on proper consultation with your Union and ensuring the adoption of best practice. Ongoing monitoring and reinforcement are pivotal in ensuring that control policies and procedures are not circumvented in the name of convenience.

Below is a flow chart that I hope will generate robust discussion between members. It also serves to illustrate some of the areas we need to be focusing on and the reasons we need to be focusing on them.



There are many areas within the context of our daily duties that are touched by damaging workplace exposure and in order to reduce or remove them, each one of them will firstly need to be identified. The following is a list of the areas that have been tabled for discussion thus far:

- Selection, care and maintenance of PPE (modelled on NFPA 1851)
- Fire station design and layout (clean, dirty, decontamination zones)
- Fire vehicle design/stowage
- Training use only ancillary equipment (all equipment stowed in the vehicle is kept clean, particularly the cab)
- Hygiene/decontamination procedures post compartment fire training with toxic smoke (showering immediately after exposure)and hygiene/decontamination procedures post operational exposure to ensure clean cabins in appliances
- Policies dictating the frequency of compartment fire training using toxic smoke
- Selection of fuels most suitable for producing toxic smoke for compartment fire training
- Policies dictating when compartment fire training activities are best undertaken using cosmetic non-toxic smoke
- Uncontrolled diesel emission generated in the occupational workplace (source capture exhaust systems)

The list above is by no means exhaustive and I call on all members to forward to me their ideas on this subject prior to the beginning of the next working group meeting (date yet to be scheduled by ARFF) so that they can be considered for inclusion into the agenda items for that meeting.

Items of Interest

What is OHS about? Not about 'covering one's a*se'!

The OHS journalist and blogger Kevin Jones, has written another thoughtful piece: "OHS is not all about covering one's a*se". The article is available through his SafetyAtWorkBlog. Kevin considers the possible motivations for employers to implement positive OHS changes, including 'reputational risk', and discusses research done in the UK and in Australia. The motivator of potential damage to a company's reputation as a result of a serious incident or fatality reported in the mass media is particularly relevant in Victoria. The regulator, the VWA continues to remain silent – neither commenting on fatalities, nor promoting

successful prosecutions. Kevin writes: "The opportunity to increase reputational risk, and therefore motivate change, is not only missed in Victoria but being dismissed."

The push by the Liberal/Coalition governments to reduce the 'red tape' of OHS will also result in a decrease in other, traditional, motivators such as inspections and enforcement activities. Kevin concludes that OHS professionals, companies and of course workers lose as a result of the lack of enforcement and the dominance of the a*se-covering perception – and unscrupulous companies are the winners.

Read more: [SafetyAtWorkBlog](#)

[source: *SafetyNet 287, 31 July 2014*]

Fly-in Fly-out (FIFO): effect on workers and depression

Rhys Connor, a young fly-in, fly-out worker who took his life in the Pilbara left a suicide note that said West Australians "don't know what it's like to work FIFO and have depression". On the first anniversary of death, his family has released details of the note to raise awareness of the mental health problems of the FIFO workforce. The family has also released video of an interview conducted a few days before his death as part of a yet-to-be-released government-funded project aiming to provide support for miners.

The 25-year-old father-of-one told *This FIFO Life* that workers were struggling with depression, relationship breakdowns and boredom. He said anyone planning to work FIFO should "rethink" the idea pointing to the isolation and the effect of being separated from family. Of great concern is that the interview closes with a voice-over: "Everyone has a role to play in recognising the potential signs of suicide and providing support to people who may be struggling." It then lists some of the "common signs".

Rhys' parents, on the other hand, want mining giants to do more to protect workers. Mr Miller said his once "larrikin" and "affectionate" son had been broken down by FIFO work, in particular the "torturous" roster of spending four weeks on-site for every one-week off.

Read more: [Northern Territory News](#)

[source: *SafetyNet 287, 31 July 2014*(from *Northern Territory News*)]

Presumptive Legislation - *It is not necessary that a fire-fighter remains employed at the time of their diagnosis in order for a claim to be accepted. It is important however that the fire-fighter meets the qualifying number of years for the particular cancer from which they suffer and that their cancer was diagnosed after 4 July 2011.*

The Safety, Rehabilitation and Compensation Amendment (Fair Protection for Fire-fighters) Act recognises that certain kinds of cancer are likely to result from employment as a fire-fighter.

Prior to the Fair Protection for Fire-fighters Act, in order to have a claim accepted for a cancer condition, a fire-fighter had to prove that their employment caused their cancer condition. This was proving to be overly difficult for fire-fighters because it was difficult to obtain the expert medical opinions proving the disease was caused by their employment, despite the common sensibility and growing body of medical studies suggesting that exposure to chemicals while fire fighting was dangerous to long term health.

The Fair Protection for Fire-fighters Act says that after a certain number of years of service as a Commonwealth-employed fire-fighter, some cancers are presumed to be work related. This means that fire-fighters no longer have to prove that their particular condition was caused by work and is thus easier for the employee to get their claim approved while suffering a serious illness.

Depending upon where the primary site of the cancer is, a certain number of years of service is required to be covered by the presumptive legislation:

- brain cancer and leukaemia 5 years;
- breast or testicular cancers 10 years
- bladder, kidney, prostate, ureter, colorectal cancers, non-Hodgkin's lymphoma, multiple myeloma 15 years; and
- oesophageal cancer 25 years

It is not necessary that a fire-fighter remains employed at the time of their diagnosis in order for a claim to be accepted. It is important however that the fire-fighter meets the qualifying number of years for the particular cancer from which they suffer and that their cancer was diagnosed after 4 July 2011.

In addition to being able to claim the cost of medical treatment expenses, and time off work payments (for those aged under 65 years), lump sum compensation is available for permanent impairment and non-

economic loss (often referred to as pain and suffering). A benefit may also be payable to a dependent of a worker whose death results from a compensable illness in the amount of \$504,449.16.

As in all litigation for latent onset illnesses, the longer an injured worker waits to seek legal assistance, the more likely memories are to fade, health conditions are to worsen, written records become unavailable and these difficulties can compromise a compensation claim. In the event you, your colleagues or former colleagues suffer from primary site cancers listed above and worked for 5 to 25 years as a Commonwealth-employed Fire-fighter, please contact your union for further advice and assistance to make a claim for workers' compensation.

&

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you're separating
quite another to
go through with it.**

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10 Things you should know about AvSuper

1. Concessional contributions

Yes, that means salary sacrificing into Super!

The good news is that from 1 July 2014:

- The general concessional contributions cap will rise to \$30,000.
- A higher cap of \$35,000 will apply to people who are 50 years or over.

A lot of people have been wanting to “put more into Super” but have been hampered by the limits. So now is your chance....do something now so that you get the salary sacrifice working as soon as possible to get maximum advantage.

For those who have a Defined benefit, the situation is slightly different, so it is best to call the team at AvSuper, who can help you work out what you can do. But be careful, because there are some grandfathering rules around the DB and contributions limits, so find out before you move!

Call Carl, Ross or Wilson on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

2. Free advice

Want to know how much you can salary sacrifice without tax penalties? How much you can take as a pension each week? How do I find out how much I have in superannuation today, and how much will I have when I retire?

While the world of Superannuation seems complex, the answers to these question and others are often left in the “too hard” basket. But there is an easy solution....AvSuper’s advice service that we offer and we can help you work out how to get the best outcome for you for NO extra cost.



Our team is just a phone call away, and while we can not help you work out whether you should invest in BHP shares or put the money into a rental property, we can usually help with all those things about Super....and especially AvSuper!

Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

3. Anyone can join!

Do you know that anyone can join AvSuper? AvSuper is what is called a public-offer Fund and as such we are open to anyone. So when your kids start working at McDonalds or even better when they finally start work in a highly paid career, they will need to nominate a Superannuation Fund so that the SG can be deposited. Or if one of your relatives complains at the barbeque of the lousy returns and the exhorbitant fees that their current Fund is charging...then why not boast about AvSuper.

For someone starting out, simply fill in the form at the AvSuper site:

http://avsuper.com.au/publications/forms/public_offer_app.pdf

Or if you have an existing Fund and wish to roll into AvSuper, all the information is at this page:

<http://avsuper.com.au/pages/transfers.php>

4. I want to go part-time. Does this affect my Defined Benefit?

The simple answer is yes.

The Defined benefit is a combination of your Final average salary (FAS) and a multiple which is determined by your contribution rate.

The good news is that the FAS is always the full time equivalent salary, even if you work part-time. And it can't reduce, even if you have a salary reduction.

The not so good news is the benefit accrual multiple is reduced according to your part time hours.**but only for those years that you work part time.**

So, if you have worked for 20 years full time and 2 years part time, then you have 20 years of "high benefit accrual multiple" locked away and only 2 years of a "lower benefit accrual multiple".

Contemplating the idea? Then having a chat with the AvSuper team is probably a good idea, as they can give you a more in-depth understanding of what the dollar effect of a move to part-time can be. Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

5. How much do I need to retire?

Sorry folks, there is no one answer to this. It depends upon how much you plan to spend each week and how long you plan to live!

The living bit is surprisingly easy. The Bureau of Statistics keeps good record of how long people live. If you are a male and now aged 25 most will live to 80. A female 84!
If you make 60 then you can count on another 23 years for men and 26 for women.

So you can see that once you hit a retirement age of 60, chances are you will also get to that 80-85 mark. And with the governments plan for later retirement ages, by the time you hit 70, the average still make it to 85 for men and 87 for women.

So how much can I spend?

Well research by ASFA (the Association of Superannuation Funds) estimates for a “comfortable” retirement a single person will need \$42,250 per year. With an assumed earning rate of 7% and 3.75% increase in average weekly earnings, you will need a lump sum of \$430,000 to achieve this.

What’s comfortable?

According to ASFA an income enabling an older, healthy retiree to be involved in a broad range of leisure and recreational activities and to have a good standard of living....

It also assumes access to a part Age Pension.

But the base pension rate is currently \$766.00 per fortnight for single and \$577.40 for a member couple. Or \$19,916.00 and \$30,248.00 per year. Eligible pensioners may also receive a pension supplement and an energy supplement.

Now some people can live on this amount, others need more, but the simple equation is the more you save for your retirement....the more comfortable you will be.

And you will be less susceptible to changes in Government policy, especially if pensions are reduced or access to them is limited further.

6. Retirement is years away, why should I bother now?

Sure you’re in your twenties, looking to buy a house, settle down and all that entails. Retirement is so; so far away...it’s just not worth worrying about.

Or is it? Take it from someone who was 20 something onceit will happen and it will happen quickly.

One day you will wake up, with the kids finishing school, the mortgage paid off and here you are over 50 and only a couple of years to go before you finish. Pity you can’t finish work, and have to keep turning up every day, because you didn’t start putting away that little extra when you were 20.

Yes, paying off the mortgage is a good thing, and the kids will be off your hands one day, but saving for the future relies on 2 things....time and money.

The time thing you have plenty of, if you start early. The money thing is something that requires just a little each fortnight. \$20 a week saved toward retirement finishes up being over \$30k in 30 years! And that’s without any interest!

If you salary sacrifice, it could be only around \$10 or \$12 a week from your take home pay.

So while EBA negotiated payments into your super will produce far bigger numbers, just a little extra could produce some mind-boggling numbers.

But then the price of a loaf of bread in 30 years will be mind-boggling as well. Just be sure you can afford the loaf of bread in 30 years time!

7. Death, TPD and income cover

OK, we promise not to confuse you or bore you too much, but here goes:

Anyone who is a member of AvSuper and works for Airservices Australia is insured for Death and Total and Permanent Disability (TPD).

Simply, if you die your dependants will be paid an amount that you would have received from Superannuation IF you had reached the age of 60!

If you are disabled through illness or injury and are unable to do the work that you are trained for (the lawyers have a longer definition of what this means), you may be entitled to a TPD payment. This is again an amount equal to what you would have received at age 60 from Superannuation.

Your annual statement will give you an approximation of how much these amounts are.

Now, because Death and TPD payments require a long legal process to complete, you may desire insurance coverage in the event of a temporary loss of income. Income cover is an option. If you think this might be something you are interested in:

Then call Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

AvSuper can do this at a price which is far cheaper than most people can get in the public arena.

Finally, even if you aren't interested in any of this.....you still might be able to help out your workmates if some tragic circumstances happen to them.

Probably the last thing on a relatives mind if their partner has died is Superannuation.....can't blame them. But it has happened that AvSuper have only found out about a death, because a colleague told us. Family are often unaware that huge sums of money can be sitting in a Fund, awaiting a claim.

Likewise, members who may have a terminal illness, even if they are still working, can be entitled to an early payment. But they or their relatives just don't know about it or care while undergoing treatment. It can be a great relief to surviving relatives and partners to find out that the financial stresses of death or a terminal illness can be helped.

So look out for your workmates and colleagues who may need our help in these difficult times. Encourage them to give us a call, or just give us a call and let us know the circumstances, and we will take it from there.

8. Update your details

Getting married...Divorced....new spouse...new children? Superannuation is an asset which for a lot of our members, particularly those who have had a long career, is rather sizable. So if something were to happen to you, what happens to your super?

You might think that your Will sorts out this problem but it doesn't necessarily. There are lots of complex rules around how your superannuation money is divided in the event of your death.....and it may not be how you want it to be divided!

Like a Will though, if there are no updated instructions then the old instructions apply. So following a Divorce, your ex-spouse may be still the only beneficiary AvSuper knows about.

Don't have instructions? Then the Trustee of the fund will make the decision for you.....is that what you want?

Do you really want us to pay your (very large) superannuation to someone you don't like anymore, or not pay your superannuation to someone who you think deserves some consideration?

There are forms to fill out, and these can be found at:

http://www.avsuper.com.au/publications/forms/nomination_of_beneficiaries.pdf

Or if you have already nominated a beneficiary, you can update it online (change beneficiaries in the personal details section)

And if you are totally confused about binding and non-binding nominations give the AvSuper team a call and they can explain it quickly and simply:

Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

9. Salary sacrifice....what's it all about?

Most people now have a good understanding of salary sacrifice and its advantages. But that isn't everyone...Or while bringing up the kids, paying mortgages and school fees has meant salary sacrifice hasn't been high on the agenda to date. Just getting enough salary to meet the weekly needs has been more important.

Perhaps things are changing as you get older, and now is the time to start thinking about retirement and how to fund the future for you. Saving more is the simple answer, but salary sacrifice enables you to save more. That's because salary sacrifice into Superannuation is taxed at 15%. That is usually a lot less tax rate than you currently pay.

Even better is that any salary sacrifice amount is deducted before the government takes income tax. So it can be that you finish paying less income tax as well! More money in super...less income tax.....sounds like a no-brainer doesn't it?

There are limitations as to how much you can contribute to superannuation through salary sacrifice without penalty and it is different for each individual, so don't take advice from the person working next to you. Far better to call our team and find out what is possible. It's free and they can give you the numbers that you will need to give to the pay section.

Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.

10. Changing your superannuation risk

Do you know that you can change the way your superannuation money is invested? In fact AvSuper has 7 investment options to choose from.

Some people aren't comfortable investing heavily in the share market, and some people as they approach retirement don't want to take the risk that the market may fall just as their final working days approach.

If you are early in your career you have the opportunity to increase your share market exposure, because you have a long time to recoup any losses that may occur.

Which option to take? It's up to you, and our team can help. And you can mix up the options as well. You might like 50% of one and 50% of another.

If you don't want to change anything then you will remain in our "default" option, (MySuper) which is designed to offer low fees and medium risk.

The full range of options is available at:

<http://www.avsuper.com.au/mictable.php>

You can change the way your money is invested on-line through the member on-lines service:

<https://secure.avsuper.com.au/>

Or fill in the form at:

http://www.avsuper.com.au/publications/forms/nom_switch_option.pdf

Need more help: Call Carl, Wilson or Ross on 1800 805 088 or (02) 62684336 or just 4336 from an Airservices Australia phone.



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**CHANGED YOUR CONTACT OR BANK DETAILS
LATELY?**

DON'T FORGET TO NOTIFY THE UNION