

THE BUMPER MONITOR



VOLUME 1 ISSUE NUMBER 2

THE UFUA AVIATION BRANCH NEWSLETTER

In this edition:

1. Department of Infrastructure and Regional Development [DIRD] Regulatory Policy Review
2. Update on Federal Court Matters
3. Meeting between Branch Executive and ARFF Senior Management
4. National Consultative Council Meeting 21st April
5. Divisional Consultative Council Meeting 21st April
6. FOI Requests
7. Award Modernisation – Modern Enterprise Award for Airservices
8. Termination of Perth Member
9. Consultation and the Fair Work Commission

THE BUMPER MONITOR



1. Department of Infrastructure and Regional Development [DIRD] ARFFS Regulatory Policy Review.

DIRD issued a public consultation paper in December 2015 with a closing date of 12th February 2016. The Aviation Branch was given an extension until 29th February to lodge its submissions in response. Also filed with our submissions was an independent critique of the review proposals. Our submission and the independent critique [*"Prioritising safety in the allocation of ARFFS."*] are accessible on our website.

On the 17th and 18th of March our National Secretary Peter Marshall was in Canberra briefing politicians from all parties on the dangers of the proposed outcomes in the review and also presenting them with a copy of our review submissions and the independent critique commissioned by your Union. Our National Secretary reported to our BCOM teleconference on 7th April that over his two days in Canberra he had scheduled appointments with nineteen members of parliament. He had a number of unscheduled meetings with members who sought him out when they became aware he was at parliament house. National Secretary said all meetings were positive and he encountered no negativity in any of his meetings. National Secretary felt from the response he received that the review proposals were not going to be supported and said the briefings were very successful. National Secretary said he was intending to do follow up letters and meet with further politicians who were not available on the 17th and 18th if he was contacted.

The DIRD review paper raises concerns in regard to possible contracting out of ARFFS or even privatization [raised in recent days in the media] your Union has commissioned further independent opinion around these issues.

Nothing new has appeared on the DIRD website since the December 2015 notification of the consultation paper inviting submissions. I have contacted DIRD and been advised that "In relation to the submissions being placed on the website, we are just waiting for a couple of organisations to confirm that they are happy for us to do so and then we will be placing them all up together. We will let you know when that occurs."

Further to our National Secretary's activity in Canberra in March, a meeting of Branch representatives with a local Federal member is scheduled at the Union office on 19th May.

2. Federal Court Matters

As reported to the BCOM teleconference on 7th April, these matters were scheduled for hearing in May. The Court subsequently rescheduled the hearings to June and now they are set for hearing early in July.

We are currently working with our legal counsel on finalizing witness statements for the hearings.

THE BUMPER MONITOR



3. Meeting of Branch Executive and ARFF Senior Management

On 20th April members of your Branch Executive, our Deputy WHS Coordinator and Brisbane member Andy Hanson met with ARFF Senior Management [CFO and A/MNO] to discuss issues raised in correspondence from your Union. The agenda for the meeting included the following and further detail will be provided in a further bulletin.

- ARFF recruitment intentions
- Remission Factor
- DRS/DRVs
- Regulatory compliance – MOS, ICAO, NFPA
- Justification of staffing numbers
- Lessons from Melbourne workshops
- Defensive operations in training
- CABA procedures
- Heat Stress

4. National Consultative Council Meeting

This meeting was scheduled for only two and a half hours. A ridiculously short amount of time given the significant issues confronting all Unions with members in Airservices. The agenda was restricted to:

- Protected Security Update
- CEO vision for Airservices new operating model [CEO addressed the meeting on ACCELERATE program] – separate update following in subsequent report
- Award Modernisation – Commissioner Johns from the Fair Work Commission addressed the meeting on the Award Modernisation process
- General Business – flextime review, corporate enterprise agreement

The minutes of these meetings are posted on AvNet.

5. Divisional Consultative Council Meeting

The Divisional Consultative Meeting is the ARFF consultative council. The Union attendees are the Branch Executive and our WHS Coordinator. Again, an unreasonably short amount of time was allocated to this meeting – 2 hours. The agenda included:

- ARFF National Operations Update – A/MNO
- ARFF Chief Fire Officer Update – CFO
- Workplace Exposure Steering Committee [WESC] report back – written report from Wes Garrett [UFU WHS Coordinator]

THE BUMPER MONITOR



- UFU items:
 - Accelerate Program impact on ARFF
 - DIRD regulatory reform
 - Category reviews at Brisbane and Perth
 - EMR response changes
 - DRV changes
- Airservices Question Time.
 - What are the UFU top 5 priorities
 - UFU improvement/development initiatives
 - UFU FOIs
 - Learning Academy Update – Peter Smith
 - Capital Program Update – Liza Pegorer
- General Business

The ACCELERATE Program was actually dealt with at the NCC meeting. The DIRD regulatory review, Category reviews at Brisbane and Perth, EMR response changes and DRV changes were dealt with at the meeting with Senior Management on the 20th April.

Minutes of the DCC meetings, like the NCC meetings, are posted on AvNet.

6. FOI Requests

Your Union has filed two [2] FOI requests with Airservices. The first request was lodged on 3rd March 2016 and related to:

- All drafts and final version of PIR of Ops Workshops
- All correspondence relating to PIR of Ops Workshops
- All correspondence between AS/ARFF and DIRD relating to the regulatory policy review
- All correspondence relating to the FRV5 project and CONOPS
- All correspondence between AS, CASA and DIRD relating to the regulatory policy review.

The documents from this request arrived at the Union office on 2 CDs late in April and have been and are being perused and assessed by members who have volunteered to assist the Branch Secretary with this task.

The second request was lodged on 1st April and related to:

- Copies of all CIRRIIS reports relating to heat stress incidents at the LA and all ARFF Units
- All correspondence relating to heat stress incidents at the LA and all ARFF Units
- All correspondence between AS/ARFF, LA and Comcare and internal AS/ARFF correspondence relating to heat stress incidents.

THE BUMPER MONITOR



No documents relating to this request have yet been received.

7. Award Modernisation

The Fair Work Act 2009 provides for the Fair Work Commission to make modern Awards. Essentially this process is about modernizing Awards to meet the objectives of the Modern Awards objective in the Fair Work Act of:

Ensuring that modern awards, together with the NES, provide a fair and relevant minimum safety net of terms and conditions, taking into account:

- (a) relative living standards and the needs of the low paid; and
- (b) the need to encourage collective bargaining; and
- (c) the need to promote social inclusion through increased workforce participation; and
- (d) the need to promote flexible modern work practices and the efficient and productive performance of work; and
- (e) the need to provide additional remuneration for:
 - (i) employees working overtime; or
 - (ii) employees working unsocial, irregular or unpredictable hours; or
 - (iii) employees working on weekends or public holidays; or
 - (iv) employees working shifts; and
- (e) the principle of equal remuneration for work of equal or comparable value; and
- (f) the likely impact of any exercise of modern award powers on business, including on productivity, employment costs and the regulatory burden; and
- (g) the need to ensure a simple, easy to understand, stable and sustainable modern award system for Australia that avoids unnecessary overlap of modern awards; and
- (h) the likely impact of any exercise of modern award powers on employment growth, inflation and the sustainability, performance and competitiveness of the national economy.

THE BUMPER MONITOR



Unions and Airservices have been engaged in negotiating a new enterprise Award and reached an agreed position last week. The new Award, if it is made by the Fair Work Commission will be used for the BOOT [better off overall test] when our next agreement is negotiated. This means that the new agreement will be measured against the provisions of the Award to establish that employees are better off overall than if no new agreement was made.

An application for a “consent” Award [all parties in agreement] has been filed with the Fair Work Commission and will be arbitrated on 23rd May.

8. Termination of Perth Member

Taking all factors into account, our legal counsel and member settled this matter with Airservices through a confidential deed. Despite Airservices saying that it “recognizes the potential benefits associated in encouraging retention of its staff following” training, it failed to recognize the money it had wasted just to make a point by terminating the employment of our member in this instance.

9. Consultation and the Fair Work Commission

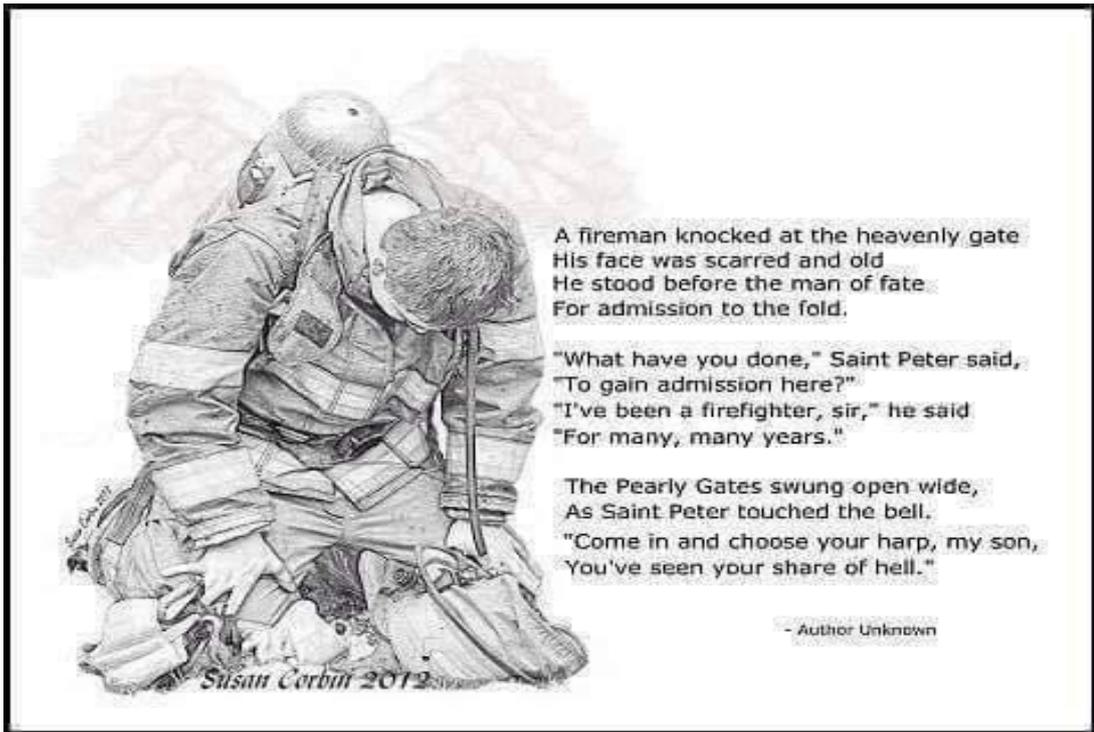
All Unions with members in Airservices recently joined in a dispute notification to the Fair Work Commission over the lack of consultation on the Business Development and Efficiency Review and restructuring of Airservices [ACCELERATE program]. Specifically, Unions referred to the breach of the various EAs re pre decision consultation.

The Commission made it plain to Airservices Representatives on no less than three occasions that they are required to comply with the terms of the Enterprise Agreement. The Commission also made reference to recent Federal Court decisions which had seen Employers fined for breach of the consultative provisions of their Enterprise Agreement.

The Commission has left this matter open for unions to have the conference reconvened if they are not satisfied after the NCC meeting (which was held on the 21/04/16). Unions are not completely satisfied and will be seeking a reconvening of the conference. Out of the conference Unions were provided a brief given by the CEO to managers which has only given rise to further questions and our belief that we are not being properly and fully informed of what is really happening with the changed business model that will be introduced via the ACCELERATE program.

We will update you when we get further information out of Airservices voluntarily or with the assistance of the Fair Work Commission.

THE BUMPER MONITOR



Henry Lawson

EDITOR IN CHIEF

So the game continues with management travelling the country to sell their "business model" of a



leaner, more efficient ARFFS. Indeed, the managers are happy to see their firefighters out of jobs so they can preside over this new and better corporate entity. To the best of one's knowledge the "efficiency review" doesn't target ARFFS bureaucrats from within or in other parts of the organization.

One is told there a number of managers living where they choose and flying in and out of Canberra to work. Hardly seems efficient, cost or otherwise.

Their knowledge of best practice across the world continues to elude one and one can only speculate that the reviews that they are basing their "model" on are works of fiction. Examination of previous reviews and those from overseas lead one to conclude that not only should there be no loss of staff but in some cases, more are required to achieve ARFF's

THE BUMPER MONITOR



objectives. The “safety first” culture is exhorted by ARFF’s parent company yet sadly, RFFS employees only seem to be a part of this when it is cost effective.

The size and complexity of aircraft is increasing across the country as is the infrastructure that supports them. It defies logic, knowing this, that there are plans afoot to diminish ARFF’s capability. The airports that are larger need a Domestic Response Vehicle, not only to maintain category but also to provide coverage for the airports facilities. It would be unwise to withdraw this added service from the community. All evidence from any airport suggests that this service is needed and wanted. Added benefits are that its officers and crews turn out to a wide variety of incidents giving them extra training and confidence in fulfilling their duties. Thought bubbles are abounding in Canberra and the sycophants that feed the minds of our management have the remission factor in their sights with the seeming intention of using it every day for movements above the notified category. Wouldn’t this be contrary to the reason that the remission factor exists? Have these desk top firefighters looked at ICAO Annex 14? Are we world’s best practice or some third world country RFFS?

To quote an often heard saying, “it seems the lunatics are in charge of the asylum”. Keep safe and look after yourselves out there because that is exactly what your bosses are doing.

ADVERSE

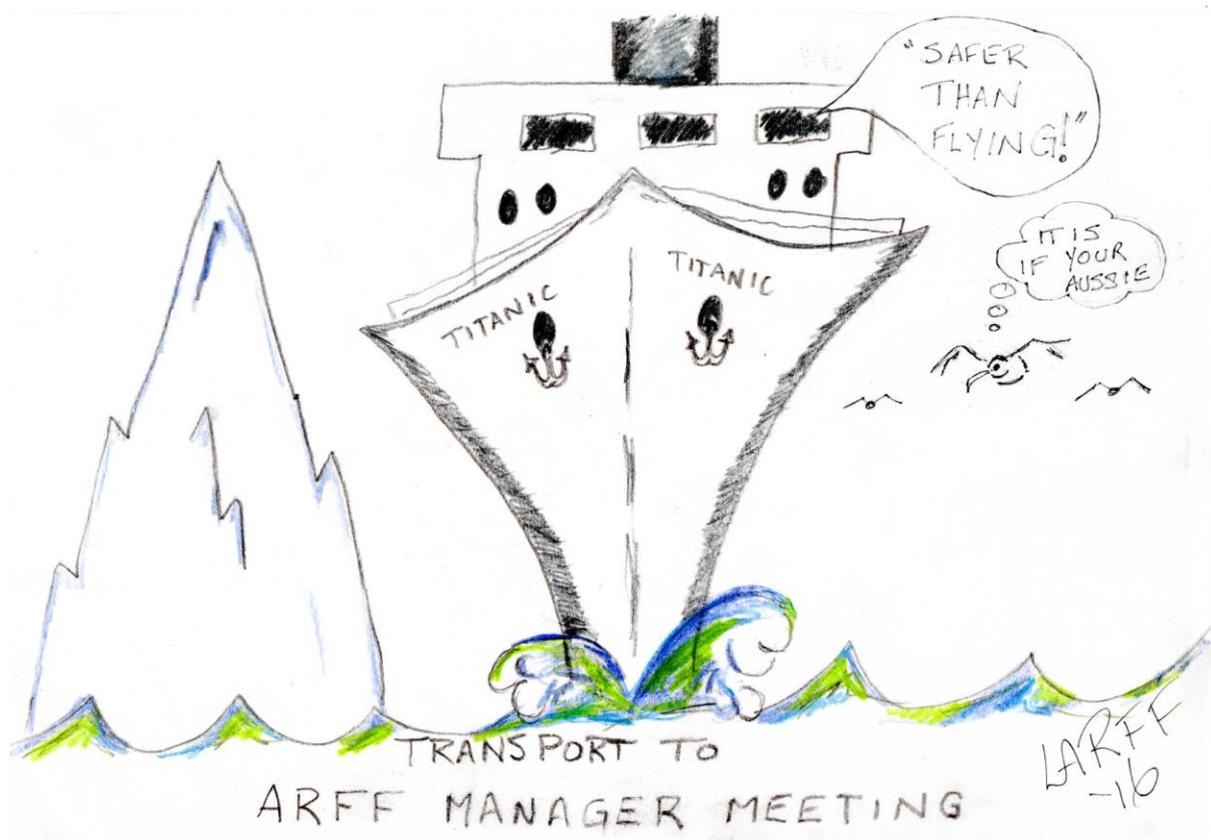
The Boss came to Brissy the other day, to talk the talk and show the way.
There to reassure his men that Brissy wasn’t about to lose cat ten.
We listened intently about our fate
But no, it’s decided; two plus eight.
No cries, no sighs or even a laugh,
Is this the beginning of the new look ARFF?
Weren't we getting enough of the company pie or suffering the blunders of One Sky?
We hoped our boss would put up a fight, it's a shame, disappointment and not at all right.
From the safety case of 2002, our learned friends had made a big blue.
Airbus had changed their circular stair, but didn’t tell us: that's hardly fair.
So where to from here nobody knows, but at two plus eight we'll have to be on our toes.
The flying public have paid their fare cost not knowing the services they will have lost.
For us off to work we'll always go, in an unhappy place with morale sinking low.

Anon

THE BUMPER MONITOR



CARTOON OF THE MONTH



FORWARD ALL CONTRIBUTIONS TO: ufuavat1@bigpond.com.au

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