



Proudly Local

Brad
BATTIN

Member for **Gembrook**
Shadow Minister for Emergency Services
Shadow Minister for Environment



✉ 5/6-8 Langmore Lane, Berwick 3806

☎ 03 9796 1987

@brad.battin@parliament.vic.gov.au

Tuesday, 13 September 2016

Committee Secretary
Senate Education and Employment Committees
PO Box 6100
Parliament House
Canberra ACT 2600

Via email eec.sen@aph.gov.au

Dear Chairperson,

I am writing to you in my capacity as the local Member for Gembrook and the Shadow Minister for Emergency Services in Victoria. At the 2016 Federal Election we understand Prime Minister, the Hon. Malcolm Turnbull, made a commitment to the Victorian community to amend the federal legislation of the Fair Work Act to protect the volunteer emergency services across our state.

Gembrook

The Gembrook electorate has ten CFA Stations all of which are 100% volunteer, in addition to this, along the border with the neighbouring electorate of Bass is the Pakenham CFA station. Pakenham CFA is an integrated brigade (volunteer and career firefighters) and it too services the Gembrook electorate given its close proximity.

The electorate encompass' part of the Dandenong Ranges and the community are passionate and protective of all CFA firefighters. Community engagement in the area includes fire prevention days, preparation talks and visits, school engagement, collaboration with community groups and peer support, thus creating a model based on resilience in the electorate.

In the last 10 years safety upgrades including new trucks, stations and equipment have all been welcomed to the area. A new station in Emerald and a near completed station in Clematis are among the list of emergency service upgrade milestones.



@BradBattinMP



/BradBattinMP



BradBattin.com.au



Proudly Local

Brad
BATTIN

Member for **Gembrook**
Shadow Minister for Emergency Services
Shadow Minister for Environment



✉ 5/6-8 Langmore Lane, Berwick 3806

☎ 03 9796 1987

@brad.battin@parliament.vic.gov.au

The CFA model for many years has served the community well, even during times of vulnerability, such as, the devastating fires directly affecting the local community during the 1983 Ash Wednesday fires.

A highlight of my role as the local Member of Parliament is attending medal presentations for National and Service medals for CFA volunteers. Whilst often many CFA volunteers prefer to not be in the limelight, we must acknowledge the long and proud history of the men and women who protect our state when we most need it.

CFA Model

The CFA Model is a volunteer based organisation with the support of staff. The CFA Act was amended in 2011 to enshrine the [Volunteers Charter](#) and protect volunteers' rights in the future. This was widely appreciated with strong support by the Liberal-National Coalition Government and the Victorian Labor Party at that time. This bill was introduced following consultation with volunteers to protect their voices and ensure the CFA Board and Management understand decisions they make must be in the best interests of the volunteers of the state.

An integrated model fire service in Victoria works, there are many positive examples where volunteer and career staff work effectively and efficiently. Whilst visiting stations across Victoria the majority of volunteers I speak with have positive contact with career staff and I am sure career staff has the same experiences.

The integrated model has well equipped Victoria's fire services to respond to large scale fires, including Black Saturday, Ash Wednesday and One Tree Hill. Fostering a strong surge capacity is essential to ensure that the state is best prepared to deal with future events of this scale, having a career staff based model simply does not accommodate this.

It is important to prepare for the future population growth by encouraging volunteerism both in and out of the CFA. With areas like Casey and Cardinia seeing population growing at a rate of up to 10-12 families per-day additional demand on local brigades will likely increase.

As an example, Berwick CFA celebrated 90 years of service the community this year. When the CFA began in Berwick it was a farming community with a small population, limited roads and accessibility and the brigade was very limited with equipment.



@BradBattinMP



/BradBattinMP



BradBattin.com.au



Proudly Local

Brad
BATTIN

Member for **Gembrook**
Shadow Minister for Emergency Services
Shadow Minister for Environment



✉ 5/6-8 Langmore Lane, Berwick 3806

☎ 03 9796 1987

@brad.battin@parliament.vic.gov.au

Today, the service area of Berwick is predominantly urban with an increase in medium density properties, shopping centres and businesses all located in the growth corridor.

The brigade is an EMR station and including all calls can turn out between 400 and 500 times in a calendar year. Berwick are in a great position to have very active brigade members and regularly meet their standard service delivery times. As a 100% volunteer station with strong management who understand the first priority is the community they protect, Berwick CFA is a testament to the high calibre of service volunteers offer. Should they have concerns with response times or numbers they would work closely with CFA managers to ensure local residents are protected.

Log of Claims for CFA / UFU EBA - Version 17.6

The current log of claims for version 17.6 of the Enterprise Bargaining Agreement (EBA) between the United Firefighter Union (UFU) and the Country Fire Authority (CFA) has caused concern with volunteers, community leaders and senior people associated with the CFA.

As the committee will be aware the document is nearly 400 pages in length, can be confusing to read and on many occasions' clauses require cross referencing given their different interpretations.

Despite significant focus on consultation with the UFU, it is important to note that all CFA management, volunteers and former board members support consultation, as it is important in the context of safety, morale and direction of the organisation.

In spite of this, the current log of claims considered and endorsed in an Andrews Labor Government cabinet meeting require consultation and agreement with the UFU. The requirement to consult and agree will remove the ability of the Chief Fire Officer (CO) to fulfil his or her duties in compliance with the CFA Act.

A CO is responsible for the staff, resourcing and safety of all firefighters in the CFA across Victoria. At any time the CO must have the ability to allocate staff and/or resources in the best interest of safety and to protect the Victorian community.

The former CO Mr Joe Buffone, resigned from the CFA after he believed the new EBA endorsed by Government would have a detrimental impact on his ability to comply with State Legislation. Mr Buffone's transcript from a hearing to the [Environment and Planning](#)



@BradBattinMP



/BradBattinMP



BradBattin.com.au



Proudly Local

Brad
BATTIN

Member for **Gembrook**
Shadow Minister for Emergency Services
Shadow Minister for Environment



✉ 5/6-8 Langmore Lane, Berwick 3806

☎ 03 9796 1987

@brad.battin@parliament.vic.gov.au

[Committee](#) as well as his resignation letter outline the importance of changing this EBA and any future EBA that removes powers from the CO.

In the hearing for bushfire preparations former CEO Lucinda Nolan, Former CO Joe Buffone, Former CFA Board Acting Chair John Peberdy, Former CFA Board Member Michael Tudball and the Volunteers Fire Brigades Association (VFBV) all clearly placed on record the effects of this EBA across the state.

Without listing all the clauses that concerns have been raised, I have added links to parts of this submission that will refer the committee to links of relevance for your hearings. It is important the committee does not ignore the fact **consultation and agreement** will trigger a chain of events that will force the CO to a time consuming dispute resolutions clause. This will on many occasions end in the Fair Work Commission (FWC) and distract fire preparations. Both of these outcomes will compromise senior level management's concentration on and ability to protect the community.

This applies equally to the UFU, the UFU as the representative body for the career fire fighters should be focused on working with CFA and management to deliver improvements in safety, conditions and ensure the CFA comply with strict guidelines and legislation surrounding work place safety, OHS and conditions.

Closing

The Respect for Emergency Services Volunteers Bill before the Federal Parliament is a move in the right direction to protect volunteer firefighters and the power of the Chief Fire Officer. I encourage you as a committee to review with care the details before you including version 17.6 of the EBA.

This legislation is to ensure the Enterprise Bargaining Agreement (EBA) that affects CFA volunteers will not restrict them from doing what they do best – protecting Victorian families and your local community.

When considering the details and evidence, a question must be asked by all members, how can the below list of people, many representing country Victoria, all be wrong?

Former CEO - Lucinda Nolan

Former CO - Joe Buffone

Former CFA Acting Chair - John Peberdy and the entire CFA Board



@BradBattinMP



/BradBattinMP



BradBattin.com.au



Proudly Local

Brad
BATTIN

Member for **Gembrook**
Shadow Minister for Emergency Services
Shadow Minister for Environment



✉ 5/6-8 Langmore Lane, Berwick 3806

☎ 03 9796 1987

@brad.battin@parliament.vic.gov.au

VFBV CEO – Andrew Ford

Frank Parry QC

Former Minister for Emergency Services - Jane Garret

Victorian Crown Counsel - Melinda Richard

Jack Rush QC

Victorian Equal Opportunity and Human Right Commission

Victorian Farmers Federation CEO – Peter Touey

Country Women's Association

MFB CEO - Jim Higgins

MFB Acting CO - Paul Stacchino

MFB CO – Peter Rau

Former Minister for Emergency Services – the Hon Andre Haermeyer

Former Paul Keating Advisor – Gary Johns

Warren Mundine AO

Volunteering Victoria CEO – Sue Noble

60,000 dedicated volunteers who turn out whenever required to protect all Victorian families.

Thank you for the opportunity to submit to your inquiry. This legislation, if passed, will stop Daniel Andrews' EBA contravening the CFA Act 1958, which protects CFA volunteerism by ensuring the CFA board, CO and CEO must comply with state legislation.

Kind regards

Brad Battin MP

Member for Gembrook

Shadow Minister for Emergency Services

Shadow Minister for Environment



@BradBattinMP



/BradBattinMP



BradBattin.com.au