

To: the Senate Committee

From: Victoria Emergency Service Association (VESA)

Re: Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016

VESA represents 5,300 SES volunteers in Victoria. This submission is made on behalf of those volunteers. VESA supports the amendments to the Bill. It considers that volunteers currently have few rights, are not recognised for their professional expertise, and are not given the respect they warrant for the work they undertake for the community.

Submissions to Fair Work Australia

Perhaps the most critical aspect of the amendment is the provision for volunteer representative bodies to appear before Fair Work Australia. This would be a significant step towards recognising the rights of volunteers, who currently – as they are not employees – may be subject to unfair treatment, lack of natural justice, bullying by paid employees, or summary dismissal from their roles. There are numerous instances of these types of mistreatment and volunteers have no recourse; they are told that SES operates as a chain-of-command organisation, so they just have to accept any directives from above. (Examples of unfair treatment of volunteers have been expressed in the 2015 VESA Welfare and Efficiency Survey).

Responsibilities and Operating Framework

Note that SES has legislated responsibility for control of flood, storm, tsunami, earthquake and landslip. It is also the provider of responders to road, air, industrial, and rail emergency events, in particular road crash rescue in peri-urban areas of metropolitan Melbourne and rural areas. In rural areas, many SES volunteers are also members of their local CFA brigade.

Volunteers and staff in Emergency services train and operate under the current operational framework AIIMS (Australasian Interagency Incident Management System). This system provides for all agencies to work together cooperatively and be able to take on functional management of an event. The system designates that command of an incident may be assumed by the first responder on scene, for example, if an SES crew arrive at a road crash scene first, they take control. If a CFA crew arrive first, they take control. If VICPOL arrive first, they take control. Control may be later handed over to another agency if deemed

appropriate. The emphasis is on effective management of the event, not a hierarchy of agencies, or a prioritisation of paid responders. Whichever agency is in control, no emergency service volunteer would ever put the safety of people second to arguments of status or rank.

Restrictions or limits on the following would be considered objectionable:

1. Engagement and deployment of volunteers

If engagement and deployment of volunteers is subject to EBA conditions of paid staff, there is a concern that this may adversely affect lives and property damage at an incident scene. The current arrangements for road crash rescue are of concern to volunteers, who currently are deployed to an incident without being under the command of UFU staff. The arrangements allow first responders on scene to work to save lives and property. SES responders are highly trained and experienced and there should be no impediment to their continuing operations. First responders may be volunteers or may be paid. The task is paramount, not the wage status of the responders.

2. Provision of support or equipment to volunteers

There is a concern that the Victorian EBA for the UFU would place an extreme financial burden on the State emergency services budget and that consequently, SES or other volunteer organisations would be cut back. SES already is underfunded, and at some Units, volunteers work in conditions that would be deemed unsafe in a paid workplace due to inadequate infrastructure, lack of change/toilet/shower facilities (particularly for women) restricted areas to move around heavy vehicles, nuisance dust and other matters. Many SES units sustain their operations by their own fundraising by doing sausage sizzles, tin rattles, cake stalls, soliciting donations from local businesses or individuals.

Volunteers have already been advised that due to budget considerations, they should recycle used uniforms (PPE&C: personal protective equipment and clothing) when recruiting new members. The overalls issued to SES volunteers are treated with proban for fire protection; there is a limit to the life of this treatment. Other equipment is also being withdrawn from Units by VICSES, due to budgetary constraints (for example, air bags and cutting tools which were distributed to units at the time of the Commonwealth Games, and which VICSES will not be able to service due to cost).

New equipment is being introduced for Roof Top Safety systems, and all members trained in Roof Top Safety (working with a safety harness and line system when conducting rooftop temporary repairs or tarping) will need to undergo specific skills training to learn the new system. This was to be introduced in August, but there is still no advice about when, or how many, people will be offered the training. Volunteers will continue to work at height, in adverse weather conditions, often in the middle of the night, with equipment that is now deemed to be not fit for purpose.

3. Management of the relationship with, or work with, any recognised emergency management body in relation to those volunteers

Each emergency response agency has the experience and expertise that is specific to their area of responsibility. It might involve an element of risk to allow responders who did not have that specific expertise to have decision-making power over and above the agency members (whether volunteer or paid staff).

4. Management of operations in relation to those volunteers

There should be no additional restrictions or limits placed on operations in relation to volunteers other than those currently existing. The current procedures are based around competencies; if you are trained to do the job, you can do it. If operations are affected by industrial matters, particularly in regard to hierarchy of demands, this would negatively affect the morale, commitment and will to serve of many volunteers. Many SES volunteers have already discussed leaving the service if their roles and responsibilities were usurped by arbitrary industrial matters.

SES volunteers are selfless and dedicated workers. They have never been the clichéd 'Dad's Army' some perceive them as. They come from all walks of life, have a multitude of skills training, and are often more expert than those in command. They are out there day and night providing rescue and safety operations for the good of the community. They attend tens of thousands of requests for assistance annually, contributing in excess of 250,000 hours of work. Any detriment to their role would be a blow to the culture of lending a hand and getting things done on which Australia thrives, and on which communities are built and sustained.