



## Council of Australian Volunteer Fire Associations

19<sup>th</sup> June 2016

Mr Bill Shorten  
Leader of the Opposition  
PO Box 3002  
Parliament House  
**CANBERRA ACT 2600**

Also by email:

Dear Mr Shorten,

**Re: Commonwealth Industrial Legislation and Volunteer Organisations**

I write to you, following up my previous letter to you dated 19<sup>th</sup> May 2016, on a most concerning matter to the members of the “Council of Australian Volunteer Fire Associations.”

Recent events in Victoria have identified a fundamental problem in the operation of Federal Industrial laws as they can impact on state and territory volunteer firefighters and other emergency service volunteers.

By the nature of emergency management in Australia, the organisation, operation, support, protections and guarantees of fire and emergency service volunteers is a matter of state/territory legislation and arrangements. When we, assisting all Volunteer Fire Associations across Australia, wish to pursue a matter of operational or organisational concern we do so to the appropriate State or Territory Government.

Victoria operates in the same way as other state and territory volunteer emergency service representative bodies and also directly deals with their state government and relevant authority under state legislation, the Country Fire Authority (CFA).

However, for Victoria’s CFA volunteers these arrangements are being set aside by the operation of a United Firefighters Union (UFU) enterprise agreement for CFA paid staff.

Victoria’s legislation says that CFA is a volunteer based fire and emergency service where paid employees, including paid firefighters, support volunteers in a fully integrated manner.

There are around 60,000 volunteers comprising 97% of CFA’s workforce. The small core of paid staff, including paid firefighters, is required by Victoria’s legislation to support the CFA volunteers through fully integrated work arrangements. These state legislated fundamental organisational arrangement and the operational arrangements that flow from it are now being changed, not by changes to

Victoria's legislation but by an enterprise agreement made pursuant to Commonwealth industrial law.

In other words, the organisation, operations, protections and respect for volunteers and any guarantees to them under state legislation is being set aside or directly overridden because of what is surely an unintended consequence of Federal industrial law and its opportunistic manipulation by the Victoria UFU.

It is extremely disappointing to observe the irresponsible grab for power and increased union membership by Victoria UFU, at the expense of any identifiable benefit to community safety for the Victorian people. It is even more disappointing that a premier would recklessly order the sign off of the enterprise agreement, without taking advice from the very people who have to work through the issues, when these people know, it will cause many adverse situations for the future of fire fighting in Victoria.

It must seriously concern you that the Emergency Services Minister (Jane Garrett) would resign, the CFS Chief Officer of CFA (Lucinda Nolan) would resign, and the CFA board remained resolute and unanimous in refusing to sign and then was subsequently sacked by a government recklessly pursuing an enterprise agreement that will, as these knowledgeable people put it, be unworkable.

The media today would suggest the premier either has not read the enterprise agreement and its affects on public safety, or has so little knowledge on how the fire service operates it is alarming.

Recently, the Prime Minister announced that if his government was re-elected they would rectify this problem. To my knowledge, no similar policy or undertaking has been made by you or the Labor Party for reasons fire and emergency service volunteers do not understand.

There is enormous concern across Australia's 250,000 fire service volunteers about this issue and the precedent it establishes. In Victoria, the volunteers are very angry over this issue and the way they are being treated by their state Labor Government. This anger is now extending to volunteers across Australia as we provide information about the process in Victoria or they read of the issue in the media or local newsletters.

I ask, as a matter of urgency that you and your Party publicly declare your support for rectifying this problem through legislative change and such other actions as may be available.

I look forward to your most urgent action and response on this matter.

Yours Sincerely

**Roger Flavell**

*Chairperson, Council of Australian Volunteer Fire Associations Limited  
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