IN THE FAIR WORK COMMISSION

Title of Matter: Application by Metropolitan Fire & Emergency Services Board

Section: s.225 - Application for termination of an enterprise agreement after its nominal expiry date

Subject: Application for termination of the Metropolitan Fire and Emergency Services Board, United Firefighters Union of Australia, Assistant Chief Fire Officers Agreement 2010 & Metropolitan Fire and Emergency Services Board, United Firefighters Union of Australia, Operational Staff Agreement 2010

Matter Number: AG2014/5121

WITNESS STATEMENT OF JANETTE LORI PEARCE

I, JANETTE LORI PEARCE, of 456 Albert Street, East Melbourne in the State of Victoria say as follows:

[Redacted text]

Lodged by: The Applicant

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I refer to paragraph 159 of Mr Lee’s statement. My point in my first statement was that it is absurd that an organisation needs to seek and receive the approval of a union to enable it to offer flexible return to work options for women wishing to return to work part time.

Mr Lee states at paragraph 159 of his statement that he does not believe the MFB has ever sought the UFU’s approval for a female firefighter to return to operational duties on a part time basis. The 2010 Operational Agreement expressly precludes the MFB from employing on a part-time or casual basis without the consent of the UFU. Further, clause 76 of the 2010 Operational Agreement provides that employees will work the 10/14 roster, the Special
Administrative Duties roster or another configuration as agreed between the MFB and the UFU. This again requires the MFB to consult with the UFU if the MFB was to offer part time work, that is, a roster which is not in accordance with the 10/14 roster or the Special Administrative Duties roster.
Exhibit #7

30 June 2014