WITNESS STATEMENT OF GREGORY LEACH

I, Gregory Leach, of 456 Albert Street, East Melbourne, Victoria, Deputy Chief Officer of the Metropolitan Fire and Emergency Services Board (MFB) say as follows:

1. I am employed by the MFB as a Deputy Chief Officer.
2. I am authorised to make this statement on the MFB’s behalf.
3. I make this statement on the basis of my own knowledge. Where I state matters based on information provided to me, I believe such information to be true and correct.

My background

4. I hold the rank of Deputy Chief Officer (DCO).
5. I am also the Executive Director, Organisational Learning and Development at the MFB. My responsibilities in this role include management of the Organisational Learning and Development Directorate which is responsible for the development and delivery of operational training to MFB firefighters. I am also responsible for the management of the Technical Operations Department, which develops policy, standards and procedures for the delivery of MFB’s specialist rescue functions.
6. I commenced employment with the MFB in my current role on 1 December 2014.
7. Prior to this, I held various senior roles at Ambulance Victoria (AV), including Regional Manager and Executive General Manager, Grampians Region.
8. Prior to that, I was the Deputy Commissioner, Policy and Planning, Office of the Emergency Services Commissioner.
9. Prior to that, I was employed by the Country Fire Authority (CFA) for 21 years, commencing in 1986. I completed the CFA firefighter recruit course in May 1988. During my time with the CFA I attained the ranks of Fire Officer, District Officer, and Operations Manager.

10. I was the Operations Manager for CFA Region 15 from 1995 to 2001 and was responsible for 73 fire brigades, including one Integrated Brigade, and approximately 25 career firefighters and 3000 volunteer firefighters. In this role I was responsible for leading fire service delivery within Region 15 which encompasses the Central Highlands area of Victoria, including the regional city of Ballarat, and regional towns including Maryborough, Daylesford and Kyneton.

11. I also held the roles of Manager, Structural Fire Planning, and Project Officer, Model of Fire Cover Project, OESC, while at the CFA. I also acted in the role of Deputy Chief Officer on a number of occasions whilst at CFA.

12. I hold the following qualifications:
   
   (a) Master of Emergency Management (with Distinction);
   
   (b) Certificate IV – Training and Assessment;
   
   (c) Master of Business Administration;
   
   (d) Graduate Diploma of Business (Management); and
   
   (e) Associate Diploma of Applied Sciences (Fire Technology).

13. I completed the Australian Institute of Company Director’s Company Director’s Program in 2008.

14. I am a member of the Institute of Fire Engineers.

15. I have completed the Australian Assembly of Fire Authorities National Intermediate Command Course.

My experience at Ambulance Victoria

16. I was employed by AV from July 2007 until November 2014, most recently in the role of Regional Manager, Grampians Region.
AV’s workforce

17. I understand and believe that Ambulance Victoria’s demographic breakdown of operational employees as at 31 December 2015 is:

<table>
<thead>
<tr>
<th>Diversity</th>
<th>Numeric data</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment type</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full time</td>
<td>3,100</td>
<td>Full time: 89.41%</td>
</tr>
<tr>
<td>Part time</td>
<td>367</td>
<td>Part time: 10.59%</td>
</tr>
<tr>
<td>Total:</td>
<td>3,467</td>
<td>Total: 100%</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male:</td>
<td>2,077</td>
<td>Male: 59.74%</td>
</tr>
<tr>
<td>Female:</td>
<td>1,400</td>
<td>Female: 40.26%</td>
</tr>
<tr>
<td>Total:</td>
<td>3,477</td>
<td>Total: 100%</td>
</tr>
</tbody>
</table>

Bargaining for the 2009 AV Enterprise Agreement

18. As part of my role at AV, I was on the team that negotiated the Ambulance Victoria Enterprise Agreement 2009 (2009 AV Enterprise Agreement) with the Liquor, Hospitality and Miscellaneous Union, now known as United Voice.

19. Prior to the negotiation of the AV Enterprise Agreement, ambulance services were provided by two different entities, Rural Ambulance Victoria (RAV) and the Metropolitan Ambulance Service (MAS). In 2008, RAV and MAS were merged to become AV. The 2009 AV Enterprise Agreement was the first enterprise agreement to cover all paramedics in Victoria.

20. While negotiations for the 2009 AV Enterprise Agreement were complex due to the different terms and conditions at RAV and MAS, the introduction of part-time working arrangements in the 2009 AV Enterprise Agreement was largely uncontroversial.

21. Both RAV and MAS had already been engaging part-time employees on an ad-hoc basis. As both workforces became more diverse and increased the number of female employees, managers and employees came to informal arrangements to support staff to work part-time. Following the settlement of the 2009 AV Enterprise Agreement the part-time arrangements in the industrial instrument better supported part-time arrangements.
Rostering at AV

22. AV uses a 10/14 roster as a base across their 24 hour career paramedic branches. It also utilises many derivatives of the 10/14 roster. For example, AV runs day shifts, afternoon shifts, night shifts and peak period shifts. Start times are staggered, so that a crew is always available to respond to incidents.

Part time arrangements

23. Clause 15.1 of the 2009 AV Enterprise Agreement (which is materially the same as clause 16.1 of the Ambulance Victoria Enterprise Agreement 2015, which is the current agreement) provides that “An employee may make a request to work part time... The Employer will determine the request on the basis of the operational needs of the Employer but will not unreasonably refuse to accommodate a request for part time employment.”

24. The clause is drafted to suit both the employer and the employee, and that was borne out in practice. In my experience, an employee would typically approach AV with a proposal for part-time arrangements, such as a request to work a particular day each week. AV would typically accommodate that, but may enquire if the employee could also work a particular shift that was suitable to AV, such as a Saturday night shift when absenteeism rates were generally higher than the average absenteeism rate.

25. Some requests were unable to be accommodated without some discussions with the employee. For example, if an employee requested to work only Tuesdays and Wednesdays, it would be difficult for AV to accommodate that within a regular roster, because the roster moves forward one day per week (ie, the employee would need to work Tuesday and Wednesday one week, Wednesday and Thursday the following week, Thursday and Friday the following week and so on). There was also a preference at AV to retain the length of each shift rather than having shifts shortened (e.g. an employee working 4 hours of an 8 hour shift).

26. However, in my experience, AV could usually accommodate that employee’s availability, even within the 10/14 roster.

27. Typically employees would work part-time within the 10/14 roster by working an agreed pattern or combination of shifts within the two days and two nights 10/14 shift pattern. Job-sharing arrangements were also used at AV, and this was largely driven by the employees who would approach us with a proposal that suited each of
their needs, as well as the needs of the organisation. In my experience, AV and employees could generally find an arrangement that accommodated both the employee and the employer.

28. While the majority of employees engaged on a part-time basis were women returning to work after a period of parental leave, part time arrangements were also utilised by employees who had ill family members or other personal circumstances and employees transitioning into retirement.

29. To my observation it seemed that employees who were engaged on a part-time basis typically moved back into full-time duties at some later stage, usually after a year or so.

**My experience at the MFB**

30. I understand that this matter concerns the ability of the MFB and CFA to employ operational personnel on a part-time basis.

31. Consistent with the *Fire Fighting Industry Award 2010*, the MFB’s existing Operational Agreement does not accommodate part-time employment for operational employees. In response to a request from an employee, such as in cases where women are returning to the MFB firefighting workforce from maternity leave, the MFB will seek the endorsement of the United Firefighters Union for an employee to undertake part-time work. The work arrangements are made on a case-by-case basis, must be agreed to by the UFU, and are outside of operational work. The MFB is usually able to find jobs for those firefighters, but once they leave that position and return to full-time operational firefighting, the job disappears. It would be useful if those part-time jobs could remain permanently available, because the MFB currently has about 180 firefighters within the Operational Support Group who are not fully fit for all operational duties of a firefighter. However, some of these firefighters could work in some capacity, including in the part-time positions created for firefighters returning from maternity leave.

**Gregory Leach**

26 February 2016