WITNESS STATEMENT OF LUCINDA NOLAN

I, Lucinda Nolan, of 8 Lakeside Drive, Burwood East, Victoria, Chief Executive Officer of the Country Fire Authority (CFA) say as follows:

1. I am the Chief Executive Officer of the CFA. I am authorised to make this statement on the CFA’s behalf.

2. 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.

3. I was appointed as Chief Executive Officer of the CFA in September 2015 and commenced in the role in November 2015.

My background

4. Prior to my appointment as Chief Executive Officer of the CFA, I was employed by Victoria Police for 32 years.

5. I held various senior roles at Victoria Police, including Superintendent, Assistant Commissioner and most recently, Deputy Commissioner Regional Operations.

6. In 2013, I was the recipient of the Victoria Police Service Medal for 30 years of sustained diligent and ethical service and the National Police Service Medal for 30 years of ethical and diligent service.

7. I was awarded the Australian Police Medal in 2009.

8. I hold the following professional qualifications:
(a) Bachelor of Arts (Hons) and Master of Arts from the University of Melbourne;
(b) Graduate Certificate in Public Sector Management from the University of Adelaide;
(c) Certificate III in Business Excellence; and Certificate IV in Organisational Self Assessment from SAI Global.

9. In the last six years, I have completed the Company Directors’ course, and two courses through the Executive Education program at Harvard University, titled ‘Leadership in Complex Times’ (JF Kennedy School of Government) and ‘Advanced Management Program’ (Harvard Business School).

My experience at Victoria Police

10. I started my career at Victoria Police in 1983 as a recruit.
11. At that time, employment on a part-time basis was not available to employees.
12. In the early 1990s, Victoria Police ran a pilot program trialling part-time work arrangements. I was unable to participate in the program because the number of participants were limited and the program filled quickly. At that time I would have been eager to explore the opportunity to work part time while I cared for my three children.
13. Following the pilot program, which ran for five years, part-time working arrangements were introduced at Victoria Police in or around 1997.
14. Before part-time working arrangements were available at Victoria Police, there were very few women holding officer ranks (i.e. Inspector or above) who also had children. The effect of introducing part-time work to Victoria Police meant there was a critical mass of women moving through the Police Force which demonstrated that you could still maintain a career and access professional opportunities after you had children.
15. I did not work part-time, because my children were all born before the conclusion of the pilot program. However, I worked with and along side part-time workers at Victoria Police from the time it was introduced.
Rostering

16. Rostering at Victoria Police is provided in two week blocks. The roster is made up of three eight hour shifts over each 24 hours. Particular shifts within that roster are subject to change at any stage, depending on operational requirements and subject to penalties or allowances paid to employees for very short-term changes. It is a very unpredictable roster in that there may be significant variation from roster to roster.

17. In my experience and observation, part-time arrangements worked very well within the rostering arrangements, even though rostering was not static and was often changeable. By this I mean that part time arrangements did not give rise to any particular problems beyond the everyday rostering issues that may typically arise within a workplace from time to time.

18. Victoria Police provided a number of models through which employees could work part time. For example, some employees worked only on specific days, while some employees worked only particular shifts. Job share arrangements were also available to employees.

My experience at the CFA

The importance of part-time opportunities

19. It is my view, and the view of the CFA, that the Award should allow part-time employment to reflect policy and community standards. Reflecting on my first three months as CEO of the CFA, there are two main reasons why I consider this important.

20. First, the disallowance of part-time work involves an unwarranted discrimination between employees or prospective employees on the basis of the number of hours they are willing to work each week. We are not allowing our employees to fully engage with and undertake their chosen occupation that they have trained for, on the basis merely that they do not want or are unable to work full time hours. This loss of opportunity does not just affect women returning from maternity leave. It also affects, for example, those with caring responsibilities for elderly parents or employees who wish to engage in further study on a part-time basis.

21. Second, the CFA aims to be an employer of choice. In order to achieve this goal, it needs to be an attractive organisation to as many people as possible. Not allowing
people to work on a part time basis is a hindrance to this goal. It is anomalous to have an organisation with only 3.3 per cent female employees, providing a service to a state where 52 per cent of the population are women. To be sustainable, the CFA needs to attract as broad a spectrum of the community as possible.

My review of CFA facilities

22. One of the first things I have done as Chief Executive Officer is to visit as many fire stations as possible and meet and talk to as many of the CFA’s operational and volunteer firefighters as I can. In the course of doing this, I have been told by female firefighters that they have no change rooms at their brigades and have had to change in areas, such as gymnasiums, where there has not been a locking door. There are stations without separate toilets for women. At a broader level, there are no, or out-of-date, policies dealing with pregnant firefighters, parental leave, and returning to work after having a child.

23. While I would like the CFA to be able to employ more women, there is little point in attracting women to the job only to have them slip through the cracks once they get here. My first priority is to ensure there are basic facilities available to the existing women firefighters, including change rooms and toilets, and to put policies in place dealing with matters affecting our existing staff, like working during pregnancy, and returning to work after parental leave.

Meeting with female firefighters

24. In December 2015, I met with a contingent of female firefighters who had requested a meeting with me to discuss the barriers that female firefighters face, particularly in relation to their responsibilities for caring for children.

25. These women explained that they had chosen to become operational firefighters, but once they had children, they were unable to return to the operational job that they loved on a part-time basis. Instead, in order to return to work part time, they were required to perform non-operational roles. They explained that, because they were unable to return to operational duties on a part-time basis, they lost skills, experience and the opportunity to progress in their operational careers.

26. It is my understanding that these firefighters had sought permission from the United Firefighters Union to return to operational duties on a part-time basis, and that this
request had been denied. I am not aware of any women who had been granted permission by the UFU to work operationally on a part-time basis.

Diversity workshops

27. On 18 January 2016, I convened the first of a series of diversity workshops at the CFA.

28. The goals of the workshops are to identify and develop strategies to overcome barriers to female attraction, retention and progression across four cohorts within the CFA, including career firefighters, volunteers, professional, technical and administrative employees, and executive employees. The strategies aim to build a workforce that better represents the communities that the CFA serves. While the CFA also hopes to attract employees from a range of diverse backgrounds, its primary focus at this time is gender diversity. The workshops are small to allow everyone present to participate.

29. The first workshop was conducted with the assistance of Kate Jenkins, the Victorian Equal Opportunity and Human Rights Commissioner. Senior CFA leaders, along with firefighters at pivotal phases in the career life-cycle of a firefighter attended. The workshop engaged with current female career firefighters who could discuss and explore their own perceptions and experiences.

30. Relevantly, the workshop identified the following barriers to broader diversity across the CFA:

(a) Lack of flexible work options;
(b) Lack of support, mentoring and appropriate role models;
(c) Potential consequences (often unknown) of raising gender issues on-station;
(d) Primary carer roles not conducive to promotion opportunities;
(e) Fear that current standards will be compromised (that is, fear that the CFA will lower the entry requirements for recruits in an attempt to attract more female firefighters);
(f) Lack of flexibility in training;
(g) Permission required from the union to return to part time operational work after the birth of a child; and

(h) Assumptions regarding women with children.

31. Arising from discussions at the workshop, the CFA identified a number of critical issues that it could address in the short term, from the simple – providing separate change rooms for women – to the detailed, such as reviewing key CFA policies such as parental leave and flexible work arrangements. However, our ability to consider flexible work arrangements to accommodate working parents, carers or other employees who may wish to access such arrangements is limited by the terms of the industrial instruments that apply to the CFA, including the Fire Fighting Industry Award 2010.

Lucinda Nolan

26 February 2016