FAIR WORK COMMISSION
Matter No. AM2014/202

Fire Fighting Industry Award 2010 – Part-Time Work

REPLY 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 have previously provided a witness statement in these proceedings.

2. In this reply statement I respond to a number of matters set out in the witness statements of Ken Brown, Daniel Gatt, Alan Quinton, Bradley Quinn, Glenn Veal and Michael (Tony) Martin.

3. I am authorised to make this statement on the MFB’s behalf.

4. 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.

Access to skills maintenance and training

5. I refer to the witness statements of:

   (a) Ken Brown (paragraphs 9 and 15 – 17);
   (b) Daniel Gatt (paragraphs 11 and 15 – 18);
   (c) Alan Quinton (paragraphs 18, 23, 24 – 27);
   (d) Bradley Quinn (paragraph 25); and
   (e) Glenn Veal (paragraphs 14 – 17).

6. Each of these witnesses expresses concern that employees engaged on a part time basis would not have sufficient access to ongoing skills maintenance and training.
7. In my view, there is no impediment to delivering skills maintenance and training to employees engaged on a part time basis.

8. Formal skills maintenance at the MFB is delivered through a skills maintenance database which sets out the particular drills that must be carried out each month by all operational firefighters. There are a minimum of four drills that each shift must complete every 28 days.

9. These drills are managed by the on-shift officers for each shift. It is up to individual officers to determine how and when skills maintenance is delivered within the 28 day period.

10. As set out at paragraph 14 of Glenn Veal’s witness statement, skills maintenance drills are scheduled at times convenient to each station, recognising that shifts can be unpredictable and having regard to the various operational demands placed on each shift throughout the 28 day period.

11. This flexibility in scheduling skills maintenance drills means that the current delivery of skills maintenance could accommodate part time employees without issue. For example, skills maintenance drills could be run on days when part time employees are on shift. Alternatively, additional skills maintenance sessions could be run during the month.

**My experience at Ambulance Victoria**

12. As set out in my first statement, I was employed by Ambulance Victoria (AV) from July 2007 until November 2014, most recently in the role of Regional Manager, Grampians Region.

13. Paramedics at AV are required to undertake regular, ongoing training at their home branch. AV has many part-time paramedics and they undertake all the necessary continuing education and clinical skills maintenance training to maintain required operational standards. The training is delivered flexibly to accommodate part-time staff. I did not experience any impediments to providing regular training to part time employees during my employment with AV.
14. I am confident that the MFB would be able to satisfactorily and safely implement part-time provisions in the same way AV has without impacting on the standard of service delivery or the safety of firefighters.

*Emergency Medical Response*

15. The MFB has provided support to AV (and previously Metropolitan Ambulance Service) in the delivery of pre-hospital Emergency Medical Response (EMR) for over 15 years. MFB operational staff are provided with initial skills acquisition training in EMR as part of recruit and retention training. Operational staff are also required to complete continuing education sessions in EMR on a regular basis.

16. Staff are required to participate in a minimum of four EMR continuing education sessions per annum with a preference that staff participate in up to 10 sessions per annum.

17. The MFB Emergency Medical Services (EMS) department maintains a database of MFB operational staff that have undertaken the monthly EMR continuing education training delivered by AV. The AV Instructor records the names of MFB operational staff in attendance and this data is provided to the EMS department to update the database. The database records attendance at monthly continuing education sessions as well as recording the anniversary date for EMR recertification for MFB operational staff.

18. The EMS department administer the database, and routinely send out a list of names of operational staff that are required to attend EMR training to the Operations Commanders several weeks in advance so that operational staff that need to undertake EMR recertification can be programmed for attendance as a priority.

19. In my view, part time employees would be required to complete the same standard of EMR continuing education sessions and recertification training as a full time employee. Given that continuing education sessions are run regularly throughout the year, I consider that there would be sufficient opportunities for an employee engaged on a part time basis to attend the requisite number of continuing education sessions.
Training for emerging risks

20. I refer to paragraph 17 of the witness statement of Ken Brown, where he refers to emerging risks such as counter-terrorism, and states that any part time training would compromise training and safety.

21. I disagree with this statement. Skills maintenance and skills acquisition is flexible enough to encompass new risks that emerge, and all MFB personnel, whether engaged on a full time or a part time basis, should and would be provided with the relevant training to appropriately manage any risks they face.

Firefighter welfare

22. I refer to the witness statements of:
   (a) Daniel Gatt (paragraphs 25 – 31);
   (b) Bradley Quinn (paragraph 25); and
   (c) Glenn Veal (paragraphs 21 – 25).

23. These witnesses express the view that the MFB would be less able to provide support to firefighters engaged on a part time basis.

24. I do not agree with this view.

25. AV employees regularly attend distressing incidents. In my experience at AV, if a part time employee attended a difficult call and was rostered to go off-shift following the incident, AV would ensure contact with that person via a Manager or Supervisor, or a Peer or Employee Assistance Program person to ensure their welfare, regardless of whether that person was rostered to work the next day.

26. The MFB currently manages employee welfare successfully within the 10/14 roster. If, for example, a firefighter attended a distressing call out at the end of the 10/14 roster, he or she may then be off-shift for 4 days. I have the utmost confidence that the MFB Peer Support staff could and would appropriately manage the welfare of and provide the necessary support to an employee in this situation.
Special administrative duties roster

27. I refer to the witness statements of:
   (a) Ken Brown (paragraphs 21 – 22);
   (b) Daniel Gatt (paragraphs 32 – 33);
   (c) Alan Quinton (paragraph 20);
   (d) Bradley Quinn (paragraphs 27 – 30); and
   (e) Glenn Veal (paragraphs 26 – 27).

28. These witnesses each put forward a view that the special administrative duties roster already provides for employment on a part time or flexible basis.

29. The special administrative duties roster is set out at clause 84 of the Metropolitan Fire and Emergency Services United Firefighters Union of Australia Operational Staff Agreement 2010 (Operational Agreement). The clause provides:

   An employee rostered to Special Administrative Duties shall:
   84.1 Work hours as agreed between the employee, the UFU and the MFESB;
   84.2 Receive the Special Administrative Duties allowance set out in clause 42.14; and
   84.3 Shall otherwise be entitled to all the terms and conditions of this agreement.

30. Employees rostered to special administrative duties perform what are known as ‘day work positions’, as opposed to operational work on the 10/14 roster. That is, when an employee is rostered pursuant to the special administrative duties roster, he or she is taken off shift and does not perform operational duties as part of his or her ordinary duties (other than Commanders, who are still required to participate in the on-call roster for operational incidents).

31. Day work positions are funded, established positions that have been identified as positions that are needed within the organisation.

32. There are approximately 215 – 220 employees assigned to day work positions under the special administrative duties roster. Two of these positions are currently occupied on a part-time basis on request by female firefighters.
33. It is not satisfactory to only allow firefighters to work part time if they undertake a day work role. In circumstances where, but for a desire to work part time, an operational firefighter is willing and able to perform operational duties, the MFB should be able to facilitate this.

Gregory Leach

18 April 2016