IN THE FAIR WORK COMMISSION

Matter No.: AG2018/1278

Applicant: Metropolitan Fire and Emergency Services Board

STATEMENT OF BRENDAN JOHN ANGWIN

I, Brendan John Angwin, of 100 Atherton Road, Oakleigh, in the State of Victoria, make the following statement in this matter before the Fair Work Commission:

1. I commenced my employment with the Metropolitan Fire and Emergency Services Board (MFB) as a recruit firefighter thirty-eight years ago.
2. I currently hold the rank of Assistant Chief Fire Officer (ACFO) a rank I have held for close to three years. I am currently performing the role of ACFO of Southern District responsible for 8 fire stations from Windsor to Mentone and from the Bay to Glen Waverley. I have ultimate responsibility for all ranks up to Commander working at these stations, including operational response, health and safety, welfare, training, community resilience and all other functions within the District.
3. As an ACFO I am currently rostered in accordance with the 2010 MFB UFU Assistant Chief Fire Officers Agreement. This is replicated in the 2016 MFB UFU Operational Staff Agreement at clause 138.5 to 138.10 where ACFOs are expected to work as directed and as needed within an average of a 38-hour week along with agreeing with the supervisor on a balanced approach to hours of work and managing our own diaries.
4. In my role, and through my time at the MFB, I have worked and been exposed to the 10/14 and the Special Administrative Duties rosters.
5. Previous to being promoted to an ACFO I was a Commander for some five years with the MFB.
6. During my time as a Commander I spent time acting in to the role of ACFO of Operational Training and the substantive position of Commander in charge of Training and Delivery, Operational Training. Prior to this I was Commander Training Development for about three years.
7. In my roles in the MFB’s training Department I was responsible for the coordination and delivery of all MFB operational training courses including recruit and promotional courses as well as specialist courses.
8. I hold the following specialist qualifications:
   i. Certificate IV Training and Assessment
   ii. Advanced Diploma in Firefighting Management
   iii. Graduate Certificate in Management.
9. I have also received two Chief Officer Awards. One was in relation to HAZMAT and one in relation to Wild Fire. The MFB Windsor Fire Station crew, of which I was one, were awarded a Bravery Award for our involvement in the Turkish Embassy bombing in 1986.

10. I am currently a member of the United Firefighters Union (UFU) Branch Committee of Management (BCOM). I have held various positions as firefighters' representative, officers' representative and currently I am a Trustee. I have been elected to the BCOM since the mid-1990s. In that role I have also been asked to attend United Firefighters Union of Australia National Committee of Management conferences as an observer and participant including presentations on training matters.

11. I have in the past and continue to represent the National Body being the United Firefighters Unions of Australian (UFUA) on various national training initiatives such as the Government Skills Australia Advisory Committee, technical reference groups, and the Industry Skills Council. In these roles I have supported the development, implementation and continuous improvement of high quality nationally recognised training materials and services to provide the skills and knowledge required in the workplace. This has led to the development of nationally recognised qualifications and efficiencies gained from using nationally consistent training and assessment benchmarks. Whilst I was representing the UFUA in these forums, the focus is community safety and the protection and the preservation of life and property as well as the safety of firefighters and other first responders.

12. I have represented the UFU on the Consultative Committee under the Enterprise Agreement and until previously on the Training Subcommittee. I also sit on the Diversity and Recruitment working parties on behalf of MFB management.

PERSONAL BACKGROUND

13. I was born on 6 July 1958. I completed school up to form five which I believe is year eleven equivalent today. Following this I undertook a trade and became a qualified electrician / mechanic and I got a job with an engineering company. I would have been about sixteen and a half years old when I entered the workforce. I worked for that company for four and a half years before I applied for the MFB in my early 20s. I was accepted into the MFB in 1981 when I commenced my recruit course.

14. Following the completion of my recruit training I was stationed at Oakleigh fire station for approximately six months, following this I spent some eighteen months at Moorabbin before moving to Windsor fire station where I spent the next eleven to twelve years of my career. It was during my time at Windsor fire station that I was promoted to the next rank which then was known as a Senior Firefighter however not long after this the organisation shifted from the rank of Senior Firefighter to Leading Firefighters (LFF) and I was promoted to this rank.
15. Following my time at Windsor fire station and on shift as an LFF, I was then seconded to the MFB Training Department to assist with the implementation of the new competency based training system. In or around 2000 I was promoted to the first Officer rank in the MFB being Station Officer (SO).

16. During my time as a SO I worked in both “day-work” roles, for example in the Training Department, and I returned on shift for various periods and across several fire stations including Eastern Hill, Carlton and Oakleigh.

17. In or around 2008 I was promoted to the next rank being Senior Station Officer (SSO). At this time the MFB was undertaking a large review of their training system and I was put into a lead role on the Training Review Group. As part of this work, two MFB management representatives along with two UFU representatives, were put to work to develop and implement the MFB Training Framework. This was a large piece of work which I worked on for approximately the next three years.

18. Following this, in 2010 I was promoted to the rank of Commander. I remained involved in the Training Department for the next five years until I promoted to the rank of Assistant Chief Fire Officer (ACFO) in 2015. It was following this time that I moved away from my role in training and moved into the current position I am in today.

BACKGROUND – THE STRUCTURE OF THE MFB

19. The MFB is established and governed by a piece of state legislation, the Metropolitan Fire Brigades Act 1958 (Vic). Under that Act the MFB is responsible for the provision of fire suppression and fire prevention services in the metropolitan fire district (MFD) along with providing further emergency prevention and response services within the MFD.

20. The MFD is defined by the same Act and currently has a boundary that runs South from Laverton in the Western suburbs to Taylors Lakes in the North, Somerton in the North East, Ringwood, Glen Waverly and Mentone in the South East and Croydon in the Southern Suburbs. The boundary can be seen on a map of the MFD as attached. All areas outside of this area are the responsibility of the Country Fire Authority (CFA).

Now produced and shown to me and marked BA-1 is a map of the Metropolitan Fire District.

21. The MFB has forty-seven fire stations across suburbs within this area separated into two regions and five districts. Each station is assigned a station number. The South East Metro Region contains the district of Southern and Eastern and the North West Metro Region contains the districts of Northern Western and Central. The list of fire stations within each of these districts are as follows:

- Central District
  - Station no. 1 (East Melbourne)
- Station no. 2 (West Melbourne)
- Station no. 3 (Carlton)
- Station no. 10 (Richmond)
- Station no. 38 (South Melbourne)
- Station no. 39 (Port Melbourne)

- Western District
  - Station no. 40 (Laverton)
  - Station no. 41 (St Albans)
  - Station no. 42 (Newport)
  - Station no. 43 (Deer Park)
  - Station no. 44 (Sunshine North)
  - Station no. 45 (Yarraville)
  - Station no. 46 (Altona)
  - Station no. 47 (Footscray)
  - Station no. 48 (Taylors Lakes)
  - Station no. 49 (Sunshine West)
  - Station no. 50 (Moonee Ponds)
  - Station no. 51 (Keilor East)

- Northern District
  - Station no. 4 (Brunswick)
  - Station no. 5 (Broadmeadows)
  - Station no. 6 (Pascoe Vale)
  - Station no. 7 (Thomastown)
  - Station no. 9 (Campbellfield)
  - Station no. 11 (Epping)
  - Station no. 12 (Preston)
  - Station no. 13 (Northcote)
  - Station no. 14 (Bundoora)
  - Station no. 15 (Heidelberg Heights)
  - Station no. 16 (Greensborough)
  - Station no. 52 (Westmeadows)

- Eastern District
  - Station no. 18 (Hawthorn)
  - Station no. 19 (Balwyn North)
  - Station no. 20 (Box Hill)
  - Station no. 22 (Ringwood)
- Station no. 23 (Burwood)
- Station no. 26 (Croydon)
- Station no. 27 (Nunawading)
- Station no. 28 (Vermont South)
- Station no. 30 (Templestowe)

• Southern District
  - Station no. 24 (Malvern East)
  - Station no. 25 (Oakleigh)
  - Station no. 29 (Clayton South)
  - Station no. 31 (Glen Waverely)
  - Station no. 32 (Caulfield South)
  - Station no. 33 (Mentone)
  - Station no. 34 (Highett)
  - Station no. 35 (Windsor)

22. These forty-seven stations have been strategically located according to the MFBs Strategic Location Plan (SLP) to provide for a 7.7-minute response time from two appliances to locations within the MFD.

Now produced and shown to me and marked BA-2 is the MFB’s Strategic Location Plan.

23. These stations are staffed by the majority of the MFB’s operational staff (firefighters). The numbers of operational staff according to the 2016/2017 MFB Annual Report were one thousand nine hundred and fifty-four operational staff. Approximately eighty percent of these will work on station on the 10/14 roster. The 10/14 roster is a rotating roster which provides for the MFB’s seven day a week twenty-four hour a day coverage and has firefighters working at these forty-seven stations for two ten-hour days shifts, followed by two fourteen-hour night shifts, followed by four days off, across four platoons, A B C and D. These firefighters ensure that the MFB maintains its minimum crewing requirements which ensures safe staffing levels across all the MFBs appliances and fire stations.

Now produced and shown to me and marked BA-3 is a copy of the MFB’s 2016/2017 Annual Report.

24. The minimum staffing requirements are prescribed in a schedule attached to the Operational Staff Agreement and specifies the minimum number of firefighters to be rostered to duty on a platoon at any given time. The current minimum crewing number is a platoon of 303. The minimum crewing chart specifies the number of firefighters on duty on a platoon across the Metropolitan Fire District, their location (as in which fire station), their rank, the fire appliances at that location (fire truck), and the rank and number of firefighters for those appliances.
This is to ensure that all fire stations and appliances have the necessary staffing levels to respond to emergency events with the necessary numbers to perform the required tasks.

Now produced and shown to me and marked BA-4 is a copy of the current minimum staffing chart.

25. Outside of the firefighters who work on the 10/14 roster, the MFB also has approximately twenty percent of its operational staff working in what is referred to as “day-work” positions on the Special Administrative Duties Roster (SADR). These firefighters maintain skills as operational firefighters but are not deployed to fire stations to perform firefighting duties. They instead work on what is referred to as Z platoon which is a roster of four ten-hour days over the course of Monday-Friday. They perform specialist and technical roles in departments such as Operational Training and Development, Communications, Rostering, Community Resilience etc.

26. The MFB also employs some three hundred and forty-three civilians in corporate and administration roles across the MFB.

27. In its operational capacity the MFB provides both fire prevention and suppression along with other specialist response services including:
   - Emergency Medical Response (EMR)
   - Marine Response
   - Urban Search and Rescue (USAR)
   - High Angle Rescue Technicians (HART)
   - Heavy Rescue
   - Confined Space Rescue
   - HAZMAT
   - Chemical, Biological, Radiological, Nuclear Response (CBRN)
   - Air Operations including Unmanned Aerial Vehicles (UAV)
   - Rapid Impact Assessment including Ground Observers (RIAT)
   - Trench Rescue
   - Industrial Rescue

28. As the MFB is an emergency response organisation, its operational staff operate within a rank-based system of reporting lines. Currently the structure is as follows:
   I. An employee enters the organisation as a recruit firefighter where they undertake a twenty-week course at the MFB’s training college, Victorian Emergency Management Training College (VEMTC).
   II. Following the completion of their recruit course they attain the rank of Firefighter Level One and begin work on shift and on station.
At the completion of twelve months service the return to VEMTC to complete what is referred to as "retention training". It is at this point they finalise their qualifications in EMR and Driving.

Following their retention training they return on shift, on station as a Firefighter Level Two. They remain at this rank for a further twelve months at which point they obtain the rank of firefighter Level Three.

Following twelve months service at the rank of firefighter Level Three, they have completed all their necessary formal and on the job training and move to the rank of Qualified Firefighter (QFF). This, like a trade apprenticeship, is effectively the end of their apprenticeship. They then obtain the base qualified rank to be a firefighter.

At the completion of twelve months service as a QFF an employee is entitled to seek promotion to the rank of Leading Firefighter (LFF). This rank requires an employee to undertake further training and obtain qualifications in what is referred to as "command and control". Obtaining the rank of LFF effectively qualifies a firefighter to manage an appliance of other firefighters and take command of an incident on the fireground with the knowledge that a more senior rank will be oncoming on to the scene.

An employee who has obtained the rank of LFF and held that rank for at least 12 months is then eligible to seek promotion to the next rank. The next rank up is the first level of Officer rank, being Station Officer (SO) and is effectively the entry point to middle management within the organisation. To be promoted to a SO an employee will need to undertake a merit-based assessment process including a written exam along with a practical assessment. The applicants are then ranked by merit as to whether they are placed on a course. If an applicant is successfully appointed to a course they undertake a sixteen-week training course at VEMTC before promotion to the rank of SO at the completion of the course.

Where an employee has completed a minimum of two-years-service as a SO they can then seek promotion to the next rank which is Senior Station Officer (SSO). Again, like obtaining the rank of SO, applicants for the SSO course are selection via a merit-based selection process similar to that above and undertake a further course at VEMTC of thirteen-week duration before being promoted formally to the rank of SSO.

An SSO with a minimum of two years' service at that rank with a minimum of one year in day work and one year on shift, is eligible to seek promotion to the rank of Commander. The rank of Commander is the entry point for senior management within the MFB. Again, selection is via a merit-based system as above and
employees will undertake a promotional course of eleven weeks duration at VEMTC prior to promotion to the rank of Commander.

X. Following a minimum of two years of service at the rank of Commander, via a merit-based selection process, employees may then be promoted to the next rank, being ACFOs. ACFOs report to the first level of Executive Management being the Deputy Chief Officers (DCFOs) who in turn, report to the Chief Fire Officer (CFO).

29. The MFB also have a number of civilian Executive Directors who manage departments such as People and Culture, Corporate Services and Property and Assets. Together with the CFO, the Chief Executive Officer (CEO) (a role currently performed by the Chief) and the DCFOs these roles form the MFBs Executive Leadership Team (ELT). The governance also provides for an overarching Board to which the ELT report. The below organisational chart displays the organisational structure. Please note that this is slightly out of date as it is from the 2016/2017 MFB Annual Report prior to the role of CFO and CEO merging however other than this change it is still a current representation:
Organisational structure

- Board
- CEO
- Chief Officer
- Office of the Chief Officer
- Office of CEO Corporate Governance

Operations
- Emergency Management
- North West Metro Region
- South East Metro Region
- Organisational Learning and Development
- Regional Operations
- VRMDC Collaborations
- Community Resilience
- Regional Services
- Health, Safety and Wellbeing
- Special Operations
- Learning and Development
- Infrastructure and Regional Projects
- Regional Fire Safety

Resource Services
- People and Culture
- Evaluate Services
- Property and Assets
- Human Resources
- Finance
- Property Services
- Workplace Relations
- Property Management
- Procurement
- Information and Communication Services

- Procurement Resource Management
PART-TIME / FLEXIBLE WORK IN THE MFB

The Special Administrative Duties Roster – “Day Work”

30. The MFB as an organisation acknowledges that we have to make reasonable accommodation for employees with parental and carers responsibilities in the form of being able to request and seek to access part-time and flexible work arrangements.

31. Although I perform a role as a senior manager at the MFB, these requests, I understand are dealt with by Human Resources and as such I have no direct knowledge of them in terms of approval or otherwise. However, I understand, where an employee seeks part-time or flexible work, they will work in a role on the special administrative duties roster where it is much simpler, more efficient and safer for them to perform in this capacity.

32. Operational firefighters on the SADR will perform specialist and technical roles in various MFB departments including:
   - Special Operations (USAR, HAZMAT, HART, Trench Rescue, Confined Space Rescue, Marine Response and EMR)
   - Training
   - Fire Safety/dangerous goods
   - Health and Safety
   - Operational Communications
   - Community Resilience
   - District and Zone Offices

33. The SADR special operations roles are not the emergency response roles but work within these specialist departments.

34. SADR roles are budgeted and established positions within the MFB with the current establishment of 269.

35. The roles performed by firefighters in these positions are highly valued by the MFB for the technical knowledge and experience they bring to the positions. I would consider these roles as vital to the MFB as an on station on shift position.

36. It is important to note that any characterisation of a role on the special administrative duties roster as just a “desk-job” or administrative role is a complete mischaracterisation. These roles are specialised positions within specialist areas of the organisation. This allows them to add value to the running of those departments as well as gaining new firefighting skills and knowledge along with organisational knowledge.

37. In these roles a firefighter will undertake varied tasks within a department including:
   - Developing and implementing new procedures and policies within the MFB;
• Researching, development and implementing trends in new equipment, personal, appliances and personal protective clothing;
• Researching and developing processes around Occupational Health and Safety;
• Reviewing and considering latest industry trends;
• Developing and conducting varied training programs;
• Liaising with high level stakeholders externally and internally, developing and conducting training across the organisation.

Therefore, these roles are significant and important.

38. Being in a day work role is also incredibly important for an employee's career development. In these roles firefighters learn vital skills required for any future promotion within the MFB, along with transferable skills outside of the MFB.

39. During my time as a Commander/ Acting ACFO within the MFB's Training Department, I was partly responsible for the recruitment and retention of operational personnel into the department. These roles were highly sought after amongst firefighters and we operated a competitive selection process whereby an expression of interest would be published and employees would need to address selection criteria in an application and an interview process would follow.

40. Although employees in these roles will on a day to day basis perform the substantive role, they remain operational and are required to maintain their firefighter skills through a skills maintenance regime as provided for in clause 74 of the 2016 MFB UFU Operational Staff Agreement (2016 Agreement).

41. This requires that the employee return on shift and on station for a minimum one rotation (approximately one month) per year to refresh their skills. I am aware that some employees do more than the minimum requirements.

42. Operational firefighters on the SADR are not deployed to fire stations to perform firefighting duties. They do not form part of minimum crewing and do not respond to emergencies.

43. Operational firefighters on the SADR are currently deployed to undertake firefighting duties in circumstances such as emergencies during the fire season, or where fatigue for a large number of firefighters was an issue such as the Hazelwood Mine Fire, Black Saturday, 2018 Cobden peat fires and the Wangaratta floods.

44. MFB Operations Work Instruction 19 (OWI-19) outlines the deployment of strike teams and task forces. This document explains that where there is a major campaign fire outside of the Metropolitan Fire District and strike teams or task forces are deployed, the MFB will deploy 10/14 resources and "operational day workers may be required to crew spare appliances being used to backfill stations which have been used for deployments on week days. It is not intended to use day work staff on strike teams or tasks forces initially unless required".
45. In these circumstances, SADR operational firefighters crew spare appliances additional to the operational fleet that is deployed on a daily basis, but are located at training facilities or the day working location (not a fire station).

46. The spare appliances and the SADR crew are used to backfill stations where MFB firefighters have been deployed outside the metropolitan fire district in the circumstances described above. They then might be called out to perform regular firefighting operations whilst backfilling stations as described above. Now produced and shown to me and marked BA-5 is a copy of the MFBs Operational Work Instruction 19 relating to the crewing and deployment of Strike Teams.

47. No operational firefighter is disadvantaged as a result of working in the SADR roles. To be clear, an operational firefighter on the SADR is still engaged by the MFB as performing a role “in career firefighting” for the purposes of definitions of the 2016 Agreement and for the purposes of the classification structure outlined in clause 12.

48. There is no financial disadvantage as all SADR employees receive the same weekly wages as a 10/14 firefighter, and an allowance in accordance with 85.16 of the 2016 Agreement.

49. In addition, part time employees on the SADR are paid a 25% loading.

50. Employees working part-time on the SADR are also not disadvantaged in terms of length of service for promotion or long service leave:
   - The MFB considers part time service as full time service for the purposes of accounting for length of service for long service leave entitlements; and
   - Length of service at a particular rank is a requirement for promotion to a following rank.

51. For example, where the classification requires 12 months service and the firefighter has only worked part time in those 12 months, it will be considered a full 12 months for the purposes of the classification structure.

52. There is no career progression disadvantage. In fact, employment on the SADR assists promotion and in some circumstances in required:
   - A firefighter in a SADR role will have additional skills and experience that cannot be achieved on the 10/14 roster which could be an advantage in a promotional course selection process; and
   - In the case of promotion to Commander, the SSO must have had at least 12 months in a SADR role to qualify for the promotional course.

Safety and Other Concerns with Part-time on the 10/14 roster

53. The duty of the operational firefighter working on the 10/14 roster on a fire station is to crew a fire appliance and be available to respond to emergency events within their turn out area and as support outside that area, at any time they are on duty.
54. This duty includes tasks associated with their emergency response activities including:
- Checking and maintaining appliances and equipment
- Administration tasks (orders and requisitions, pay roll, fire reports, planning community engagement sessions etc.)
- Community education
- Checking keys
- Checking hydrants
- Station duties (maintaining and cleaning the station)
- Safety audits of the station
- Practical drills and theory drills.

55. The MFB operates a seven day a week, twenty-four hour a day service. To accommodate this we have in place a rotating roster known as the 10/14 roster which operates across four platoons as described above. This averages out at 42 hours per week for an employee over a year and maintains the 24 hour coverage required of the MFB and the necessary minimum crewing levels.

56. Maintenance of minimum crewing is vital for firefighter safety and for timely emergency response.

57. To maximise the potential for prevention of loss of life and minimise damage to property, fire services mandate a quick response by applying standards for the firefighters to respond to emergencies. Response standards are the difference between life and death. The time in which the fire service responds, and the number of qualified and trained firefighters at the incident within the required time determines whether a rescue can be performed, whether a home or business can be saved and directly impacts on the safety of firefighters.

58. Underpinning fire service response time standards is scientific research that dictates a fire must be suppressed within 5-10 minutes of ignition to avoid the phenomenon referred to as ‘flashover’. Flashover occurs where the physical characteristics of fire cause the temperature in a building to rise extremely rapidly, and a sudden and dynamic simultaneous ignition of most combustible materials and gases. This is phenomenon is will typically in the first 10 minutes of ignition and as such, any suppression activities need to commence prior to this to avoid
combustion. In order to account for this the MFB have a mandated 7.7 minute response time.

59. Safe firefighting operations require at least seven firefighters on the fire ground to commence those suppression activities within the mandated response time. This number of seven has been established through a task-based analysis of the roles to be performed as follows:

- Two firefighters in BA to enter the structure to perform any necessary internal attack and/or rescue (firefighters should not enter a structure fire alone and should work in pairs in order to meet OH&S best practice - this is to ensure a firefighter is available to render assistance if the other firefighter requires it).
- Two firefighters outside the structure in BA to comply with the “two in two out” principle which requires that for every firefighter in BA, there needs to a replacement firefighter in BA ready to relieve or assist.
- One firefighter to operate the pump. Pumps can be operated automatically but this is not a safe system of work as a pump operator is responsible for monitoring the operation of the pump which of course is the key equipment to provide water.
- A BA safety officer who monitors the entry and exit of fire-fighters in BA and the time/air available of those in BA. This is a key role on at a structure fire where BA is always required.
- An OIC to undertake the initial assessment of the incident and direct the crew on scene to undertake the necessary duties as well as communicate via radio with the communications centre relaying information and any requests for escalation or further assistance.

60. The MFB has established response systems based on our strategic location plan and minimum crewing chart to ensure that seven fire can respond to a standard structure fire within the 7.7 minutes to ensure best practice and safety of our crew. This requirement for seven firefighters
is also mandated in our current 2010 Operational Staff Agreement at clause 36.7, and 39.12 of the 2016 Agreement.

61. Based on these highly vital safety principles, there is an absolute need to maintain minimum crewing numbers as specified in crewing chart. I therefore consider it important that any part-time work requests should be accommodated as part of the SADR, or above minimum crewing on the 10/14 for the reasons I set out below.

62. I will describe my concerns with efficiency below however in relation to safety concerns I would be concerned that introducing part-time work within the on-shift operational workforce could lead to some significant safety concerns.

63. In my experience as a Senior Officer within the MFB, the 10/14 roster is part of the necessary systems which build the trust and confidence that each firefighter, working together in a crew, must have in order to perform the work in responding to emergency events. By working in a regular shift pattern with regular employees on a full-time basis, we put in place systems for best practice in team building and trust between each firefighter.

64. Firefighting is inherently dangerous. The work we do requires us to make split second decisions and solve complex problems in extremely dangerous, pressured and fast paced conditions. In order to undertake this work safely firefighters are highly trained and operate within an extremely regimented environment of decision making based on a rank-based structure and clear standard operating procedures and operational work instructions.

65. Firefighters also always respond in teams as outlined above. Therefore, our work relies on other firefighters operating in accordance with the same regimented regime as myself and as part of the team. In situations where a split-second decision could mean life or death for a firefighter or a member of the public, firefighters must be able to rely without question on the training, skills and competencies of one another.

66. Implicit knowledge in the skills and attributes of those firefighters within your team, and more broadly on the fireground, is therefore vital to making safe and quick decisions.

67. The 10/14 roster is at the core of delivering on these outcomes in that allows firefighters to work together, live together, train together and respond to emergency events together on a regular basis building trust and confidence in one another’s training and abilities.

68. This knowledge allows a firefighter to respond in the inherently dangerous conditions able to rely on the person next to them for their own safety.

69. I believe it would be very difficult for a firefighter working part-time for any significant length of time on the 10/14 roster to maintain their skills as required. This is because, as described above, firefighters on the SADR perform skills maintenance in a prescribed system which requires returning on shift on a full-time basis for a minimum period each year.

70. Further, because of the intensity of skills acquisition, I see significant practical difficulties in recruits and trainee firefighters being accommodated as part-time employees.
71. Firefighters on the 10/14 roster perform a minimum four skills maintenance drills per month which are recorded in a skills maintenance database. These drills are provided by the district training officer who ensures accountability that the drills are performed but on top of this, most fire stations would do one or more additional drills during a four-day rotation to ensure their skills are maintained and that they are operating efficiently as team.

72. Firefighters on the 10/14 roster will also be required to under the EMR recertification process as described above in relation to day workers along with further drills as necessary for skills acquisition. All these drills and training will be done by the crew working as a team.

73. Where a firefighter has an additional specialist skill, they will do further drills to ensure their specialist skills are maintained.

74. Additionally, if an employee requested to remain on the 10/14 roster in part-time capacity above the minimum numbers, there may be organisational restrictions on the ability to accommodate these requests for the following reasons:

- Accommodating part-time work has an ongoing cost in terms of personnel resources to the MFB. This is in the form of the reduced capacity of an employee working part-time. Where a firefighter makes a request to work part-time within the 10/14 system I would likely need to backfill the portion of time where they are not working. In the context of a 42-hour week over a 38 standard week this problem is exacerbated. There is significant taxpayer investment in each and every firefighter. It costs the MFB approximately $123,000 amount to put a firefighter through the recruit process therefore any reduction in capacity can have serious flow on consequences in terms of costs for the organisation. Further, it takes up to six months for the recruit selection process for firefighters in Victoria and the recruit course is now 20 weeks followed by a three years of continuation training before a firefighter meets the base rank of becoming a qualified firefighter. That is, part-time employment impacts on numbers available to maintain minimum crewing requirements.

- This means that we cannot readily or easily backfill a position where an employee is seeking reduced or flexible hours without filling such a role from our current workforce which comes at an overtime cost to the MFB or the use of day work resources.

- This problem is compounded the higher up the ranks an employee is who is making the request as the pool of firefighters to replace them from shrinks. For example, the MFB has approximately 95 SSOs. This means if the request comes from that rank we may simply be unable to backfill the role with a substantive SSO. It would be a heavy burden to expect the MFB to run a promotional course to increase our SSO numbers simply to accommodate one person’s request however and a question arises as to what to ongoing costs of promoting extra numbers that are not required on an ongoing basis. However,
the alternative would be backfill the reduced hours via overtime which would eventually lead to fatigue management amongst such a small pool as well as come at a costs or the MFB must pay the costs associated with acting people up into a role. Where that firefighter may have specialist skills such as USAR or HART, such problem is significantly difficult to overcome as the MFB may simply not have a resource available to replace them.

- Managing part-time work also increases the administrative burden on the MFB. Potentially new payroll processes and rostering process would need to be put in place again, at a cost to the organisation. Rostering at the MFB is a centralised and highly specialised in order to ensure the requirements of the minimum crewing along with other employee entitlements, are accommodated within the system. Managing shift work with is a very tight process. In order to ensure employees can access their leave entitlements strict systems are in place in relation to such access and extra resourcing is built into the minimum numbers to account for this. For example, annual leave rostered in perpetuity with all employees operating under a structured annual leave process of working 20 weeks, and having an annual leave rotation then returning for 24 weeks, before another annual leave rotation. This is provided for in clause 101 of the 2016 Agreement and allows the MFB to pre-plan into our rostering system and account for people’s annual leave entitlements. Further, access to other types of leave such as accrued leave or long service leave is limited to four employees on the same platoon at any given time to again, allow the MFB to pre-plan and account for the extra numbers in our rostering. Rostering in this way allows us to ensure we have the resources on shift at any given time to account for leave without the need to use overtime resources which come at an additional cost to the MFB along with having fatigue management impacts.

- The infrastructure capacity MFB fire stations is also an issue. All MFB firefighters need access to a bedroom, lockers and shower and change facilities. MFB fire stations are generally designed to accommodate the requirements of the minimum crewing levels. Some stations have in build extra infrastructure in them to accommodate extra resources however not all. Therefore, in order to accommodate a part-time worker above the minimum crewing requirements on a 10/14 roster in a station environment, depending on the level of requests and who makes them the MFB could very well need to significantly invest (at potentially large costs) in our infrastructure to be able to accommodate this extra resource. For example, fire station 33 in Mentone currently has one appliance which has a mandated minimum crewing level of four firefighters. I must therefore ensure that four full-time firefighters are employed on each platoon as a minimum to meet the requirements of emergency response. Should an employee
request to work part-time at that station I would need to find the infrastructure to ensure they have access to the necessary amenities.

- Along with this, MFB appliances are generally designed to provide for four breathing apparatuses on each appliance. Breathing apparatus is a vital piece of personal protective equipment for a firefighter and it is mandated that all MFB firefighters must wear breathing apparatus when responding to any alarm of fire. Breathing apparatus are physically installed in the back of the seat on the appliance allowing firefighters to quickly don their breathing apparatus on route to an incident. This is part of our mandated safety systems that we operate under. The cost of installing a further breathing apparatus on appliances to accommodate for extra personnel working above the minimum numbers is approximately $10,000. Further, there may be restrictions depending on the number of requests on a platoon or on a station in that primary appliances generally only have five seats as such we could only generally accommodate one part-time firefighter above minimum crewing numbers on each primary appliance on each platoon as otherwise there may simply not be a position for them.

- In addition to infrastructure and equipment costs,

75. These are some of the organisational considerations which will come into play when assessing requests for part-time work on a case by case basis.

76. It necessarily follows that full-time employment is the general position and that part-time is the exception as:

(a) numbers in the MFB are essentially fixed by government;
(b) the ability to replace the loss in full-time equivalent employee numbers is affected by the lengthy and rigorous selection and training processes that are necessary for essential skills acquisition and retention;
(c) there are minimum crewing requirements that govern safe deployment;
(d) for these reasons and for reasons of safety, service delivery and employee welfare, full-time employment must be the norm;
(e) accordingly, the MFB could not across any meaningful period of time accommodate a significant number of requests for part-time employment as they would necessarily affect the numbers of full-time equivalent firefighters available for deployment as part of the minimum crewing requirements; and
(f) it follows therefore that part-time employment must be the exception to the general rule.

77. The current process for requests for flexible work arrangements occurs when the employee seeking the part-time or flexible arrangement will contact either the UFU, MFB Human Resources or their direct supervisor (or all three) and outlining their requests and discuss
possible arrangements to accommodate such request. Once a position has been identified as a role which can accommodate the request, the MFB will write a letter to the UFU outlining the request and the role proposed to be filled by the employee and the arrangements for that role. For example, on 16 March 2016 the UFU received such correspondence from MFB Human Resources Business Partner Emily Jay making such a request on behalf of a male member seeking flexible work arrangements. The UFU responded to this correspondence via email to the Director of the MFBs Human Resources Department agreeing to such request on 22 March 2016. I understand the employee was accommodated as requested. Now produced and shown to me and marked BA-6 is a copy of the letter from the MFB and the UFU’s email response.

CONSULTATIVE PROCESS

78. As a member of the UFU BCOM I have sat on the consultative committee as a UFU representative. I have also sat in various other MFB UFU consultative forums such as subcommittees and interoperability committees along with the CFA as both a UFU representative and an MFB management representative. I therefore have a good working knowledge of those committees and the consultative process. The role of the representatives on those committees is to represent the whole operational workforce be they management representatives or UFU representatives.

79. There is no restriction mandated in the 2016 Agreement that excludes non-union members from participating in that process either as either management representatives or union representatives. This has in fact occurred in the past where non-union members have been selected, and I believe in the CFA there has been an occasion where a non-union member represented the UFU in one of those committees. In the MFB we currently have a retired firefighter representing the UFU in one committee.

80. The consultative process is in my view a collaborative process which allows key stakeholders and in particular subject matter experts and the leaders of those stakeholder grounds to come together cooperatively to the benefit of the MFB and the fire services in Victoria.

81. For example, I have recently participated in the joint MFB, CFA UFU Committee for Firefighter Training which is working to align training content and delivery across the MFB and CFA. Through a collaborative process of all representatives we have to date aligned the agencies to deliver one recruit firefighter course and one continuation program. Delivery in this method delivers better safety outcomes for the Victorian public and creates efficiencies in the MFB and CFA working jointly on projects.

Brendan Angwin

Dated: 15 August 2018