



## Senate Education and Employment Legislation Committee

### Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016

#### Victorian Farmers Federation Submission

THE VFF represents 10,000 farmers, operating 6000 rural businesses. We are the major contributors to Victoria's food & fibre sector – delivering \$12 billion in exports annually and employing 154,000 people on farms, in the agricultural supply chain and food processing sectors.

Victoria is home to 25 per cent of the nation's farms. They attract neither government export subsidies nor tariff support. Despite farming on only three per cent of Australia's available agricultural land, Victorians produce 30 per cent of the nation's agricultural produce. The VFF represents the interests of our state's dairy, livestock, grains, horticulture, flowers, chicken meat, pigs and egg producers.



**David Jochinke,**

**VFF President**

**Please note: Queries in regard to the VFF's submission should be directed to VFF Chief Executive Graeme Ford on**

## VFF position on CFA-UFU Draft Enterprise Agreement

The VFF has been strongly opposed to the CFA-UFU Enterprise Agreement (EA) since draft copies were released in April by the CFA, Volunteer Fire Brigades Victoria (VFBV) and UFU – on its own website.

It is clear that while the CFA consists of 60,000 volunteers, the State Government has been willing to use the EA to give the UFU, which currently represents the CFA's 600 career firefighters, enormous control over CFA resourcing, staffing, adoption and allocation of firefighting vehicles and even changes to the Volunteer Support Program.

VFF members, many of whom are active CFA volunteers, are concerned:

- The EA restricts the CFA CEO, Chief Officer and board from exercising their right to recruit, direct and allocate resources and staff to where they are needed (The EA currently states the CFA must employ another 509 career firefighters by June 30, 2019).
- The EA forces the CFA to gain UFU approval to employ casual and part-time staff, allocate resources and appliances. As it stands the CFA must gain union approval (on a case-by-case basis) before any casual or part-time staff can be employed, which acts as a major barrier to women working as paid CFA firefighters
- The EA imposes enormous additional costs on the CFA, well beyond the cost of recruiting and training an additional 509 career firefighters. The VFF has repeatedly called for an independent assessment of the EA, which not only considers the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing and new UFU career firefighters.
- The EA will lead to a dramatic rise in the Fire Services Property Levy that every country Victorian pays on their rates bills to fund the CFA. The Victorian Government keeps claiming it will cover the EA's costs, which it estimates at \$160 million over the next four years. The VFF is concerned that doubling the CFA's career firefighter numbers from about 600 currently to more than 1000, as required under the EA, will lead to a massive blowout in the CFA's costs – current budget is just over \$500 million.

## VFF Petition Opposes CFA-UFU Draft Enterprise Agreement

On June 2, the VFF launched a petition that called on the State Government and CFA to stand their ground and not sign the draft 2015 EA with the UFU until:

- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
- The full impact of the draft agreement on the Fire Services Property Levies that Victorian farmers, households and businesses pay to fund the CFA is independently assessed and made public. This assessment must cover the period up until at least June 30, 2019.
- All clauses are removed from the agreement that restrict the CFA Chief Officer and board from exercising their right to recruit, direct and allocate staff to where they are needed. (The draft agreement currently states the CFA must employ another 509 career firefighters by June 30, 2019).
- All clauses are removed from the agreement that force the CFA to gain UFU approval to employ casual and part-time staff, allocate resources and appliances. As it stands the CFA must gain union approval (on a case-by-case basis) before any casual or part-time staff can be employed, which acts as a major barrier to women working as paid CFA firefighters.

**(1477 VFF members signed the petition, many of whom are CFA volunteers)**

## Impact of CFA-UFU Draft Enterprise Agreement on the operation and effectiveness of the 60,000-volunteer member organisation

The VFF supports the Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016, given it protects: *“emergency service bodies and their volunteers by providing that an enterprise agreement cannot include terms that undermine the capacity of volunteer emergency services bodies to properly manage their volunteer operations, or terms that are inconsistent with State or Territory laws that regulate such bodies”*.

As it stands the CFA-UFU EA forces the CFA into accepting a raft of clauses on recruitment and resourcing that cannot be amended without union consent.

These clauses are inconsistent with the Victorian CFA Act, given:

### **The CFA ACT states:**

(27) The Chief Officer to have control of all brigades etc.

1. Subject to the general powers and directions of the Authority every brigade or group of brigades and all officers and members of brigades or group of brigades shall be under the order and control of the Chief Officer.
2. The Chief Officer may—
  - a) classify a brigade based on its risk profile; and
  - b) designate the area of operation of a brigade.

### **The CFA Act also states:**

(29) General powers and duties of Chief Officer:

Within the country area of Victoria the Chief Officer shall in addition to such other duties as the Authority determines carry out the duties and exercise the powers following (that is to say):

- (c) He shall at all times have the charge and control of all apparatus and other property of the Authority and shall cause the same to be kept in a fit state at all times for efficient service;

## CFA-UFU Draft Enterprise Agreement is inconsistent with the CFA Act

Clause after clause of the EA states the CFA cannot deploy staff, resources, new trucks and other appliances or make policy changes without ‘Clause 21 referral’ to a Consultation Committee, made up of: *“equal numbers of employer and employee representatives appointed by the employer and UFU respectively”*.

All “Clause 21 referrals” require the Consultative Committee to reach consensus for any change to go ahead. If agreement can’t be reached the matter is referred to the Fair Work Commission.

**Clause 21.5.5 states:** *“No proposal for change arising from this agreement shall be implemented without referral to the Consultative Committee”*.

### **CFA cannot change Volunteer Support Programs/Officers without Union approval**

**Clause 16.1 states:** *“Given the agreed impact of such programs and roles on persons covered by this Agreement, the parties have agreed that the CFA will consult and reach agreement with the UFU under clause 21 on the structure of any Volunteer Support Programs impacting on employees and/or any implementation of Volunteer Support Officers (or person(s) engaged in any similar classification or position howsoever named) impacting on employees, prior to any such decision or implementation”*.

## STAFFING & RECRUITS

### Unable to deploy recruit without UFU agreement

**Clause 45.21.8 (Further Additional Staffing) states:** *“At the conclusion of each recruit training course or as otherwise agreed between the CFA and the UFU, the CFA will deploy all qualified recruit firefighters in the manner determined following consultation in accordance with clause 21 Consultation”.*

### Unable to create new positions without Union approval

**Clause 45.21.9 states:** *“Consultation on the creation of any new positions and the deployment of personnel into positions shall occur in accordance with clause 21 Consultation”.*

### Must employ 509 career firefighters by June 2019

**Clause 45.21.2 states:** *“The CFA will establish 509 additional career firefighter positions in accordance with the minimum staffing set out in the Charts in Schedule 1 as applicable from time to time. The CFA will deploy an additional 509 career firefighters into these substantive established positions between the date this agreement commences and 30 June 2019”.*

### Must have 7 career firefighters on the fireground before commencement at integrated stations

**Clause 45.13 states:** *“The CFA will meet its duty of care by ensuring, where applicable, that seven firefighters are dispatched to fireground incidents in accordance with clause 83.5 before commencement of safe firefighting operations.”*

**Note Clause 83.5 states:** *Consistent with the increases in staffing provided in this Agreement, the CFA will conduct an extensive range of preventative and preparedness programs and meet its duty of care by ensuring a minimum of seven professional firefighters to fireground incidents are dispatched before commencement of safe firefighting operations. This requirement applies to integrated stations in Districts 2, 7, 8, 13, 14, 15 and 27. Consistent with the increases in staffing provided for in this Agreement, CFA will also ensure that there is a minimum of seven professional firefighters to fireground incidents that professional firefighters are dispatched to before commencement of safe firefighting operations for the following integrated stations being Shepparton and Mildura professional firefighters by no later than 1 January 2017 and Warrnambool professional firefighters by no later than 1 January 2018”.*

What happens beyond this point? – More integrated stations 34 Now – extra 509 Career firefighters.

### NO cross-crewing

**Clause 45.15 states:** *“There will be no cross crewing of any appliance unless otherwise agreed by the parties”.*

### Cannot employ part-time or casual staff without Union approval on Case-by-case basis

**Clause 165.3.1 states:** *“The CFA will not employ an employee on a part-time or casual basis, and no employee may hold a position on such a basis, unless in each case there is agreement between all parties on a case by case basis (agreement is required for each employee)”.*

### CFA CANNOT make an employee redundant

**Clause 45.18 states:** *“The CFA will not make any employee redundant, either by targeted or voluntary redundancy”.*

## NEW EQUIPMENT & APPLIANCES

### No new appliances introduced without Union approval

**Clause 90.12 states:** *“Any new appliance proposed to be introduced into the CFA will only be introduced via the consultation clause in accordance with clause”.*

**Clause 21 states:** “No introduction will occur otherwise. Consultation will be on all aspects including but not limited to the design and specification, infrastructure, staffing levels and conditions, training and allowances related to the appliance”.

**Clause 90.13 states:** “For the avoidance of doubt, prior to the development / building or tendering of the appliance/s consultation will occur and CFA will reach agreement via clause 21 of this agreement on:

**Clause 90.13.1 states:** “Design and specifications of the appliance;

**Clause 90.13.2 states:** “Infrastructure to house the appliance and staffing levels within a fire station;

**Clause 90.13.3 states:** “Safe Staffing to crew and operate the appliance;

**Clause 90.13.4 states:** “Training package required to operate the appliance and end equipment stowed;

**Clause 90.13.5 states:** “Allowances to be qualified to operate the appliance and end equipment stowed;

**Clause 90.14 states:** “UFU will inspect appliance/s at least three stages during the build and on completion or at any change in a Manufacturer or at the completion of a run of appliances”.

**Clause 90.15 states:** “For the avoidance of doubt, this clause will also apply to any refurbishment or rebuild of an appliance/s”.

## The CFA-UFU Draft Enterprise Agreement will add to the cost of running the CFA, risking a blow out in the CFA Budget and a hike in the FSPL

### The CFA faces enormous costs in recruiting an additional 509 career firefighters.

The VFF understands the State Government is funding the base salaries of these career CFA firefighters. However the CFA faces increased costs which range from station upgrades, training, allowances, penalty rates as well as equipment and appliance upgrades.

The EA also delivers automatic annual upgrades that in turn increase the cost of career firefighters.

### Pay increases

**Clause 96.1 states:** All employees covered by the terms of this agreement shall receive the following increase in wages. Such increase shall be paid in the following steps:

- 1 November 2015: 5% increase
- 1 May 2016: 5% increase
- 1 November 2016: 1.5% increase
- 1 May 2017: 1.5% increase
- 1 May 2018: 3% increase
- 1 May 2019: 3% increase

These pay increases compound to deliver a 19 per cent pay rise by May 2019 (in three years' time).

**Clause 99.13.1 states:** “All employees shall be reimbursed their driving licence fee”.

**Clause 99.15.4 states:** “After Hours Disturbance Allowance:

(a) Employees will not be contacted by the employer whilst on annual, long service, personal or accrued leave, other than in exceptional circumstances as agreed between the UFU and CFA.

(b) Any employee who is contacted about any work related matter by a CFA employee, representative or volunteer at a time not specified in sub clause (a) above but when they are not being paid to be at or available to work or who is required to contact someone else about any work related matter at a time when the employee is not being paid to be at or available to work, shall be paid by the CFA an after hours disturbance allowance of an amount equivalent to:

—126—

- (i) A minimum of one hours' pay at ordinary rates for each discrete contact (anything in excess of one hour shall be paid at double time).

## Change of Residence

**Clause 99.18.1 states:** *“Any employee, other than a Protective Equipment Section employee, who is permanently promoted, transferred or ordered from one location to another shall be reimbursed: \_ (e) the actual cost of stamp duty paid on purchase of a residence or land for their own permanent occupation within 4 years of their promotion, transfer or order of transfer taking effect, provided satisfactory evidence of the transaction is provided to the employer”.*

## Gym/Fitness Club Membership

**Clause 99.28.1 states:** *“Where a gym facility is not provided by the CFA, the CFA will pay each employee’s membership fees for a gym/fitness club of the employee’s choice”.*

## OVERTIME RATES

**Clause 186.1.1 states:** *“All time worked Monday to Saturday in excess of the daily or weekly ordinary hours of work will be paid for at the rate of double time”.*

## Conclusion

The draft EA between the UFU and CFA is a document which threatens the long standing relationship between the Victorian community and the CFA.

The CFA, which is predominantly composed of volunteers supported by dedicated paid employees, is at the heart of the rural response to Victoria’s bushfires. It is also the organisation which, in rural areas, does the Road Rescue, the cliff rescue in some areas, and gives advice to new residents to rural areas.

Along with the school and the football/netball club, the CFA is central to small rural towns. Even when a town does not have a shop, it has a CFA shed and brigade.

The draft EA undermines all this by dis-respecting the volunteers and their families by saying that ‘paid firefighters’ do not take orders from volunteers and that 7 ‘paid firefighters’ have to be present before firefighting can start as otherwise the fireground is not safe (‘safe staffing’). There is no proof given that being paid makes one firefighter better than one who is a volunteer.

The detail of the EA not only gives the UFU enormous control over CFA resourcing, staffing, adoption and allocation of firefighting vehicles, but it forces the CFA to break the law of the State of Victoria.

This is wrong. It should not be allowed but currently the Fair Work Act does not give the Commission the powers to take into account jurisdictional law. The proposed Bill corrects this lack of power and is supported by VFF.

**VFF Media Releases on CFA-UFU Enterprise Agreement are in Appendix A**

Friday 22 April 2016

## Government must value CFA volunteers ahead of union

The Victorian Farmers Federation is urging the State Government not to sign off on a multimillion pay deal with the United Firefighters Union (UFU) that would lead to massive hikes in the Fire Services Property Levy (FSPL) for farmers, businesses and households.

“It makes no sense to sign off on this UFU deal,” VFF President Peter Tuohey said. “Farmers, businesses, all Victorians can’t afford to pay for the excesses of the union’s demands.”

Mr Tuohey said it was the Fire Services Property Levy, paid by every Victorian household, that funded most of the CFA’s budget.

“I’d urge Premier Daniel Andrews and Emergency Services Minister Jane Garrett to remain opposed to the union deal.”

Volunteer Fire Brigades Victoria (VFBV), which represents CFA volunteers, says the deal would give the union much greater powers over CFA resources and decision making.

The VFBV and VFF are concerned at recent media reports that the union is demanding seven paid career firefighters must be on every fire-ground as part of the deal.

“The VFF is concerned the union deal risks sidelining and undermining volunteers,” Mr Tuohey said.

“Volunteers are out there putting in their time, heart and soul, checking over stations and trucks each week, attending road accidents and fighting bushfires,” Mr Tuohey said. “It would be demoralising for everyone if the union gained greater powers over CFA resourcing, given it’s a volunteer organisation.

“Given the majority of the state’s farmers are CFA volunteers, I’d like to remind everyone that it’s volunteers who deliver the surge capacity needed to fight the state’s major fires - such as Black Saturday.

“The Victorian Government has an obligation to stand up to the unions to ensure we don’t have to pay the cost of their outrageous demands.”

The VFF is also urging farmer CFA volunteers to back a Volunteer Fire Brigades Victoria (VFBV) rally in Melbourne tomorrow.

The VFBV is urging CFA volunteers to form a motorcade of fire vehicles that will travel through the streets of Melbourne tomorrow (Saturday April 23) at 12.00 noon. The motorcade will travel around the eastern part of the city past the steps of Parliament House.

VFBV chief executive officer Andrew Ford said VFF members were welcome to join the motorcade.

**Any farmers who wish to support the campaign should ring Volunteer Fire Brigades Victoria on 9802-0501 or 9886-1141.**

### Media contacts:

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Wednesday 1 June, 2016

## **Union must back down or risk rural revolt – say CFA farmer volunteers**

VICTORIAN farmers are calling on the United Firefighters Union (UFU) to back down in its bid to take control of the CFA or risk a rural revolt.

“The Union’s absurd demands risk seeing 60,000 volunteers walk away from the CFA,” Victorian Farmers Federation President Peter Tuohey said.

The draft Enterprise Agreement, which was uploaded onto the UFU’s website, is littered with clauses and schedules that give the union power of veto over CFA resourcing and staffing.

Clause 45.21.2. of the Agreement states: “The CFA will deploy an additional 509 career firefighters into these substantive established positions between the date this agreement commences and 30 June 2019”.

Schedule 1 of the Agreement directs the CFA on which stations the recruits will work in, what appliances will be made available and how they are to be deployed. The CFA will not even be able to employ casual or part-time staff without union consent on a case by case basis.

“If this draft Enterprise Agreement goes through the CFA’s own Chief Officer won’t have control of his own resources, as outlined in the CFA Act,” Mr Tuohey said.

“Volunteers, many of whom are our farmer members, won’t tolerate the union taking control of the CFA.”

Mr Tuohey said the other big concern for country Victorians, was that the draft union agreement would lead to a massive hike in the Fire Services Property Levy (FSPL) that all country Victorian households and businesses paid to fund the CFA.

“The cost of running the CFA will skyrocket and so will our FSPL rates, if this union deal goes ahead,” Mr Tuohey said.

“We need the Department of Treasury and Finance to do a full cost analysis of this draft agreement,” Mr Tuohey said. “All we’ve heard so far is estimates that the CFA’s budget will jump from the current \$500 million to anywhere between \$690m to \$1.2 billion.”

“I think we need an analysis that includes all the costs of the Agreement, given all country Victorians will have to foot the bill.”

The VFF is calling for an analysis that includes the impacts of:

- A 19 per cent increase in the raft of allowances paid to career firefighters, including an annual \$1538 field allowance, \$1021.50 Language Allowance, and even an after-hours disturbance allowance of one hours’ pay if contacted by the CFA.
- Base salary plus penalty increases.
- The creation of new firefighter grades, with automatic upgrades and pay increases.
- The cost of new facilities and upgrades that must occur to accommodate more career firefighters.

### **Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

**Monday 6 June, 2016**

## **Save our CFA – Sign the petition now!**

The VFF is calling on all concerned Victorians to put their names to a petition calling on the State Government and CFA to stand their ground and not sign the draft 2015 Enterprise Agreement (EA) with the United Firefighters Union (UFU) in its current form.

The Union's absurd demands risk seeing 60,000 volunteers walk away from the CFA and would lead to a massive blowout in the Fire Services Property Levy (FSPL) that all farmers, country households and businesses pay on their rates bills.

The draft Enterprise Agreement (available here) is littered with clauses and schedules that give the union power of veto over CFA resourcing and staffing.

The VFF is calling on all concerned Victorians to sign the petition, which pledges to call on the State Government and CFA to stand their ground and not sign the draft 2015 Enterprise Agreement (EA) with the United Firefighters Union (UFU) until:

- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
- The full impact of the draft agreement on the Fire Services Property Levies that Victorian farmers, households and businesses pay to fund the CFA is independently assessed and made public. This assessment must cover the period up until at least June 30, 2019.
- All clauses are removed from the agreement that restrict the CFA Chief Officer and board from exercising their right to recruit, direct and allocate staff to where they are needed. (The draft agreement currently states the CFA must employ another 509 career firefighters by June 30, 2019).
- All clauses are removed from the agreement that force the CFA to gain UFU approval to employ casual and part-time staff, allocate resources and appliances. As it stands the CFA must gain union approval (on a case-by-case basis) before any casual or part-time staff can be employed, which acts as a major barrier to women working as paid CFA firefighters.

The VFF Save Our CFA petition can be found here: <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

### **Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

### **CFA members:**

David Jochinke, volunteer fire fighter and VFF Vice President:

Wednesday 8 June, 2016

## Put CFA volunteers first says VFF petition

MONDAY'S emergency Cabinet meeting has done little to quell concerns around the future of the CFA, with a VFF online petition calling on the State Government not to sign away control of the volunteer organisation to the United Firefighters Union.

"Country Victoria relies on the CFA, so the Government needs to stand up to the union," VFF President Peter Tuohey said.

"Given the majority of the state's farmers are volunteer firefighters, it's not surprising that we've seen an outpouring of support for the CFA.

"It's volunteers who deliver the surge capacity needed to fight the state's major fires - such as Ash Wednesday and Black Saturday."

Premier Daniel Andrews this week announced that negotiations would continue on the Enterprise Agreement (EA) with the Union.

"The VFF is glad to see the Premier and his Cabinet are holding their ground and not caving into the union's absurd demands," Mr Tuohey said.

"We've already seen the CFA Board reject the Enterprise Agreement with the Union – and for good reason!

"The Enterprise Agreement is littered with clauses and schedules that give the union power of veto over CFA resourcing and staffing."

The Union's absurd demands risk seeing 60,000 volunteers walk away from the CFA and would lead to a massive blowout in the Fire Services Property Levy (FSPL) that all farmers, country households and businesses pay on their rates bills.

"The cost of running the CFA will skyrocket and so will our FSPL rates, if this union deal goes ahead," Mr Tuohey said. "The EA states the CFA must employ another 509 career firefighters by June 30, 2019.

"We need the Department of Treasury and Finance to do a full cost analysis of this draft agreement. All we've heard so far is estimates that the CFA's budget will jump from the current \$500 million to anywhere between \$690m to \$1.2 billion.

"I think we need an analysis that includes all the costs of the Agreement, given all country Victorians will have to foot the bill."

The petition calls on the State Government and CFA to stand their ground and not sign the draft 2015 Enterprise Agreement (EA) with the United Firefighters Union (UFU) until:

- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
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The VFF is calling on all concerned Victorians to sign the petition, which will remain open until the dispute is resolved and can be found here: <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

**Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Friday 10 June, 2016

## VFF praises Garrett for standing up for CFA

VICTORIAN farmers have applauded former Emergency Services Minister Jane Garrett for putting her principles ahead of her political career and refusing to sign away control of the CFA to the United Firefighters Union.

“I’m sure all Victorian farmers would join me in congratulating Ms Garrett on refusing to sign a deal with the unions that risks seeing 60,000 volunteers walk away from the CFA,” VFF President Peter Tuohey said.

“The VFF is bitterly disappointed that Ms Garrett was forced to resign. The Premier and his colleagues risk eroding all the good work they’ve done in country Victoria if they side with the union and sign this deal with the unions.

“I’m calling on the Premier to do the right thing by volunteer firefighters and not sign the Enterprise Agreement in its current form.”

The VFF has launched a petition that calls on the State Government and CFA to stand their ground and not sign the draft 2015 Enterprise Agreement (EA) with the United Firefighters Union (UFU) until:

- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
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### Media Contacts:

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Tuesday 14 June, 2016

## VFF backs CFA volunteers' campaign – donate now!

VICTORIA'S peak farmer lobby group has backed volunteers' campaign to block the State Government ramming through a deal with the Unions that is unfair, costly and discriminatory.

Almost a thousand VFF members have already put their names to an online petition calling on the government and CFA not to sign the new Enterprise Agreement with the United Firefighters Union.

"The VFF is now throwing its support behind Volunteer Fire Brigades Victoria's legal challenge to the union deal," VFF President Peter Tuohey said.

"Ultimately a few dollars donated now could save us all thousands of dollars in higher Fire Services Property Levies to cover this union deal in years to come."

### Donations to the Save Our CFA fund can be made:

- **Directly via Account Name: VFF, BSB: 033-605, Account Number 373978. (Please reference your Surname followed by your Initials)**
- **Or send credit card details (including Name, Card Type, Number, expiry date and CSV code on back of card) to [saveourcfa@vff.org.au](mailto:saveourcfa@vff.org.au)**

Funds raised will help cover the legal costs incurred by VFBV, provide community education around the impacts of the union deal, and assist in organising a campaign to oppose the deal.

The VFF is calling for an immediate freeze on implementation of the Enterprise Agreement, re-negotiation and removal of clauses that give the union the power to restrict the CFA from controlling its own resources and staffing, plus reinstatement of the CFA Board.

The VFF is also calling on the Government to sit down with VFBV to renegotiate clauses of the agreement that restrict the CFA from controlling its own resources.

Mr Tuohey said VFF members were angered by the State Government's decision to put the interests of 500-odd CFA career firefighters, who are members of the union, ahead of 60,000 volunteers.

Premier Daniel Andrews has seriously damaged his reputation with country Victorians after agreeing to push through this deal with the UFU.

"Not only has the Premier sacrificed his Emergency Services Minister and the CFA board, he's sacrificed his credibility among country Victorians and their 60,000 CFA volunteers," Mr Tuohey said.

"It's a sad day when the Premier puts a union with just 500-odd members in the CFA ahead of 60,000 volunteers.

"Farmers had gained enormous respect for the Premier, since he came to power in November 2014, given his Government's investment in rural Victoria and support during the drought and recent dairy crisis.

"But I can tell now farmer CFA volunteers feel like the Premier and his team have abandoned them in a bid to cut a deal with the unions.

"We're already hearing of people wanting to quit the CFA and others wanting to boycott payment of the Fire Services Property Levy that funds it."

We've had comments like:

*“It is with deep regret that I request that you hand back my CFA Sixty Service Years Medal to the Premier and the Victorian Government. I do this to show distress at the manner in which CFA volunteers have been treated in the current negotiations, and concern that a formerly good relationships between volunteers and local permanent officers have been damaged.” –Moyhu Brigade Member letter to local MP*

*“I feel the CFA members are one of the greatest groups that unite people to protect and look after each other. Now the big brother Union wants to break up the unit and community spirit purely for their own greed. How very un-Australian” – Respondent to VFF survey*

***In response to the resignation of Former Emergency Services Minister Jane Garrett:*** *“Typical of what happens when rural Victoria gets a minister we get on with.”*

- The VFF has launched a petition that calls on the State Government and CFA not to rubber stamp the 2015 EA with the UFU until:
- All clauses are removed from the agreement that restrict the CFA Chief Officer and board from exercising their right to recruit, direct and allocate staff to where they are needed. (The draft agreement currently states the CFA must employ another 509 career firefighters by June 30, 2019).
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- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
- The full impact of the draft agreement on the Fire Services Property Levies that Victorian farmers, households and businesses pay to fund the CFA is independently assessed and made public. This assessment must cover the period up until at least June 30, 2019.

The VFF is calling on all concerned Victorians to sign the petition, which will remain open until the dispute is resolved – <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

**Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Thursday 16 June, 2016

## State Government must give CFA volunteers access to latest union deal

VICTORIAN farmers are calling on the State Government to make the latest version of the controversial Enterprise Agreement with the United Firefighters Union available to the state's 60,000 volunteers.

"So far it's taken legal action by Volunteer Fire Brigades Victoria to get the State Government to even discuss the union deal with volunteers," Victorian Farmers Federation President Peter Tuohey said.

Yet, Part 1 6G (c) of the CFA Act: *"requires that the Government of Victoria and the Authority commit to consulting with Volunteer Fire Brigades Victoria Incorporated on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them"*.

The State Government has been telling the VFF and media that it's redrafted the Enterprise Agreement to ensure the CFA chief officer has control of staffing and resources.

"Yet neither the VFF nor Volunteer Fire Brigades Victoria, which represents the state's 60,000 volunteers, have not seen this latest version of the Agreement," Mr Tuohey said.

"All we've seen is what's referred to as Version 2 of the Enterprise Agreement. It's the same version the former CFA Board had in hand until it was sacked by the State Government last week."

A copy of Version 2 can be found at the following link: <http://www.vff.org.au/submissions>

Version 2 of the Enterprise Agreement includes numerous clauses that force the CFA chief officer to seek union approval before changing station staffing (Schedule 1), volunteer support programs (Clause 16), introducing new technology (Clause 25.1) and employing casual or part-time staff (on a case-by-case basis)."

Under Version 2 of Enterprise Agreement the CFA chief officer can't even deploy recruits without union approval. Clause 45.21.8 (**Further Additional Staffing**) states: *"At the conclusion of each recruit training course or as otherwise agreed between the CFA and the UFU, the CFA will deploy all qualified recruit firefighters in the manner determined following consultation in accordance with clause 21 Consultation"*.

Clause after clause of the Enterprise Agreement state the CFA cannot deploy staff, resources, new trucks and other appliances or make policy changes without 'clause 21 referral' to a Consultation Committee, made up of: *"equal numbers of employer and employee representatives appointed by the employer and UFU respectively"*.

All "Clause 21 referrals" require the Consultative Committee to reach consensus for any change to go ahead. If agreement can't be reached the matter is referred to the Fair Work Commission.

Mr Tuohey said the State Government needed to prove its worth by producing a redrafted version of the Enterprise Agreement with the United Firefighters Union that showed these Clause 21 provisions and Dispute Panel Provisions have been removed.

"The union cannot be allowed to override the powers of the CFA Chief Officer, which are clearly defined in the CFA Act," he said.

The VFF is also calling for a fully independent analysis on the impacts of the Union deal on the CFA's Budget over the next four years, given most of its funding comes from the Fire Services Property Levy that everyone, from outer-Melbourne to remote regions of country Victoria, pay on their rates' bills.

The VFF is also running a petition and calling for donations to support the Volunteer Fire Brigades Campaign to keep control of the CFA in volunteers' hands and prevent a blow-out in the CFA's budget.

The VFF has launched a petition that calls on the State Government and CFA to stand their ground and not sign the draft 2015 EA with the UFU until:

- The full cost of the draft Agreement to the CFA and State Government has been independently assessed and made public. This assessment must not only consider the impacts of additional staffing and wage increases, but also the cost of increased allowances, penalties and resources needed to employ existing UFU members, plus 509 additional paid firefighters.
- The full impact of the draft agreement on the Fire Services Property Levies that Victorian farmers, households and businesses pay to fund the CFA is independently assessed and made public. This assessment must cover the period up until at least June 30, 2019.
- All clauses are removed from the agreement that restrict the CFA Chief Officer and board from exercising their right to recruit, direct and allocate staff to where they are needed. (The draft agreement currently states the CFA must employ another 509 career firefighters by June 30, 2019).
- All clauses are removed from the agreement that force the CFA to gain UFU approval to employ casual and part-time staff, allocate resources and appliances. As it stands the CFA must gain union approval (on a case-by-case basis) before any casual or part-time staff can be employed, which acts as a major barrier to women working as paid CFA firefighters.

The VFF is calling on all concerned Victorians to sign the petition, which will remain open until the dispute is resolved – <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

The VFF is now throwing its support behind Volunteer Fire Brigades Victoria's legal challenge to the union deal.

Funds raised will help cover the legal costs incurred by VFBV, provide community education around the impacts of the union deal, and assist in organising the campaign to oppose the deal.

**Donations to the Save Our CFA fund can be made:**

- **Directly via Account Name: *VFF, BSB: 033-605, Account Number 373978. (Please reference your Surname followed by your Initials)***
- **Or send credit card details (including Name, Card Type, Number, expiry date and CSV code on back of card) to [saveourcfa@vff.org.au](mailto:saveourcfa@vff.org.au)**

**Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Tuesday 21 June, 2016

## State Government promises consultation over CFA deal

THE Victorian Farmers Federation has secured a commitment from the Andrews Government that it will fully consult the state's 60,000 CFA volunteers on the impact of the controversial Enterprise Agreement with the United Firefighters Union.

In a meeting between VFF President Peter Tuohey and Deputy Premier and Emergency Services Minister James Merlino yesterday, Mr Merlino promised he would not rush through the union deal and would fully consult Volunteer Fire Brigades Victoria.

Yet, Part 1 6G (c) of the CFA Act *“requires that the Government of Victoria and the Authority commit to consulting with Volunteer Fire Brigades Victoria Incorporated on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them”*.

“We have sent a strong message to Mr Merlino that volunteer firefighters need to be supported and treated with respect,” Mr Tuohey said.

“Volunteers have a vital role to play in communities where there aren't any professional fire stations, and they need to know that they haven't been hung out to dry in favour of a union with 500-odd members.

“Nobody knows the full truth about this EA, and it's time for the Government to sit down with all the stakeholders and spell out exactly how the Agreement will affect them.”

Mr Tuohey said VFF members, most of whom are CFA volunteers, were outraged at the way the dispute had been handled, culminating in the sacking of the CFA board and resignations of Emergency Services Minister Jane Garrett and CFA CEO Lucinda Nolan.

“This Government developed a lot of respect among country Victorians because it supported us during drought and the recent dairy crisis, but all that goodwill has vanished with the way this dispute has been handled,” Mr Tuohey said.

“There needs to be serious bridge-building between this Government and regional Victoria; Premier Andrews needs to prove that he won't railroad volunteer firefighters, because that's how they feel the CFA board, Jane Garrett, and Lucinda Nolan were all treated.”

The VFF will keep supporting volunteers during the dispute, and the organisation will remain part of the consultation process.

The VFF is also running a petition and calling for donations to support the Volunteer Fire Brigades Campaign to keep control of the CFA in volunteers' hands and prevent a blow-out in the CFA's budget.

The farmer organisation is calling on all concerned Victorians to sign the petition and make donations to the volunteers' campaign, which will remain open until the dispute is resolved.

The petition can be found here: <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

Donations will be used to help cover the legal costs incurred by VFBV and provide community education around the impacts of the deal, and can be made:

- **Directly via Account Name: VFF, BSB: 033-605, Account Number 373978. (Please reference your Surname followed by your Initials)**
- **Or send credit card details (including Name, Card Type, Number, expiry date and CSV code on back of card) to [saveourcfa@vff.org.au](mailto:saveourcfa@vff.org.au)**

**Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Thursday 30 June, 2016

## VFF fears for volunteers as Government completes clean sweep of CFA

VICTORIAN farmers are appalled by the State Government's clean sweep of opposition to the controversial Country Fire Authority Enterprise Agreement, with the resignation today of CFA Chief Fire Officer Joe Buffone.

Mr Buffone quit his post over fears endorsing the deal with the militant United Firefighters Union would be a breach of his legislated duties.

"We have seen a disgusting display of brute force from the State Government in trying to ram this agreement through," Victorian Farmers Federation President Peter Tuohey said.

"The Government is bulldozing its way through thousands of loyal CFA volunteers to satisfy the absurd demands of a few hundred unionists!"

Mr Buffone is the latest opponent to the union deal to fall on his sword, following the resignations of Emergency Services Minister Jane Garrett and CFA CEO Lucinda Nolan, and the sacking of the entire CFA board.

Mr Tuohey said VFF members were angered by the State Government's decision to put the interests of 500-odd CFA career firefighters, who are members of the union, ahead of 60,000 volunteers.

"The most disappointing thing is that Premier Daniel Andrews and his Government have done well to connect and build trust with country Victoria over the last eighteen months," Mr Tuohey said.

"But this dispute is out of control and all that trust, the goodwill, has just evaporated; the Premier's reputation in rural communities is seriously damaged."

The VFF is running a petition that calls on the CFA to stand its ground. All concerned Victorians are encouraged to sign the petition, which will remain open until the dispute is resolved – <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

The VFF has also thrown its support behind Volunteer Fire Brigades Victoria's legal challenge to the union deal.

Funds raised will help cover the legal costs incurred by VFBV, provide community education around the impacts of the union deal, and assist in organising the campaign to oppose the deal.

### Donations to the Save Our CFA fund can be made:

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- **Or send credit card details (including Name, Card Type, Number, expiry date and CSV code on back of card) to [saveoureca@vff.org.au](mailto:saveoureca@vff.org.au)**

### Media Contacts:

Peter Tuohey, VFF President:

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Friday 1 July, 2016

## VFF backs Federal Coalition's CFA plan

VICTORIA'S peak farmer group has backed the Federal Coalition's commitment to prevent the United Firefighters Union from seizing control of the CFA.

Minister for Employment Michaelia Cash has promised the Coalition would expand the range of "objectionable terms" within the Fair Work Act to ensure any union agreement could not contain clauses that override the legal rights of the CFA chief officer and volunteers.

VFF President Peter Tuohey said it was disappointing that the Federal Labor Party had remained silent on the issue.

"This is an issue that has a huge impact on our rural communities and will be front of mind for many people at tomorrow's election," Mr Tuohey said.

"The Fair Work Act needs a serious overhaul so that it can't override the CFA Act. We need to make sure it's the CFA chief officer controlling the CFA, not the United Firefighters Union (UFU).

"As it stand the Victorian Labor Government has brokered an enterprise agreement with the union that overrides the volunteer charter and CFA Chief Officers rights to manager brigades, staffing, appliances introduce new technology and allocate resources where they're most needed."

Part 1 6G (c) of the CFA Act "*requires that the Government of Victoria and the Authority commit to consulting with Volunteer Fire Brigades Victoria Incorporated on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them*".

Clauses 27-29 of the CFA Act outline the powers and duties of the Chief Officer, including that "*every brigade or group of brigades and all officers and members of brigades or group of brigades shall be under the order and control of the Chief Officer*".

Yet clause after clause of the UFU Enterprise Agreement state the CFA cannot deploy staff, resources, new trucks and other appliances or make policy changes without 'clause 21 referral' to a Consultation Committee, made up of: "*equal numbers of employer and employee representatives appointed by the employer and UFU respectively*". Unless agreement can be reached the CFA Chief Officer cannot act.

Frustration over this issue boiled over yesterday with CFA Chief Officer Joe Buffone sensationally quitting because he felt his: "ability to effectively carry out his role was compromised by the industrial agreement".

Mr Buffone said the agreement would "tie the hands of those who are obliged by law to protect the safety of Victorians".

The VFF is running a petition and calling for donations to support the Volunteer Fire Brigades Campaign to keep control of the CFA in volunteers' hands.

The farmer organisation is calling on all concerned Victorians to sign the petition and make donations to the volunteers' campaign, which will remain open until the dispute is resolved.

The petition can be found here: <http://us4.campaign-archive1.com/?u=5381a2f70092cc72dd15e5fdd&id=d6210e1256>

Donations will be used to help cover the legal costs incurred by VFBV and provide community education around the impacts of the deal, and can be made:

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- **Or send credit card details (including Name, Card Type, Number, expiry date and CSV code on back of card) to [saveourcfa@vff.org.au](mailto:saveourcfa@vff.org.au)**

**Media Contacts:**

Peter Tuohey, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Tuesday 9 August 2016

## Cap CFA fire levy, say farmers

VICTORIAN farmers are calling for a “fair go” cap on the Fire Services Property Levy (FSPL), used to fund the CFA, in the wake of reports the firefighters’ union deal could blow out the CFA Budget by almost \$700 million.

“Given the pressure being placed on the CFA, we’re calling for a commitment from the State Government to cap annual increases in the FSPL, just like they’ve put a cap on municipal rates,” Victorian Farmers Federation President David Jochinke said.

At the VFF Conference this year, members voted unanimously for a Consumer Price Index (CPI) cap on FSPL increases, meaning a farm property would expect to pay no more than that CPI each year.

The Victorian Government has repeatedly stated it would fully cover the cost of implementing the latest version of the Enterprise Agreement with United Firefighters Union (UFU), which forces the CFA to employ an additional 509 career firefighters by June 2019.

However the VFF is concerned that while the Government has estimated the cost of the union deal at \$160 million, the media has recently reported CFA sources quoting the cost at \$663m.

“All through this debate the VFF has repeatedly called for an independent costing of the UFU-CFA deal, given it threatens to cause a blow-out in the FSPL, which all Victorians pay on their rates bill,” Mr Jochinke said.

“It makes sense that if you’re going to cap municipal rates (2.5% for 2016-17), then you should cap the FSPL. This would show that the Victorian Government is true to its word on covering the full cost of the UFU deal and not passing the cost onto property owners via the FSPL.”

### **Media Contacts:**

David Jochinke, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer:

Monday 22 August 2016

## Federal legislation to break Union's control of CFA

Victorian farmers have applauded federal legislation that is set to put an end to the United Firefighters Union's control of the CFA.

The Federal Government has presented its Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016 to Parliament, which strikes out clauses in any union deal that could override CFA volunteers' rights or operations.

"As it stands this UFU deal allows the union to override the powers of the CFA chief officer, which is why the CFA's former chief officer, former CEO, former board and former minister have all walked away from the deal in disgust," VFF President David Jochinke said.

"Our farmers, most of whom are volunteers, won't accept the union overriding their rights and access to resources. That's why we're grateful to the Prime Minister and his Employment Minister Michaelia Cash for ending many of the union's powers over the CFA.

"It's all about the CFA Chief Officer being able to operate the CFA effectively on behalf of its 60,000 volunteers, not just its 600 paid career firefighters."

The Bill prohibits any clause within a Union Enterprise Agreement from restricting or limiting the CFA's ability to:

- (i) engage or deploy its volunteers;
- (ii) provide support or equipment to those volunteers;
- (iii) manage its relationship with, or work with, any recognised emergency management body in relation to those volunteers;
- (iv) otherwise manage its operations in relation to those volunteers

"We're also glad to see the legislation is retrospective and makes sure there is fairer representation during negotiations on union deals," Mr Jochinke said.

### Media Contacts:

David Jochinke, VFF President:

Ashley Mackinnon, VFF Public Affairs Officer: