



ACT
Government



To all ESA staff

ACT Fire & Rescue Enterprise Agreement – Commissioner’s Update – 26 March 2019

Further to my message of 15 February 2019, I wish to advise all ESA staff that the United Firefighters Union (UFU) members have voted in favour of protected industrial actions under the Fair Work Act.

It is unfortunate that this proposed protected action includes stoppages from one of our essential emergency services, however, the ACT Emergency Services Agency (ESA) fully supports and acknowledges workers’ rights to undertake industrial action. It also means that the Government will be obliged, in compliance with the Fair Work Act, to deduct pay while stoppages are undertaken by UFU members.

The ESA is particularly supportive of workers’ undertaking proposed actions that do not have the potential to compromise community and firefighter safety. However, I am concerned that certain proposed actions, by themselves or in combination, will impact community and firefighter safety. While I note the UFU’s intent that community safety will not be compromised during any industrial action, the UFU is not in a position to give this assurance, given that ACT Fire & Rescue (ACTF&R) is one component of a broader collective team that manages emergency incidents for the people of Canberra.

It is, however, incumbent on the ESA to ensure that it has strategies in place to mitigate any potential risk, in anticipation of certain industrial actions proceeding. Mitigation of the impact of industrial action may include, but is not limited to, changes to operational orders, policy changes, and calling on resources from other services and agencies. It is through these strategies that the ESA will strive to maintain the highest standard in community safety during certain proposed industrial actions.

In this regard, I am very appreciative of the support of all areas of ESA, and external bodies, who have indicated their willingness to assist at short notice if required. The ESA’s all-hazards approach to emergency incidents in its day-to-day operations, in working together to care and protect, will certainly assist in maintaining community safety during any industrial action. While we all work together through this process, as stated in my message of 8 March 2019, I am very conscious that industrial disputes can be a workplace stressor for staff. If you are affected, please be aware that there are wellness and wellbeing programs available to you.

It is clear from discussions and questions directed to ESA executives, that many of our workforce, including those in ACTF&R, are not fully aware of all matters in relation to the ACTF&R Enterprise Agreement bargaining negotiations. Many continue to ask questions about the Protected Action and how it will impact the work of ACTF&R, and the ESA more broadly.

I hope that the information in this message will assist. In the near future I also intend to start publishing information on the ESA website, to ensure transparency and promote greater understanding of the current situation.

Please be assured that the ACTF&R Enterprise Bargaining team continues work towards resolving this dispute smoothly and with minimal disruption. While recent Enterprise Agreement meetings have been cancelled due to the unavailability of parties, I have written to the UFU with the aim of progressing negotiations. The next Enterprise Agreement meeting is scheduled for 9 April 2019.

I will continue to keep you all informed on strategies to maintain community safety through proposed industrial actions, and on the progress of negotiations on the ACTF&R Enterprise Agreement. A reminder that regular updates will also be published on the ESA website in the near future.

Dominic Lane AFSM
Commissioner
ACT Emergency Services Agency

26 March 2019