



Council of Australian Volunteer Fire Associations

19 May 2016

The Hon Daniel Andrews MP
Premier of Victoria
Level 1, 1 Treasury Place
EAST MELBOURNE VIC 3002

Via email: daniel.andrews@parliament.vic.gov.au

Dear Premier,

Re: Effects on CFA and its Volunteer Work Force of Proposed UFU Industrial Agreement

My organisation has determined to write to you to express our deep concern about the effects of the reported proposal for an Enterprise Agreement between the Victorian Country Fire Authority (CFA) and the United Firefighters' Union (UFU) will have on volunteer based emergency response capacity across Australia.

Starting with Victorian CFA volunteers and the demise of professional conduct of the CFA as a volunteer and community based fire service; the effects of this proposed industrial agreement will undoubtedly flow to other jurisdictions via UFU industrial campaigns if the proposed agreement is allowed to succeed.

It is clear from official reports from the CFA to its members as well as a significant number of media reports that CFA volunteers, particularly urban volunteers, will be marginalised under the direct and indirect effects of the proposed agreement by the UFU. Further, the expertise and decision making capacity of CFA officials, including the Chief Fire Officer, will also be marginalised at the will of the UFU leadership.

What has become increasingly clear is that the UFU are attempting to use the Commonwealth's industrial relations arrangements to circumvent Victoria's CFA legislation. In effect, the proposed industrial agreement would pervert the governance, organisation and operation of the CFA, its independent Board and the Chief Officer.

CAVFA Chairman Roger Flavell
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The terms of the proposed industrial agreement will progressively dismantle CFA as an effective volunteer based organisation where paid staff are fully integrated with the volunteers for the purpose of delivering CFA services and building volunteer capacity to provide those services into the future. If this were allowed to succeed, it establishes a model to circumvent legislation in other state jurisdictions with eventual flow on ramifications for volunteers in other jurisdictions, be they fire service, SES or other volunteer based emergency service organisations.

We have noted repeated denials as to such effects of the proposed industrial agreement from the UFU Secretary, Mr Peter Marshall. But we have noted official CFA and Volunteer Fire Brigades Victoria reports as well as publicised extracts from the proposed agreement that are directly contrary to Mr Marshall's various statements.

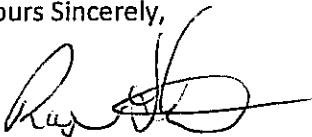
We are also cognisant of the Federal Court decision of November 2014 effectively modifying the independent rights of states as originally enunciated in Re AEU in industrial circumstances the UFU is now attempting to repeat.

In short, if this approach by the UFU is allowed to succeed its ramifications are not simply limited to Victoria.

We note that your own Emergency Services Minister is opposing what she assesses to be an outrageous document, comments we heartily concur with based on the information to hand.

Premier, we call on you to honour and uphold the powers, requirements, duties, obligations and organisational arrangements set down in the CFA Act that have served your state so well in both urban and rural Victoria. We ask that you reject the industrial/political manipulation inherent in the proposed agreement designed to circumvent your own state CFA legislation and which poses such a danger to your state's future capacity to deal with major, multiple and/or long duration emergency events.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Flavell', with a long horizontal flourish extending to the right.

Roger Flavell
Chairman