



PUBLIC SERVICE ASSOCIATION  
OF NEW SOUTH WALES

General Secretary Stewart Little  
President Kylie McKelvie  
ABN 83 717 214 309

In reply, please quote: AB:vv

15 April 2019

Ms Jinae Russo  
Manager, Membership Services  
NSW Rural Fire Service  
4 Murray Rose Avenue  
Sydney Olympic Park NSW 2127

*By email: [jinae.russo@rfs.nsw.gov.au](mailto:jinae.russo@rfs.nsw.gov.au)*

Dear Jinae,

### **Operations Directorate Draft Change Management Plan**

Thank you for the opportunity to provide a formal response to the draft organisational change proposed for the Operations Directorate.

The PSA has obtained member feedback on the draft Change Management Plan Operations Directorate, March 2019, Version 0.1 ('draft CMP'). PSA's feedback and our members' feedback ('our feedback') is enclosed within this letter.

We anticipate that NSW Rural Fire Service will give the PSA's and its members' feedback genuine consideration. We refer you to cl. 65 of the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*. That clause refers to the Consultation Arrangements Policy and Guidelines 1996. That requires the employer giving genuine consideration to matters raised by the employees and/or their representatives.

We raise the following concerns to the draft CMP and the process followed by the NSW Rural Fire Service.

We compared the current and proposed organisational charts provided by RFS and found the following.

- Response and Coordination

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
5	Manager	12/13	4	Manager	12/13	-1	1 TBC
8		10/11	8		10/11		3 TBC
14		8/9	14		8/9		
3		6/7	3		6/7		1 was 8/9
2		4/5	3		4/5	+1	
1		2/3	0		2/3	-1	
1		ungraded					
34			32			-2	

- Community Resilience

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
4	Manager	12/13	4	Manager	12/13		1 TBC
10		11/12	10		11/12		
12		8/9	11		8/9	- 1	
1		6/7	0		6/7	- 1	
4		4/5	4		4/5		
3		2/3	3		2/3		
34			34			-2	

- Coordinated Risk Management

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
1	Manger	12/13	3	Manger	12/13	+2	1 TBC
1	Coordinator	12/13					Role changed to Manager
1		8/9	3		8/9	+2	2 TBC
2		6/7	5		6/7	+3	
1		4/5	2		4/5	+1	
			1		2/3	+1	
			1	Coordinator	No grade	+1	1 TBC
6			16			10	

- Regions North and East

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
1	Manager	12/13	1	Manager	12/13		
2		10/11	1		10/11	-1	1 transferred
3		8/9	3		8/9		
1		4/5	1		4/5		
7			6			-1	

- Regions South and West

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
1		10/11	1		10/11		
2		8/9	2		8/9		
1		4/5	1		4/5		
1		Ungraded	1		Ungraded		Manager Facilities Dubbo
5			5			0	

- Deputy Commissioner's Office

Current structure			Proposed structure				
Number	Role	Grade	Number	Role	Grade	Total	Comment
1		10/11	1		10/11		
1		8/9	0		8/9	-1	Transferred
2		4/5	1		4/5	-1	Transferred
4						-2	

- Differences in number of roles reporting to managers

Response and Coordination manager roles have roles reporting from 10 to 4 and two managers having 7 reporting roles each.

Community Resilience manager roles have a similar number of roles reporting from 8 to 6.

Coordinated Risk Management has Manager Modelling and Performance Reporting with only one reporting role being a grade 6/7. Manager Major Projects has only two reporting roles being grade 8/9 and a grade 4/5. Manager Operational Business has 10 reporting roles (one grade 10/11, three grade 8/9, four grade 6/7, one grade 4/5 and one grade 2/3).

We are concerned with the disparity and associated workload issues of some managers having a large number of reporting roles.

Will RFS make the number of reporting roles to a manager more equitable?

It appears a purpose of this restructure is changing the role of managers/coordinators from a technical function to a people management function.

Will RFS provide employees with accredited training in people management?

Will RFS provide employees with a reasonable transition period to become competent as people managers?

- Roles based at Dubbo

Response and Coordination has five roles in Operational Capability to be based at Dubbo. We assume those employees who have to relocate will be compensated by RFS under the *Crown Employees (Transferred Employees Compensation) Award*.

- Regions North/East and South/West

The draft CMP at page 5 states that Regions North & East (HQ) will require changes. A current organisation chart for Regions North & East and Regions South & West has been provided. The draft CMP proposes to move the Regional Services Manager (Business) to Operation Business Delivery. No proposed structure for Regions North & East has been included in the draft CMP.

Would RFS provide a proposed structure chart for Regions North & East?

The current structure chart for Regions North & East shows two roles covering Fire Trails (Manager Strategic Fire Trails and Regional Services Coordinator Fire Trails). These roles are not mirrored in Regions South & West. Fire Trails are statewide and are covered under Part 3B of the *Rural Fires Act 1997*. Each regional office has a Regional Fire Trails Assistant role but all are currently vacant. We understand they were recently advertised but recruitment was discontinued due to a 'strategic realignment'. The draft CMP does not mention these roles.

Would RFS advise if the two roles covering Fire Trails will remain as currently in the Regions North & East?

Would RFS advise why the Fire Trails positions and their associated work have not been included in the draft CMP?

Would RFS advise what do they plan to do with the current vacancies of Fire Trails Assistant role in the regional offices?

### **No Redundancies?**

We note the draft Change Plan states:

It is not anticipated nor expected to result in any displaced employees or redundancies.

That was reinforced at the 1 April 2019 staff briefing of the Response & Coordination restructure by Mr Jason Heffernan, Assistant Commissioner and at the 4 April 2019 staff briefing of the Community Resilience and Coordinated Risk Management restructure. We further note Mr Heffernan's comment that *No one is going to loose pay.*

Comparing the current and proposed organisational charts provided by RFS shows there are 2 new roles created. However, our concerns are:

- 9 roles are to be considered ('TBC').

That could mean 9 roles may not be pursued with 9 potential redundancies.

- 1 role has been reduced in classification and grade.

A grade 8/9 role in Response and Coordination has been reduced to grade 6/7. However, the RFS state it is a vacant role. Should it be vacant there will be no impact on our members or on RFS employees. Should that not be the case we contend the reduction in classification and grade is a substantial change of employment conditions. The RFS must regard it as a redundancy and manage it under the Managing Excess Employees policy. In *Kekeris v A. Hartrodt Australia Pty Ltd T/A A.Hartrodt* [2010] FWA 674 (unreported, Hamberger SDP, 19 February 2010) at [27]: The test is whether the previous job has survived the restructure or downsizing, rather than a question as to whether the duties have survived in some form.

That test was applied in *Fisher v Association for The Blind W.A.* [2014] FWC 5604 (27 August 2014) and Commissioner Cloghan held: The real issue, is that his "job" has not been abolished but has changed.

### **New role descriptions**

The draft CMP is creating nine (9) draft role descriptions, which are not graded and are subject to a job evaluation. Six (6) of these roles are currently filled by RFS employees and will be affected. The Change Management Guidelines at p.8 refers to a change management plan template at Annexure 1 and is recommended agencies use that template. The template at p.13 covers *Changes to organisational structure* and it prescribes to *identify positions to be deleted, created and retained in the restructure including their grades.*

The PSA has major concerns that the affected employees have no grading. By having no graded roles it is impossible to determine if there are more employees than roles at a particular grade. That has many roll-on effects, for example impossibility of at-level direct appointments. It appears RFS is adopting this process as standard practice in its restructures. We again contend this restructure should be put on hold pending the grading of the new role descriptions.

We are unable to make any comparison between role requirements in the current and proposed structures. That is due to the new role descriptions are to be drafted and consulted upon in the future by the PSA and RFS employees.

### **Proposed means of filling roles**

In RFS's draft CMP at page 27 it outlines the placement process for non-affected employees. It provides no detail about the placement process for the 6 affected employees. They may not be assigned to a role after completion of the job evaluation process.

Would RFS provide detail about the placement process for the employees subject to a job evaluation process?

### **Job evaluation process**

The RFS has not provided detail about the job evaluation process it is pursuing. It has not disclosed the type of evaluation process, for example Hays or Mercer. It has not disclosed who will be performing the job evaluation, for example internally by RFS, or externally by a consultant.

Would RFS advise PSA if the job evaluations are to be done internally, or externally?

If so, does the person performing the job evaluation have the required training in the type of evaluation used?

### **Job search support to affected employees**

The draft CMP does not provide any job search support should the affected employees be declared excess ('excess employees'). The Change Management Guidelines at p.12 includes *assistance in applying for positions* as part of support services.

The PSA stresses that RFS must provide face to face workshops for excess employees before being declared excess. That is in writing applications and participating in behavioural interviews. The RFS must release affected employees from their work to attend these workshops. This will ensure maximum placement of affected employees through priority assessments if required for internal job placement, and if required through redeployment.

Many of our members have been long term employees of RFS, and have not had to apply for a job for some time. We do not want them to be unfairly disadvantaged.

Please feel free to contact me by email [aboulton@psa.asn.au](mailto:aboulton@psa.asn.au) in relation to any part of this feedback for consultation. I will be on leave from Monday 15 April to Friday 26 2019. Please contact Glenn Duncan, Organiser on 9220 0906 or at [gduncan@psa.asn.au](mailto:gduncan@psa.asn.au).

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a long, sweeping horizontal line that tapers off to the right.

**Andrew Boulton**  
for **STEWART LITTLE**  
**GENERAL SECRETARY**