

RFS Award update: Shift Work and Incident Conditions

This is our third bulletin in a series overviewing the key aspects of the principles document which was recently put to you by the Rural Fire Service (RFS). This bulletin covers shift work including the Averaging-Out Shift Penalties (ASP) allowance and Incident Conditions.

ASP

The Award principles document identifies RFS employees in two classifications, RFS Officer and RFS Officer – Shift Work. Currently the Award identifies RFS Officer and RFS Officers (OCC) to distinguish between who is essentially a day worker and who is a shift worker. Additionally, OCC Officers have a separate pay grade scale to RFS Officers and the ASP allowance is payable.

The purpose of the ASP was to provide a consistent flat level pay per fortnight whilst reducing the administrative burden on the RFS management in processing individual shift calculation payments. The ASP is paid in lieu of real time shift penalties and annual leave loading.

The principles document proposes to rename the classification to RFS Officer – Shift Work. This would allow the RFS to have other shift workers located in the workforce other than within the OCC. For example, a liaison officer in another agency call centre.

Under the principles document, RFS Officer – Shift Work would use the current RFS Officer Grades, grades which include annual leave loading. The payment of shift penalties would be as per the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (Conditions Award)* and the ASP would cease to exist.

For current RFS Officers (OCC) the principles propose to reclassify the roles in alignment with RFS Officer Grades, stating that a Level B Operator will be replaced with RFS Level 2/3 and a Level C Operator to a RFC Level 4/5.

RFS Officer Grades include leave loading and the operators would be paid penalty rates on top of their base salary, in accordance with the Conditions Award. The table below gives an indicative comparison between the classification gradings. The modelled costings are held by RFS and formed part of the submission to Wages Policy Taskforce that resulted in approved bargaining parameters.

Grade	Base Annual Salary	Leave Loading Included	Value of Leave Loading	Salary Including Leave Loading	Salary Interaction With Shifts	
					ASP applied to Base Salary =	
OCC B Yr4	\$70,636	No	\$951	\$71,587		\$89,100
OCC C Yr4	\$79,535	No	\$1,071	\$80,606	ASP applied to Base Salary =	\$100,325
RFS 3-2	\$71,585	Yes	N/A	\$71,585	Conditions Award Shift Penalties Applied to Base Salary	
RFS 5-2	\$80,607	Yes	N/A	\$80,607	Conditions Award Shift Penalties Applied to Base Salary	



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The process and details for aligning grades requires further discussion with management. The PSA will not agree to anything without member support and will also not agree to any process that will leave members vulnerable in assignment to roles.

We note these arrangements may impact differently depending on your situation. We urge you to carefully assess this to enable you to respond to our pending survey. Be clear too that the survey is not your vote on a final position. It is to help us clearly understand your views and then determine the way forward.

Incident Conditions

Currently the RFS Award contains the Major Incident Conditions clause, however there are no set parameters as to when these conditions apply, leaving members vulnerable to varying and inconsistent interpretations. The principles document identifies these conditions as Incident Conditions as it is recognised that the conditions are relative to the work functions that are being performed and does not necessarily relate to the incident being major or restricted to fire events. The PSA is seeking clear and definitive triggers as to when incident conditions apply, the PSA has requested such triggers to be contained in the Award. This requires further discussion with management to define such triggers.

The majority of current conditions will remain; the principles document identifies changes to the wording around shift patterns. These are:

Maximum of 10 days in a 13-day period (= 5-1-5-2)

Maximum of 6 nights in a 9-day period (= 3-1-3-2)

This is to give ICs greater flexibility in rostering, to break up the roster so that not everyone is standing down at the same time creating gaps and a loss of situational awareness in the IMT. Also, so those that work a four-day shift will still receive the paid stand down.

By agreement and approval, shifts may be extended from either five days to six days or three nights to four nights. The scenarios where this would occur is where the IC wants to offset roster patterns to prevent the IMT all standing down on the same day/night or the plan for revocation is for example, three days out but the IMT or primary roles are due for stand down in two days out. It is not to be the norm.

To manage fatigue, where a shift extension has been applied, a mandatory 48-hour stand-down period will apply regardless of where you are in the shift pattern.

The principles document treats all duties the same, there would be no differentiating between Fire Fighting Incident Duties and Incident Management Duties.

The shift penalty rates will be derived from the Conditions Award to ensure they are indexed appropriately.



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Specialist Allowances

The current RFS Award has provisions for skilled trades via the Crown Employees (Skilled Trades) Award, historically these have been for District Fleet roles. The principles document identifies that the link to the skilled trades Award will remain and that roles that require specialist/trade skills will have those identified in the role descriptions. A new Award will link those role descriptions with the appropriate conditions and allowances.

Recent RFS communications

There have been a number of recent communications from RFS management in respect to your representation during these ongoing negotiations. The RFS is advising you it will not support the new Award unless the majority of staff support it (see RFS Award Consultation – Information Sheet – May 2021; Message from the Commissioner dated 11 May). This is not consultation; rather this is an attempt at representation.

The RFS will not be party to the new Award as your representative, it will only be party to the new Award as your employer. The PSA will be party to the new Award as your representative. It is a fundamental conflict of interest for the RFS to attempt to position themselves as your representative.

The PSA will fight for the Award our members want, either by consent with the RFS or by arbitrated proceedings before the IRC. If RFS employees want to have say on how the PSA (which is your exclusive representative) proceeds, then they will need to be a member, so please encourage your colleagues to join the PSA at www.psa.asn.au.

