

Contact: Timothy Robinson
Our E-mail: t.robinson@robinsongill.com.au
Principal: Timothy Robinson
Our Ref.: TJR SW 36480

8 June 2016

Ms L Nolan
Chief Executive Officer
Country Fire Authority
8 Lakeside Drive
BURWOOD EAST VIC 3151

By email: Lucinda.Nolan@cfa.vic.gov.au

Dear Madam

**Our client: Volunteer Fire Brigades Victoria (VFBV)
Enterprise Bargaining Agreement (EBA)**

We refer to previous correspondence and confirm we act on behalf of VFBV.

We enclose herewith copy letter sent to The Premier today for your information.

Given that the Fair Work Commission through its Commissioner Roe delivered a "*Final Recommendation*" on 1 June 2016, it appears that negotiations with respect to the proposed EBA are well advanced. It is noted that Commissioner Roe observes that the recommendations do not apply to volunteer firefighters. It is clear that the recommendations **do** affect the interests of volunteers and it is regrettable that proper consultation has yet to occur and was not permitted to occur within the Commission process.

In that context it is, in our view, extremely important that immediate steps be taken enabling both the State of Victoria and the CFA to engage in meaningful consultation with our client prior to any steps being taken to formalise any agreement.

In order to ensure that there is meaningful consultation, allowing enough time for real involvement with the elected representatives of our client on all matters which may impact upon them before the adoption or implementation of any new or changed policies, procedures or approaches, we seek the following undertakings:

1. that the CFA commit to attending consultation on a bona fide basis taking into consideration the interests of volunteers as may be affected by any agreement reached;



Robinson Gill Pty Ltd
ACN 169 045 167

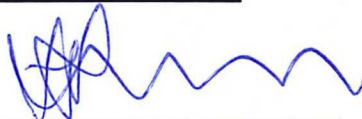
2. that the CFA not to make any decision regarding the proposed EBA which will or may affect the status of volunteers prior to the conclusion of an appropriate consultation process;
3. that the CFA not circulate any agreement, whether in principle or its final form, to their employees prior to the conclusion of an appropriate consultation process.

Given the large number of volunteers and the dispirit interests that are reflected in the VFBV we consider that these consultations ought to be scheduled over a number of meetings in the coming weeks to be concluded as soon as possible.

Media publication indicates that the State of Victoria and the CFA may be moving quickly to finalise the content of the proposed agreement and in this context we require your urgent response by no later than the close of business on **Thursday 9 June 2016**.

We would be pleased to receive your immediate response.

Yours faithfully
ROBINSON GILL



TIMOTHY J ROBINSON
Principal – Accredited Specialist
Direct line: 03 9856 0208
Enc.

Contact: Timothy Robinson
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COPY

The Honourable Daniel Andrews MP
Office of the Premier
1 Treasury Place
Melbourne 3002

By Email: daniel.andrews@parliament.vic.gov.au

Dear Mr Premier

Volunteer Fire Brigades Victoria (VFBV)

As you may know we act on behalf of the Volunteer Fire Brigades Victoria which has written to you on 30 May 2016 and 7 June 2016.

You responded this morning by email in an undated letter. From our client's point of view the response is unsatisfactory.

Your interpretation of our client's letters suggests that our client seeks "*to be informed of developments around the proposed CFA enterprise agreement.....*"

This in our opinion is an inappropriate response and displays a misconception of your obligations and that of the CFA in consulting with our client. Consultation requires participation adopting an open mind that facilitates meaningful and genuine discussion for the purposes of obtaining satisfactory outcomes having regard to the parties' interests.

Our client has, in its previous correspondence to you made reference to the Volunteer Charter which is given statutory force by reason of the operation of Section 6G(c) and Section 6H of the *Country Fire Authority Act 1958*.

Accordingly your suggestion that you simply keep our client informed of developments is entirely unsatisfactory.



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The Honourable Daniel
Andrews MP

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In that context it is, in our view, extremely important that immediate steps be taken enabling both the State of Victoria and the CFA to engage in meaningful consultation with our client prior to any steps being taken to formalise any agreement.

In order to ensure that there is meaningful consultation, allowing enough time for real involvement with the elected representatives of our client on all matters which may impact upon them before the adoption or implementation of any new or changed policies, procedures or approaches, we seek the following undertakings:

1. that the State of Victoria commit to attending consultation on a bona fide basis taking into consideration the interests of volunteers as may be affected by any agreement reached;
2. that the State of Victoria not take any steps to direct or require the CFA to enter into any agreement that affects volunteers prior to the conclusion of an appropriate consultation process;
3. that the State of Victoria not agree to any proposals that affect or may affect the status of volunteers prior to the conclusion of an appropriate consultation process.

Given the large number of volunteers and the dispirit interests that are reflected in the VFBV we consider that these consultations ought to be scheduled over a number of meetings in the coming weeks to be concluded as soon as possible.

Media publication indicates that the State of Victoria and the CFA may be moving quickly to finalise the content of the proposed agreement and in this context we require your urgent response by no later than the close of business on **Thursday 9 June 2016**. We have written in similar terms to the CFA.



The Honourable Daniel
Andrews MP

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8 June 2016

We would be pleased to receive your immediate response.

Yours faithfully
ROBINSON GILL



TIMOTHY J ROBINSON
Principal – Accredited Specialist

cc. The Hon Jane Garrett MP
Minister for Emergency Services
Level 25, 121 Exhibition Street
MELBOURNE VIC 3000
By Email: jane.garrett@parliament.vic.gov.au

Ms L Nolan
Chief Executive Officer
Country Fire Authority
By email: Lucinda.Nolan@cfa.vic.gov.au