

From: [SREB](#)
To: [Finance and Administration Committee](#)
Subject: Presumptive Legislation submission
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Attachments: [image004.png](#)

Research Director
 Finance and Administration Committee
 Parliament House

The following is a submission from David Warne in relation to the Workers Compensation and Rehabilitation and Other Legislation Amendment Bill 2015.

Upon reading the proposed legislation that is before the committee, I submit that the legislation in its proposed form is not fair, is discriminatory, and will result in resignations of volunteer fire fighters. This will be as a result of the disgust that will arise because of the dismissive and discriminatory attitude to the volunteers by the Government as shown by the discriminatory clause containing time criteria for employment identified in Clause 18 - 36D (1) (b)) and contained in Schedule 4A Specified Diseases (see Clause 21 of subject Bill) which imposes an additional qualifying condition on volunteer firefighters (only) of attending 150 exposure incidents (see Clause 18 - 36D (1) (c). See table shown below.

The below table is to be read in conjunction with Schedule 4 Specified Diseases of the proposed Government Legislation

Permanent firefighters	Covered after 1 exposure in the schedule
Part time firefighters	Covered after 1 exposure in the schedule
Rural fire permanent Staff	Covered after 1 exposure in the schedule
Rural fire casual staff (RFI's)	Covered after 1 exposure in the schedule
Volunteer firefighters who also work casually for the QFES	Covered after 1 exposure in the schedule
Volunteer fire investigators	Covered after 1 exposure in the schedule
Volunteer firefighters	Covered after 150 exposures

I am a volunteer firefighter with the Rural Fire Service Queensland (RFSQ) and have been since 2012 Apart from being involved in responding to wildfires and conducting strategic mitigation activities within my own community, I have been involved in a number of out of area deployments, I hold qualifications as an OFFICER and have lost count of the numbers of fires I've been involved in and the numbers of times I've breathed a lungful of smoke. As RFSQ volunteers, we are issued with P2 particulate filter masks, yet occasionally, when fighting wildfires, encounter smoke from toxic substances such as discarded tyres, plastic, discarded chemical containers and even potentially drug labs.

I do not understand why the additional qualifying criteria of 150 exposure incidents is imposed on volunteer firefighters. My own experiences are that volunteers can be exposed to toxic and potentially cancer causing substances during the course of firefighting duties, even though those duties mainly revolve around vegetation fires.

It is inconceivable to me that the Government would propose legislation that discriminates between fully paid urban fire fighters that wear Breathing Apparatus (BA) and advanced Personal Protective Clothing (PPC) when fighting fires to only have to attend at 1 fire, and Rural Volunteers that may only wear basic PPC and a paper mask if available, being required to have attended 150 fires. The differentiation or comparison between the two levels of protective equipment available to urban fire fighters as compared with rural volunteers requirements is ridiculous. The potential for exposure to carcinogenic toxins or compounds is vastly more weighted towards rural personnel, considering their lower levels of protective equipment.

It is also inconceivable to me that a government that is led by the Australian Labour Party, the party that presents itself to the people of Australia as the exemplar of fairness and non-discrimination policies, could propose such blatantly discriminatory legislation. Even worse that it would apply this discrimination to volunteers that put their lives on the line at numerous fire incidents.

Why should I have to attend 150 exposure incidents before presumptive legislation applies to me, or my fellow volunteers, when a permanent or part time firefighter need only attend one fire while wearing BA to gain the same benefit? The only reason I can find is to reduce the financial budgetary exposure to the government. I am aware that the RFBAQ requested the estimated cost of covering all classes of fire fighter equally annually and was informed that these figures were not available. This means that the Government has introduced legislation that is now before the Committee without comparative costing regarding the equitable protection of the largest proportion of fire service delivery within the QFES.

I believe that the Bill is discriminatory against volunteer firefighters in that, apart from requiring them to meet the time criteria for employment identified in Clause 18 - 36D (1) (b)) and contained in Schedule 4A Specified Diseases (see Clause 21 of subject Bill) it imposes an additional qualifying condition on volunteer firefighters (only) of attending 150 exposure incidents (see Clause 18 - 36D (1) (c)

I accept the remainder of the subject Bill. However, I believe that to be fair to the 34,000 volunteer firefighters who provide Rural firefighting services to over 90% of the state and to over 25% of the population, for free, often costing thousands of our own money, to the detriment of family and personal time, and at some risk; the additional criteria of 150 exposure incidents proposed to be applied to volunteer firefighters only, should be removed.

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