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Research Director
Finance and Administration Committee
Parliament House
George Street
BRISBANE Q 4000

6TH August 2015

Submission on the “Workers Compensation and Rehabilitation and Other Legislation Amendment Bill 2015.”

I have been a volunteer firefighter for over 30 years, both in Queensland and New South Wales. I have also held senior paid positions with rural fire services in both States. I am currently a volunteer Officer with a rural fire brigade on the Gold Coast. My extensive operational and management experience with rural fire services provides me an excellent background to make informed comment on this bill.

In its current form, the bill provides a different level of protection to paid staff than it does for volunteers. Whilst the qualifying periods are the same, the number of exposures to an incident are dramatically different. A paid firefighter who meets the qualifying period need only attend one fire incident and they are covered, whilst a volunteer firefighter must attend 150 fire incidents. In its bill and the explanatory notes the Government does not provide any reference to the science behind the 150 exposures requirement for volunteers. I note that at the Public Departmental Briefing on 6th August, reference was made on several occasions to the “Monash Report” and that the Governments Bill was based on similar legislation in Tasmania.

The Monash Report

Commissioned by AFAC in 2011, the Monash Report (Australian Firefighters Health Study) investigated statistically, the incidents of cancer amongst career, part time and volunteer firefighters. At the Departmental hearing, Ms Hillhouse indicated to the Committee that the study involved 200,000 current and former Australian firefighters, however in that same hearing Mr Goldsbrough indicated that the study included 200,000 volunteer firefighters. The question must be asked, which is it? In fact having read the Monash Report, I was unable to ascertain an exact figure of how many firefighters were included in the study. The Committee was also advised by Ms Hillhouse that the study was of “Australian firefighters”, leading the Committee to draw the conclusion that all firefighting agencies were involved. In fact the Monash report specifically identifies that Tasmania and South Australia did not participate in the study, a fact the Departmental staff from Treasury or QFES did not make the Committee aware of.

There are also numerous references through the Monash report of the unreliability of available statistical data as it applied to volunteers. Specifically, the report notes that although QFES had accurate records of paid firefighter attendance at specific incidents from 2000 onwards, its records for volunteer attendance at incidents were only accurate from 2011 onwards, the same year the study was commissioned. Without accurate historical records, there is no way the study could be considered to reflect the true situation with respect to volunteer firefighters in Queensland. In fact the Monash report recommends that a separate and subsequent study be undertaken for volunteer firefighters due to the statistical inaccuracies it encounters in the 2011 study. My inquiries with AFAC have revealed such a study has yet to be commissioned.

The 150 exposure events requirement for volunteers

Neither the explanatory notes, nor the Departmental experts have provided any science behind the 150 exposure events requirements for volunteers. It is certainly not a recommendation of the Monash report and seems to be an arbitrary number drawn from the Tasmanian legislation. It is interesting to note that the Government is relying on the Monash report for the science but chose to model the bill on legislation from Tasmania, a State that did not participate in the Monash study. In fact the 150 exposures used for the Tasmanian legislation was nothing more than a figure that was considered politically acceptable at the time. It was initially proposed at 260 but negotiated down to 150 following stakeholder consultation. This number is likely to be reduced further or even abolished following another proposed review of the legislation in that State. The South Australian Government, which also did not participate in the Monash study, has legislated to treat paid staff and volunteers equally in respect of exposure events. All firefighters in South Australia only need to attend one exposure event during the qualifying period to be eligible to claim.

The reality is the figure of 150 is arbitrary with no scientific basis at all. It discriminates against volunteers and sends a clear message that the Government values the 36,000 volunteers less than it does paid staff.

Volunteers breath the same smoke paid firefighters do

In the last 2 years alone, my brigade has attended two structure fires, several car fires, and numerous bushfires, alongside paid urban firefighters. Most other rural fire brigades on the urban interface would have similar experiences. We stand side by side with paid staff at these incidents and are exposed to the same smoke, the same residual carcinogens and the same contaminants as they are. In many areas of Queensland there is not the luxury of waiting for an urban appliance to respond to a structure fire or car fire. In many cases that urban appliance with paid staff is hours away. Volunteer firefighters are not going to stand idly by while someone's house (usually a neighbour or friend) is destroyed or car burnt out. They are going to do whatever it takes to normalise the situation and save what they can. This is the reality of volunteer firefighting in a small community. You do what you can with the tools you have. We are not equipped or trained to the same level as paid firefighters but in very many areas our volunteers do whatever is necessary to prevent further destruction or stop the fire spreading.

I would also like the Committee to consider the case of TEM (Training & Emergency Management), the commercial arm of QFES. TEM have several contracts with Councils and Government Departments to conduct hazard reduction burning on their land. To that end, TEM employ casual firefighters, all of whom are volunteer firefighters within a rural fire brigade, to undertake hazard reduction burning activities. Often they will also offer local brigades the opportunity to join them for training or a "donation" to the brigade. The TEM firefighter and the local volunteer brigade firefighter are attending the same fire and breathing the same smoke, BUT under this bill the TEM firefighter is covered immediately because he is paid, whilst the volunteer firefighter is not (assuming they both have the requisite qualifying period of service). This is not only unfair it is discriminatory in the extreme. With everything else being equal, this bill discriminates on the status of pay.

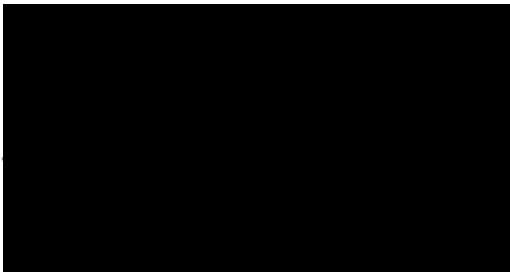
In the Departmental briefing to the Committee, Acting Deputy Commissioner Roache went to some length in explaining the types of incidents firefighters go too. He said: *In terms of the information that we have, we have looked at statistics, the record keeping and the expectation of who we believe would be exposed greater. It is not only about breathing in smoke; it is also about getting it on your skin or getting it through the pores of your skin—so exposure to hazardous material incidents, gas related and fuel related hazardous material incidents. It is a wide range of incidents that our staff and volunteers are exposed to.* I agree that paid firefighters would be exposed more regularly to hazardous materials incidents, fuel spills and gas exposures than volunteers, but this Bill is about fire, not chemical spills or fuel spills. It specifically talks about fire as an exposure incident, and it also specifically mentions vegetation fires in terms of hazard reduction burns. Assistant Commissioner Gallant identified that rural fire brigades primarily attend vegetation fires and the Bill specifically references vegetation fires. You don't need a science degree to conclude that the Government recognises that bushfire smoke can potentially cause cancer and that these are exactly the types of fires volunteers most often attend.

Conclusion

This bill is a slap in the face to every volunteer firefighter in Queensland. There is no science behind the arbitrary figure of 150 exposure events, therefore one can only conclude it is based on some financial consideration ie: the cost to the Government of a scheme that does not have a 150 exposure events threshold. Queensland already lags well behind other States in supporting volunteer firefighters. The Government provides volunteers with fire appliances, but provides no funding to fuel them or maintain them. The Government provides a \$25k grant towards the construction of a rural fire brigade station but provides no funding to cover power, water, rates, phones or maintenance.

I submit that this Bill discriminates against volunteers and its passage in its current form will cause many to seriously consider their ongoing commitment to an organisation that devalues their contribution to the community and fails to provide them with adequate legislative protection from fire related health issues. I urge the Committee to recommend to the Treasurer that the 150 exposure events for volunteers be removed and that volunteers are treated exactly the same as paid staff. Cancer causing smoke does not distinguish between paid and volunteer firefighters, neither should the Government.

Sincerely,



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