



UNITED  
FIRE  
FIGHTERS  
UNION  
QUEENSLAND

Friday 15 January 2021

Mr Stephen Smith  
Assistant Commissioner  
QFES People  
Fire and Rescue Service

*Delivered via email: StephenA.Smith@qfes.qld.gov.au  
QFES.WLU@qfes.qld.gov.au*

Dear Assistant Commissioner

**Re: Fatigue leave/rest period after overtime**

I refer to the ongoing discussions between the UFUQ and QFES regarding the above matter and to your correspondence dated 17 December 2020.

Throughout these discussions, our primary objective has been to ensure the highest possible standards of workplace health and safety are maintained for QFES firefighters, station officers and fire communications officers.

As you are aware, clause 18.10 of the Award operates as a safeguard to ensure fatigue management considerations are not outweighed by operational imperatives that may arise (such that require the performance of overtime due to insufficient numbers of professional firefighters).

During the Award review, the UFUQ and QFES worked together to ensure the wording of clause 18.10 accurately reflects its intended purpose and our shared commitment to fatigue management.

In your correspondence, you advise that staff are commonly retained at the end of their shift for short durations (less than 2 hours), and that this is done to ensure a safe and orderly conclusion or changeover of duties during an incident.

We agree that this practice is necessary to preserve safe systems of work. We therefore view your proposal as a legitimate attempt to balance fatigue management considerations against operational requirements and the provision of a safe work environment.

We also note that your proposed amendment is precedented, namely in Schedule 2 (o)(v) of CA 19, relating to the hours of work for deployment.

For these reasons, we accept your proposed amendment to clause 18.10(c) of the Award. We submit that clause 18.10(c) should be amended as follows:

**UNITED FIREFIGHTERS UNION OF AUSTRALIA UNION OF EMPLOYEES QUEENSLAND**

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*(c) Clause 18.10 does not apply where:*

*(i) the employee is recalled **or retained** to work overtime and actually works not more than 2 hours overtime;*

*(ii) the period between rostered shifts is less than 10 hours.*

The UFUQ will consent to an application to vary clause 18.10 of the Award as above.

### **Additional amendment to the Award**

As you will recall, in November 2020, the QIRC published an Award variation order based on the application made by QFES and consented to by the UFUQ.

It has been brought to our attention that there was an error in the publication of the varied Award.

The parties agreed to make a range of minor amendments to the clause entitled “*Medical examination and termination on medical grounds*”, and to move this section out of Part 6 (*Leave of Absence and Public Holidays*) and into Part 9 (*Occupational Health and Safety Matters, Equipment and Amenities*).

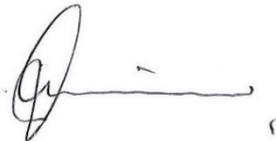
The current award contains the agreed, updated clause in Part 9. However, through the award review process, an error was made in that the old content was never removed from Part 6.

There are now two competing clauses regarding medical examination/termination on medical grounds in the Award.

We submit that the application to vary the Award should also include a request to delete clause 20.6 of the Award, and to renumber subsequent clauses accordingly.

The contact person for this matter is UFUQ industrial officer Ms Courtney Trevascus. She can be contacted by email at [courtneyt@ufuq.com.au](mailto:courtneyt@ufuq.com.au) or by phone on 07 3844 0366.

Regards



**John Oliver**  
**General Secretary**