

webmaster

From: Secretary
Sent: Monday, August 19, 2019 8:36 AM
To: Jones, Rhys; Gregory, Kerry (Kerry.Gregory@fireandemergency.nz)
Cc: Ian Wright; Joseph Stanley
Subject: NOTIFICATION OF DISPUTE
Attachments: RANK ROLE AND COMMAND ; Automatic reply: TERRORIST/LIVE SHOOTER INCIDENT RESPONSE ; RE: Apologies for not attending today; CANCELLATION OF TOMORROW'S MEETING AND MONDAY'S USD MEETING DUE TO DISCUSSIONS ON TUESDAY

Importance: High

Dear Rhys,

NOTIFICATION OF A DISPUTE

This is formal notification of a dispute in accordance with Part 1 Clause 9 of the FENZ and NZPFU Collective Agreement for Uniformed and Communications Centre Employees 1 July 2018-30 June 2021 (the CEA). In notifying of a dispute the status quo as provided for in clause 1.9(i) Peace Obligation applies.

Please find attached the relevant correspondence on these matters.

Basis of the dispute

1. On 29 July 2019 CEO Rhys Jones provided in confidence to the NZPFU a draft "Building Fire and Emergency New Zealand – proposals for our organisational structure and approach to rank - proposals for consultation". In the accompanying email Mr Jones noted "that the section of the document detailing our proposed approach to rank is yet to be updated to reflect the feedback received from members of the USD Working Group over the last week". We have yet to receive any updated document. This timetable included in this proposal demonstrates FENZ' intention to distribute the document "for consultation" widely through its "consider this" electronic tool on 3 September 2019.
2. In a letter dated 6 August 2019 the NZPFU set out its primary concerns regarding the absence of the protection of the necessary rank, role and command structure that underpins current safe systems of work. At a meeting with national Commander Kerry Gregory and Deputy Chief Executive People Brendan Nally we discussed these matters and Mr Gregory undertook to provide a written response detailing FENZ's intentions regarding rank, role and command. Our letter also detailed FENZ's obligations to consult with the NZPFU and put FENZ on notice that its intentions to distribute the proposal and consult widely with all FENZ employees. Contractors, consultants and others would be in breach of our members' rights under the CEA.
3. In a letter dated 7 August 2019 Kerry Gregory responded in part to our letter of 6 August. This letter did not alleviate our concerns, and for the first time indicated that there was an intention to change rank for Senior Station Officer down albeit not in the current proposal. Mr Gregory did not respond to the issue of consultation.
4. In an email dated 8 August 2019 the NZPFU detailed our concerns and the issues yet to be resolved on the critical issue of rank, role and command.
5. We have not received a response to that email or those matters.
6. The "Building Fire and Emergency New Zealand – proposals for our organisational structure and approach to rank - proposals for consultation" included a consultation period of 3-30 September 2019 and that all information regarding the proposal and consultation would be published on the

“consider this” online system. The intention is to send an email to each and every FENZ email address with access to the proposal and consultation through the online system. This will be simultaneously provided to NZPFU members, all employees, contractors, volunteers (urban and rural) and in doing so will be simultaneously consulted. This would be in breach of the consultation clause in the CEA.

Solution sought

- i. FENZ met with the NZPFU for the purposes of discussing and resolving the critical rank, role and command.
- ii. That the resolved rank, role and command issues be incorporated into the draft organisational proposal with any necessary amendments to the proposal.
- iii. That it is only then that consultation can be undertaken, and must be undertaken in accordance with the CEA.

Yours sincerely,
Wattie Watson



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