

## Cornor, Ashley

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**From:** Secretary <secretary@nzpfu.org.nz>  
**Sent:** Wednesday, 28 August 2019 2:19 AM  
**To:** Jones, Rhys  
**Cc:** Ian Wright; Gregory, Kerry; Nally, Brendan; Morgan, Tracey  
**Subject:** RE: NOTIFICATION OF DISPUTE

Dear Rhys

Please accept this email as acknowledgment that we have received this email, the formal letter of response to the NZPFU dispute, and the email you have sent out to all in the organisation setting out the proposed new timeframes.

We will respond in due course, but can state that the responses confirm our documented concerns that FENZ wishes to fast-track non-career firefighters (who have at least 10 years-experience and successfully completed all promotional requirements including service for the next rank) through an undisclosed/undetermined transitional assessment process into roles that will directly manage professional career firefighters and have command and control responsibilities. This is a serious and significant health and safety issue for our members and the public.

In your email below you state *"there are a small number of Rural leaders who are also structure qualified"*. Can you please provide details on who they are and the qualifications you refer to.

Yours sincerely,  
Wattie Watson



**Ms Wattie Watson**  
**National Secretary**  
**New Zealand Professional Firefighters Union**  
**Email:** [secretary@nzpfu.org.nz](mailto:secretary@nzpfu.org.nz)  
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**From:** Jones, Rhys <Rhys.Jones@fireandemergency.nz>  
**Sent:** Sunday, 25 August 2019 4:58 PM  
**To:** Secretary <secretary@nzpfu.org.nz>  
**Cc:** Ian Wright <president@nzpfu.org.nz>; Gregory, Kerry <Kerry.Gregory@fireandemergency.nz>; Nally, Brendan <Brendan.Nally@fireandemergency.nz>; Morgan, Tracey <Tracey.Morgan@fireandemergency.nz>  
**Subject:** RE: NOTIFICATION OF DISPUTE

Hi Wattie,

I have signed the letter responding to your dispute notification. You and Ian should receive an electronic version today.

In response to your middle paragraph below, we do respect the skills that career firefighters have, however, career staff are not generally as experienced in large scale vegetation fire response as their rural counterparts. As my reply letter states, there are some executive level career officers who have been suitably trained and have experience in large scale vegetation fire response, but FENZ needs to ensure that there are competent and experienced commanders available throughout the country, which means that ex-Rural firefighters need to be included in the command structure as well. To do otherwise would be putting the public at risk, particularly as climate change is increasing the risk of large scale wildfires.

From the very outset of the operating model workshops, the direction has been that only those qualified and experienced in the appropriate vegetation or structure skills will command that respective incident. As time progresses there will be people who have both skills, as we see by the small number of career staff who are working on gaining large-scale vegetation qualifications and experience. Similarly there are also a small number of Rural leaders who are also structure qualified, so there is progress on both sides.

In the mean-time, we are confident that your concerns of having inappropriate people in the incident response command chain is unfounded. The consultation proposal reinforces the need for maintaining enough skilled people in all incident types to maintain the on-call rosters for both structure and vegetation fires, as well as any other incident.

**Rhys Jones**  
Chief Executive

**Executive Assistant – Tracey Morgan**  
P 04 496 3641 – [tracey.morgan@fireandemergency.nz](mailto:tracey.morgan@fireandemergency.nz)  
National Headquarters, 80 The Terrace, Level 12  
PO Box 2133, Wellington 6140



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**From:** Secretary [<mailto:secretary@nzpfu.org.nz>]  
**Sent:** Friday, 23 August 2019 11:51 PM  
**To:** Jones, Rhys <[Rhys.Jones@fireandemergency.nz](mailto:Rhys.Jones@fireandemergency.nz)>  
**Cc:** Ian Wright <[president@nzpfu.org.nz](mailto:president@nzpfu.org.nz)>; Joseph Stanley <[vicepresident@nzpfu.org.nz](mailto:vicepresident@nzpfu.org.nz)>; Gregory, Kerry <[Kerry.Gregory@fireandemergency.nz](mailto:Kerry.Gregory@fireandemergency.nz)>; Morgan, Tracey <[Tracey.Morgan@fireandemergency.nz](mailto:Tracey.Morgan@fireandemergency.nz)>  
**Subject:** RE: NOTIFICATION OF DISPUTE

Dear Rhys

I note your email is acknowledgement of the receipt of the dispute notification and you intend to fully respond.

In response to the brief points you make we again remind you that professional career firefighters are qualified, skilled and experienced in all response and undertake more than 80 percent of all response, including vegetation. The draft consultation document did not reflect the design parameter that only appropriately qualified people are in charge of operations. Can you please confirm when the NZPFU will receive the changed proposal, and the current timelines for this process?

I also note your reference to our non-attendance at a meeting. That meeting had been rescheduled and this was a calendar mix up which we clarified with Brendan he rang to ask us at the time. Our non-attendance was not deliberate. Further, we were not aware that the purpose of the meeting was to discuss these matters but was a regular meeting.

Yours sincerely,



**Ms Wattie Watson**  
**National Secretary**  
**New Zealand Professional Firefighters Union**  
**Email:** [secretary@nzpfu.org.nz](mailto:secretary@nzpfu.org.nz)  
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**From:** Jones, Rhys <[Rhys.Jones@fireandemergency.nz](mailto:Rhys.Jones@fireandemergency.nz)>  
**Sent:** Thursday, 22 August 2019 5:14 PM  
**To:** Secretary <[secretary@nzpfu.org.nz](mailto:secretary@nzpfu.org.nz)>  
**Cc:** Ian Wright <[president@nzpfu.org.nz](mailto:president@nzpfu.org.nz)>; Joseph Stanley <[vicepresident@nzpfu.org.nz](mailto:vicepresident@nzpfu.org.nz)>; Gregory, Kerry <[Kerry.Gregory@fireandemergency.nz](mailto:Kerry.Gregory@fireandemergency.nz)>; Morgan, Tracey <[Tracey.Morgan@fireandemergency.nz](mailto:Tracey.Morgan@fireandemergency.nz)>  
**Subject:** RE: NOTIFICATION OF DISPUTE

Dear Wattie,

Thank you for your email of 19 August regarding your notification of a dispute. I will provide a full reply as soon as I am able to – in the meantime please take this reply as a formal acknowledgement that I received your email.

I am disappointed that neither you nor Ian Wright attended the meeting that we had scheduled on the day that you sent the letter, to discuss these very issues that you had previously raised with FENZ. Ian had acknowledged that meeting request.

I remain confident that the issues that you raise are have been addressed appropriately in the structure that we are proposing. It has always been part of the design parameters for FENZ that only appropriately qualified people are in charge of operations, but that means that we need to have a range of qualified people to meet the range of incidents that we face. That, in turn, means that we need both structure and vegetation skills in our command system, but they will only be authorised to lead the operations in which they are competent.

Kind regards

Rhys Jones

**Rhys Jones**  
Chief Executive

**Executive Assistant – Tracey Morgan**  
P 04 496 3641 – [tracey.morgan@fireandemergency.nz](mailto:tracey.morgan@fireandemergency.nz)  
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PO Box 2133, Wellington 6140



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**From:** Secretary [<mailto:secretary@nzpfu.org.nz>]  
**Sent:** Monday, 19 August 2019 8:36 AM  
**To:** Jones, Rhys <[Rhys.Jones@fireandemergency.nz](mailto:Rhys.Jones@fireandemergency.nz)>; Gregory, Kerry <[Kerry.Gregory@fireandemergency.nz](mailto:Kerry.Gregory@fireandemergency.nz)>

Cc: Ian Wright <[president@nzpfu.org.nz](mailto:president@nzpfu.org.nz)>; Joseph Stanley <[vicepresident@nzpfu.org.nz](mailto:vicepresident@nzpfu.org.nz)>

Subject: NOTIFICATION OF DISPUTE

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



**Ms Wattie Watson**  
**National Secretary**  
**New Zealand Professional Firefighters Union**  
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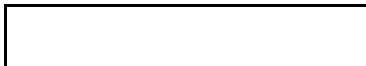
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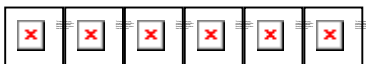
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