
From: Brown, Mark
Sent: Friday, 15 March 2019 12:13 PM
To: #ACTFB ALL STAFF <#ACTFBALLSTAFF@act.gov.au>
Subject: Update for February 2019 [SEC=UNCLASSIFIED]
Importance: High

To all ACT Fire & Rescue staff:

This is the latest update to all ACT Fire & Rescue (ACTF&R) staff. It's intended to highlight issues and events of interest to ACTF&R personnel and to keep everyone informed about what's going on.

- I have been asked by a number of staff about the term "protected" as it relates to the upcoming Protected Action Ballot i.e. it has been suggested that this means that there can be no deduction of pay while stoppages are undertaken by UFU members. This is not the case and all staff need to be aware of ESA's obligations under Section 470 of the Fair Work Act, which states that an employer must not make a payment to an employee in relation to the total duration of a work stoppage. Equally Section 473 states that an employee must not accept a payment or ask the employer to make a payment in relation to a work stoppage. In order to meet its obligations under the Act, the ESA is required to record the absence of staff and time lost due to industrial action and to make the appropriate pay deductions.

Regards

Mark Brown AFSM
Chief Officer ACT Fire & Rescue
Address: 9 Amberley Avenue, Fairbairn Business Park Majura ACT 2609; GPO Box 158 Canberra City ACT 2601
www.esa.act.gov.au