

FECA AGM

19 November 2019

Auckland RHQ – 10.30am

Apologies:

Nick Pyatt, Gavin Travers, Philip Marsh, Ian Pickard, Peter Clark, Alan Cleator, Richard Twomey, Rodger Callister, Vaughan Mackereth, Andrew Tollison, Jason Hill, Colin Russell, Shaun Pilgrim, Brad Mosby

Attendees:

Des Irving, Roy Breeze, Dave Stackhouse, John Booth, Barry Fox, Craig Monrad, Geoff Purcell, Gary Ward, Daryl Trim, Aaron Waterreus, Phil Grace, Nigel Brook, Murray Binning, Peter Stevenson, Mark Richards, Ian Duncan, Steve Greenyer, Steve Butler, Mark Boere, Davin Dunphy, Matt Abel, Glen Menzies, Gareth Hughes, Mike Balmer, Dave Berry, Scott Bell, Kevin Cowper, Megan Dromgool, Dave Key, Nigel Hall, Glenn Varcoe, Steve Sosich, Keith McIntosh, Esi Pauga, Mitchell Brown, Julian Tohiariki, Trent Fearnley, Steve Kennedy, Darryl Papesch, Jeff Maunder, Hamish Smith

Roy Breeze chaired the meeting. Nothing was brought up in general business, so moved onto previous minutes. The main points from the last minutes were around:

- Transparency
 - Higher level in roles
 - Development fund
 - Call Allowance: non geographical commanders
 - Scope on cars
-
- 2020 is the year for review of new vehicles
 - Development fund has been actioned and used twice
 - On call allowance allowed if on call more than 18 weeks in the year. There are 3 current areas that are claiming this; this is not applicable for USAR.
 - Our membership is sitting at 83 members, with a new member being signed up yesterday
 - The legal fund has been set up

Communication:

- Dave Key set up our WhatsApp group, which has been great in keeping the communication open so we can inform everyone of updates and also a good forum for discussion, Q and A's.
- The Committee VC every week to catch up and gather feedback of how things are going, where we are at etc. Keen to keep this up.
- Waiting for announcement around consultation; hopefully will hear more before Christmas.

Minutes moved by Craig Monrad and seconded by Murray Binning.

A lot of our ideas have been brought forward in consultation and taken on board, such as:

- Mentoring or parallel roles - looking at individuals wanting to retire and may want to take up a mentoring or parallel system role
- Old JD's – these need to be rewritten to a modern standard

This is a huge win for all our work around submissions – we have talked about things in a positive and proactive way.

The Act reflects what we wanted it to say around emergency services. The integration phase in July 2020 will see:

- Integration of all this developed: how we will manage in the future, how we integrate this into BAU, job roles / rank and role model, boundaries etc.
- We will see 'unification': there are 5 words that always seems to have some confusion around them / what we will clarify over time:
 1. Unification
 2. Ways of Working – clarity of who you're in control of / group roles
 3. Difference between the Acts – additional mandate across anything that's non fire
 4. Service Delivery – evidence based reasons on why we do things
 5. Process of Risk Assessment – future risk assessment will be around who is the best person for the job. Will gain clarification around this.

Overview of what FECA is doing / has done:

- Proactive in co-design – involved in development and structure
- Advocate for you / our role is to minimise the stress on you
- See that the process is fair and transparent and follows Employment Law
- Focus around assessments, acting up, non-geographical positions
- Keeping up relationship with other unions / associations

Development Fund – going to set more of a criteria on it

If there is something you are interested in attending, but you aren't able to attend through FENZ, then please make an application to FECA as this is what this fund is for.

Presidents Report moved by John Booth that the report be accepted, seconded by Murray Binning. Carried by all present.

Financial Report was read by the Treasurer, Steve Kennedy.

Just under \$24k spent on legal fees (post submissions). Murray Binning acknowledged that there may be a further call for more legal funds as we can't afford not to have professional advice while we're going through the consultation period.

Des Irving explained the legal fund is only used for lawyers' fees and any personal grievances have come out of the levy (BAU funds).

Des Irving asked if anyone wanted to stand for the Committee. Elected unopposed as per current committee below.

Present – Roy Breeze

Secretary – Des Irving

Treasure – Steve Kennedy

Committee – Dave Stackhouse, Dave Key, Daryl Trim, Darryl Papesch. Ex officio's now with full voting rights are Geoff Purcell, John Booth and Murray Binning.

Remits:

1. Requirement for Annual Audit of Accounts

Steve Kennedy, seconded by Des Irving

Rule 8.3 of the Fire & Rescue Commanders Assn requires that the accounts of the association shall be audited by some duly qualified person. The Companies Office do not require the accounts of Incorporated societies to be audited, unless it is a requirement of the Societies Rules.

There appears to be a shift within the audit profession with smaller accounting firms no longer offering audit services. This leaves no option other than to contract larger audit firms which comes with a large increase in fees when compared to previous years. As an example, the audit fee for 2017 was \$288.00 and 2018 \$345.00. This year we were quoted \$1,400.00 for audit services.

The reasoning for the following remit and rule change is a cost saving for the Association.

Remit

Rule 8.3 to be amended removing the requirement for the annual accounts to be audited.

Replace with, Annual accounts to be subject to audit as required by the committee.

Agreed to change the word 'audited' to 'reviewed' in Rule 8.1, and take out the middle section of Rule 8.3. The amended Rules will read as per the below:

8.1 *The Association's funds shall be deposited in a bank account or trustee investment accounts on behalf of and in the name of the Society. The Secretary shall keep proper accounts of all monies due to or payable by the Society. The Associations accounts shall be reviewed as directed by the committee.*

8.3 *The end of the financial year shall be June 30. The statement of income and expenditure and balance sheet shall be submitted to the Annual General Meeting for approval.*

Remit was passed by 40 Yes votes to none No votes

2. Long Service Leave

John Booth, seconded by Geoff Purcell

Currently FECA members of FENZ are entitled to 5 weeks' annual leave plus the statutory holidays.

Longer serving members are entitled to a once only additional 28 continuous days from 20 years.

Remit

Including the above and after 20yrs continuous service with FENZ FECA members be entitled to an additional once only 10 working days leave after every additional 5 years' continuous service. This will align FECA members with Police.

Des Irving asked for approval to table these remits as part of the collective re-negotiation / bargaining. This remit is not to the change rules but to bring up / to go forward to the Collective Bargaining team.

3. Gratuity Payment

John Booth, seconded by Geoff Purcell

A Gratuity payment is available to FECA members who have completed 10 years or more service. This payment matures after 35 years' service being 6 months of the member's base salary.

Remit

That the gratuity payment be paid into the member's superannuation fund after the member reaches the maximum pay out time of 35 years.

To receive this payment, the member must provide FENZ with a confirmed retirement date. FENZ will pay the increased difference due to salary increases into that member's superannuation account for the period between when the members gratuity is paid into the member's superannuation account till the member retires.

4. Deployment Payments

John Booth, seconded by Geoff Purcell

Currently FECA members can be deployed to major emergencies within NZ

They could also be utilised to assist at events overseas.

There is no payment made to our members who readily give up their time to be away from home 24hrs 7 days on deployments.

Remit

At any deployment to any event both within NZ or overseas FECA members are recompensed at the same rate and time off for recuperation as those of equivalent rank within USAR UMT personnel.

Des Irving:

We're the only organisation that don't get a payment while away on deployment. There was meant to be a payment for the Pigeon Valley fires, but the organisation reneged on at this at the last minute.

Paul McGill was working on a policy around this, but we have not seen an agreement.

Roy and Des are meeting with Brendon Nally, so will raise this.

General Discussion:

Remit - Coverage of Rank

Des Irving, seconded by Dave Key

Clause 3 (b) Coverage, states our current agreement covers those uniformed employees of FENZ. That people who hold any rank above SSO, and below ANC.

As we move towards a unified service the new proposed level 4 and 5 positions (District/Group) maybe be filled by both ranked and non-ranked people.

An example is the District Risk Reduction role, if these roles are filled by a non-ranked person, then under our current rules they are in eligible to become members of FECA.

To enable FECA to capture all level four and five management positions I propose the following rule change:

Add a new section to the current clause

(c) and including other tier four and five management who apply for membership and approved by 75% of the committee.

Discussion

Reviewing / rewriting of strategic plan and goals of the organisation as to include the word 'commander'.

Remit

Since the signing of our last collective in 2016, members have received the following benefits:

- The starting percentage rate for both secondments, and permanent appointments has increased from 85% to the new rate of 95%. This means the time to achieve 100% of the market rate has decreased by 12 months (subject to performance reviews).
- Progression to the next step is now on appointment date
- A new on call allowance for non-geographic commanders with (ACL 3), of 5.4% of the full market rate This allowance is now fully super-able.
- An increase for geographic commanders for the out of hours' allowance from 10% to the new rate of 10.4%. This allowance is now fully super-able.
- Commanders that are on call for more than 18 weeks in a rolling year are entitled to an extra on call allowance of 5% which is fully super-able.
- The limited use vehicle for commanders has been upgrade to the VRX model, with an increase of agreed value to \$38,000 (the 25% value has increased to \$40,000).

Proposal is as read under clause 3d coverage, we add clause 3c and include other tier 4 and 5 managements who apply for membership and approved by 75% of the committee.

Remit was passed by 40 Yes votes to none No votes.

Increase in Membership Prescription amount

During the 2016 AGM, a remit was passed to increase subscriptions automatically in line with any annual market rate increase. This year's market rate movements where between 2.94% and 2%, 2018 the rate moved 2.9% (including the 0.4% on allowances), and from memory around 3% (movement was in line with PFU officer rates) in 2017. The committee decided not to automatically increase the subscription rate from the last increase in 2017 when we went from \$18:00 (per pay) and (\$39:00 monthly).

We have seen an increase of commanders who have been diligently carrying out their management duties, find that have been investigated due to staff a compliant. At time we have had to seek legal advice to protect the member/s involved in the dispute.

Des Irving proposed for the fees to go up from \$20 to \$25 per fortnight, or \$43.33 to \$54.16 per month. This increase will give us approximately \$10,500 extra for the year. This will give us more scope for BAU in the future.

Discussion:

Will the increase of \$5 a fortnight be enough / beneficial?

There is an increase in claims against managers / commanders who are just doing their jobs – There are personal grievance investigations happening which are not supported by the organisation, this means we are paying for more legal fees / legal advice.

Des Irving will write to payroll to automatically increase this amount for all membership.

Legal matters

- Support of Commanders who get PG's against them and lack of organisation assistance and undermining authority to do job
- Where commanders are having allegations laid against them, we don't think they're getting enough support or legal advice
- Organisations view is only a prelim hearing and no need to give legal advice, however possible outcomes are dismissal or serious misconduct

Raising this with Brendon.

Reminder to be careful with how we speak and to be accountable for our actions. Please call a member of the Committee if you need any advice or help.

Seconded AAM's – a lot of work with individuals and HR consultants. Agreed they will move the position in range and adjust higher duties allowance down, but increase base salary.

Disappointed with media coverage of Auckland Convention Fire from PFU. Meeting with PFU this week to discuss.

Meeting closed at 12.25pm