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**AUSCRIPT**

TRANSCRIPT OF PROCEEDINGS

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O/N 65531

**TASMANIAN INDUSTRIAL COMMISSION**

**COMMISSIONER T.J. ABEY**

**T No 13022 of 2007**

**TASMANIAN FIRE FIGHTING INDUSTRY  
EMPLOYEES AWARD**

**Application pursuant to the provisions of  
section 23(2)(b) of the Industrial Relations Act 1984  
lodged by the United Firefighters Union of Tasmania  
to vary the above award re work value review in  
accordance with Principle 9 of the Wage Fixing Principles**

**LAUNCESTON**

**10.30 AM, WEDNESDAY, 3 OCTOBER 2007**

**This transcript was prepared from tapes recorded  
by the Tasmanian Industrial Commission**

PN1

MR R. WARWICK: I appear for the United Firefighters Union of Tasmania and the United Firefighters Union of Australia (Tasmania Branch).

PN2

MR P. BAKER: I appear on behalf of the Minister Administering the State Service. With me today is MS R. PEARCE and MR D. KILLALEA.

PN3

THE COMMISSIONER: Thank you. We have a program set forth and I am appreciative to the parties for putting this together. I understand the first step will be opening submissions. So, Mr Warwick?

PN4

MR WARWICK: Thank you, Commissioner. If the Commission pleases, this application has a unique feature. An applicant in a work value case generally asks that the Commission assess the value of the work under consideration by reference to similar levels of skill and responsibility in other occupations that are comparable, so far as possible. Also, the conditions under which the workers performed may come into play. We contend that in all but one of the occupations covered by this application, the work performed by the employees in question is exactly the same as other employees they work beside.

PN5

Where there are differences, those differences relate to additional responsibilities that some of the employees in question perform rather than lesser levels of skill and responsibility. Those positions are Community Fire Safety Officer level 4, Senior Consultant TasFire Training, Community Fire Safety level 3, Consultant Building Safety, Community Fire Safety Officer level 2 Instructor, TasFire Training. Only the current incumbent employed in the classification of Community Fire Safety Officer level 1 comprehends work that is different from other TFS employees.

PN6

This work is unique in the TFS but is not dissimilar in many respects to work performed by other Tasmanian Government employees. The application before you relates to all four of the Community Fire Safety levels contained in the Tasmanian Fire Fighting Industry Employees Award. The history of this matter is long and convoluted, starting with the original structural efficiency decision of this Commission in the early 1990s. That decision established relativities for fire-fighting work, both above and below the 100 per cent trades persons rates.

PN7

It is interesting to note that the relativities then established remain intact despite their having been five bargaining agreements made since that time. The only exception to that observation has been the negotiation of two

additional levels. However, these two levels operate not as substantive levels in the career path for firefighters and officers but, rather, more like allowances for work conducted in specialist areas of training and responsibility. Commissioner, the fire service has long since had, what might be called for the sake of simplicity, a day-work department.

PN8

Historically, the building safety unit has been colloquially referred to as Gellibrand House, which is, of course, a disability facility in Hobart. In days gone by, this department was a refuge for injured and worn-out firefighters. This is no longer the case, but the name still comes up from time to time. As the application states, Commissioner, there are approximately 17 career firefighters and officers who currently work in the Community Fire Safety division. In so doing, they all presently retain their rank and classification status under the Tasmanian Fire Fighting Industry Employees Award.

PN9

While performing these roles, career firefighters and officers do not work rostered shiftwork; rather, they work under a non-rostered shiftwork arrangement that can most easily be described as being akin to day work. The five members of the UFU to whom this application relates have all been employed on a very different basis. This is because on various occasions in the past shiftwork firefighters and officers have not expressed an interest in community fire safety positions.

PN10

As a result, the five current employees in question have been employed from outside the career firefighting stream and, indeed, in some cases, from outside the Tasmanian Public Service. The unique feature of this case, we contend, is that the members employed in community fire safety officer positions level 2, 3 and 4 all do exactly the same work as firefighters and officers who work in community fire safety but who have come from a career firefighting background - and do not do similar jobs - they do exactly the same jobs and at the same level of skill and responsibility as their counterparts.

PN11

The Tasmania Fire Service has long contented that there must be a pay differential between the two groups; the two groups in this case being the career firefighters and the community fire safety officers. The TFS claims that this differential is based on the fact that career firefighters have competencies that allow them to quickly return to shiftwork operations. Indeed, they can be required to do so after one day's notice, or they can agree to do so even sooner. We do not necessarily contest the notion of this pay differential in these circumstances. We accept that the skills of career firefighters in this circumstance are skills required rather than skills acquired.

PN12

What we do not accept is that this differential should be a moveable feast as it has been over the last three years. Our claim is that the dollar value of this

differential should be assessed and then set as a proper percentage relative to the 100 per cent trades persons rate contained in the award. The current relativities in the award that relate to community fire safety officers are based on nothing more than the rates that the jobs were originally advertised at, plus the bargaining outcomes of the State Service Wages Agreement process - and, I might add, that neither of the employees in question of the UFU has any input into that State Services Wages Agreement process or outcome.

PN13

The fact that the people have now been incorporated into the award means that we do now have control over their bargaining outcomes but previously we have not. In respect to the community fire safety level one position - that is the fire safety auditor who works in Hobart - we ask that the Commission conduct a standard work-value assessment of this level based on comparisons with similar jobs in Tasmanian Government employment. In this case, we also seek the setting of a proper percentage relative to the 100 per cent trades persons rate contained in the award.

PN14

Commissioner, the application clearly sets out the areas of activity that fall under the banner of the community fire safety division and the positions and persons to whom the application relates. In the interest of absolute clarity, I seek to table a document that restates all of the TFS community fire safety units positions and incumbents.

PN15

THE COMMISSIONER: I will mark this A1, Community Fire Safety Units Positions and Incumbents.

## **EXHIBIT #A1 COMMUNITY FIRE SAFETY POSITIONS AND INCUMBENTS**

PN16

MR WARWICK: That concludes my opening submission, Commissioner.

PN17

THE COMMISSIONER: Yes, thank you, Mr Warwick. Mr Baker, do you have anything at this stage?

PN18

MR BAKER: Thank you, sir, yes. Mr Warwick has indicated there has been a history that goes back a number of years, that goes back to comments which perhaps are not considered so warmly received these days in relation to the people who occupy positions in the community fire safety unit. However, that aside, I think it needs to be put on the record -as, indeed, Mr Warwick has put on the record - that these positions have always existed and were part of the structural efficiency/work-value case that was conducted in the early nineties that resulted in the current formation of the

career structure that exists, as we now know it, within the Fire Service Award.

PN19

As Mr Warwick has pointed out, in around about the early 2000s, the fire service had difficulty in recruiting career firefighters to undertake the roles to which Mr Warwick has alluded today. As a consequence of that, it was determined that we would introduce into this area of employment persons who would be defined as non-career firefighters - and that occurred in around about 2003/2004 and there were statement of duties arrived at that outlined the basis of their employment. We will contend that there is a significance difference between the statement of duties that is expected to be undertaken by a non-career firefighter as opposed to that of a career firefighter.

PN20

Mr Warwick has alluded to some of those differences this morning and we will further exemplify those, the differences, during the cross-examination later today. As I indicated, there were statement of duties arrived at in 2003/2004 and, following same submissions made on behalf to those employees by Mr Warwick's organisation, there was a review undertaken of the statement of duties and their relationship with, if I may use the expression, award rates of pay.

PN21

As a result of that, the statement of duties were reviewed. A classification structure was developed and there was a series of negotiations that were held with the employees themselves and with the UFU with Mr Warwick participating in at least two of those - and I don't mean that in any derogatory sense, because I was only involved in the last two; so that is why I say he was involved in at least two - and I am sure there were many more than two.

PN22

Then there was a very serious discussion that was had between the parties as to the rates of pay and, as Mr Warwick has pointed out, we say there is a wage differential that need to be struck between those who are classed as career firefighters and those who are non-career firefighters who operate in this are of work, a differential which we will go into in some detail later in our submissions. There was also, coincidentally, at the time, a discussion that was had between the parties in relation to transferring the industrial instruments that pertained to the firefighters and other classifications from the Federal jurisdiction back into the State jurisdiction.

PN23

It was agreed between the parties at the time that we would incorporate into the new State award those classifications which had been agreed between us in relation to the community fire safety unit and that was undertaken and, when the transfer occurred, the new classifications were contained in the award. You will note also that there are rates of pay which were also placed into the award and, as I indicated when this matter was last before the Commission, there was a discussion between us as to the suitability of those

rates of pay. As In indicated the last time when the matter was before the Commission, Mr Warwick was free to take an application at any time in the future as to meet what he perceived to be shortfalls in those rates of pay and, accordingly, the application was subsequently made.

PN24

However, I think I need to, sort of, put on the record our position in relation to the claim that is before us in the context of work value. You may recall during the most recent State wage case, that was the July State wage case in 2007, that I made very strong submissions on behalf of the Government in relation to the wage-fixing principles and I sought an amendment to the principles in respect of public sector awards, and the Commission acceded to our submissions and varied the principles accordingly.

PN25

I also emphasised quite strongly that matters other than those that were agreed and fell within the bounds of the principle that I enunciated, that applications before this Commission seeking variations to awards should be processed, must be processed, in accordance with the principles of the Commission. So when this application is currently before the Commission, we say the principles must be applied and, as Mr Warwick has pointed out, this matter is being dealt with under principle 9, work value. Now, the work value principle says at 9.1:

PN26

*Changes in work value may arise from change in the nature of the work, skill and responsibility acquired or the conditions under which the work is performed. Changes in the work by themselves may not lead to changes in wage rates. The strict test for an alteration in wage rates is that the change in the nature of the work should constitute such a significant addition to work requirements as to warrant the creation of a new classification or an upgrading of a higher classification. These are the only circumstances in which rates may be altered on the grounds of work value and the altered rates may be applied only to employees whose work has changed in accordance with this principle.*

PN27

Then later at 9.5:

PN28

*Where a significant net alteration to work value has been established in accordance with the principle, an assessment will have to be made as to how that alteration should be measured in money terms. Such assessment should normally be based on all previous work requirements, the wage previously fixed for the work and the nature and extent of the change in the work. However, the Commissioner will also take account of the relativities and the integrity of the internal award classification structure and the external classifications to which that structure is related.*

PN29

Now, as has been previously discussed by both the advocates here this morning, there is an internal relativity issue that pertains to that of the career firefighter and the relativity that is between the two. We say that the relativity between the two, that is, the career firefighter, and, if I can use the phrase, civilian employee, has been assessed and we say that that is correct in all the circumstances. We say that it is not the role of this Commission to fix up or attempt to address outcomes that have arisen through previously enterprise agreements.

PN30

It is the role of the Commission to look at and assess rates of pay classifications that bear sufficient weight to each other and also recognise existing relativities that have been assessed and valued and, in this case, the value of the work that is being assessed has been previously assessed by this Commission and most recently the enterprise bargaining agreement that was struck in relation to career firefighters also recognises movements in the value of the work.

PN31

So we say that for this matter to proceed in accordance with the principles as they are enunciated by this Commission, that it is a movement in the value of the work that needs to be examined and is simply not a question of assessing a wage rate, if you like, in a comparative wage justice sense because that is what is being tabled by Mr Warwick this morning.

PN32

We are happy to proceed to look at the work that is being undertaken by the persons who are the subject of this application. We are happy to proceed - "happy" is not the word, I should say - but we are prepared to participate in this process to see where it finishes up at the end of the day. I reiterate the comments that I made when this matter was last before us. This was the matter of an enterprise bargaining claim that was before us. Mr Warwick has indicated that he no longer wants it to be there; that it now is to be so processed through this process. The enterprise bargaining process will resume at some stage in the future and that is an issue that needs then to be also addressed as to whether or not we have this exercise.

PN33

At the conclusion of this exercise there is then another exercise that is done in relation to wage rates for persons who are encompassed under the community fire safety unit. So there are some significant issues that need to be addressed, in our view, in addition to simply looking at the work. Now, we accept prima facie that the work that an experienced station officer of senior station officer undertakes within the section of work is in many ways - in fact, at times we would almost argue it is identical work that is undertaken.

PN34

But there is a component of the work that is undertaken by the station officer or the senior station officer, that is, the experienced fire officers, who are required to undertake as part of their overall duties and responsibilities

that is significantly different from that of the appointed Community Fire Service employee. So, with those comments and, subject to any comments from yourself or questions, we would pause there and proceed to the inspection.

PN35

THE COMMISSIONER: Just remind me again, Mr Baker. When do you say the previous assessment was done?

PN36

MR BAKER: I say, as Mr Warwick indicated, that the current structure that appears for the firefighters was established in '93/'94. So that is when the structure was put into the award and if you look at the classification at the station officer, it actually talks about - there is a reference to community fire in there, because it talks about, at the 120 mark, there is a 123 with a question mark and then it goes on to 125. So that is when that happened.

PN37

Then, as a consequence of the last round of the bargaining period, which goes to experienced firefighters, there is a reference in that when the 24.9 per cent that flowed to firefighters for the three-year period that it recognises all previous work value adjustments - and that was struck in 2004. So, you know, if we are looking at the value - I mean, this is why I make the point. This is a very complex issue. It is not just a simple exercise of saying, you know: one does that, I do this, it is the same. There is a very significant history of how these wages came together.

PN38

THE COMMISSIONER: I am sure it will all emerge. Just so I clearly understand the process: if, for example, there was a vacancy for a community fire safety officer level 3, which was properly advertised, and it was filled by a career firefighter - as I understand, the career firefighter would maintain their existing salary level; is that right?

PN39

MR BAKER: That is correct.

PN40

THE COMMISSIONER: So they wouldn't actually go onto this new classification.

PN41

MR BAKER: No. No, and we will lead this by way of evidence.

PN42

THE COMMISSIONER: Yes.

PN43

MR BAKER: When you look at the statement of duties, the statement of duties encompasses two components. There is the community fire safety component and then there is a component that goes to that of an operational firefighter at the station officer level.



PN44

THE COMMISSIONER: All right. Anything else, Mr Warwick?

PN45

MR WARWICK: There is a matter I would like to raise but I think it would be best done off the record, sir, if that is okay?

PN46

THE COMMISSIONER: Yes. We will go off the record.

**OFF THE RECORD**

**[10.55 am]**

**RESUMED**

**[1.50 pm]**

**<DANIEL RONALD GREGG, AFFIRMED**

**<EXAMINATION-IN-CHIEF BY MR WARWICK**

PN47

THE COMMISSIONER: Yes, thank you, Mr Warwick.

PN48

MR WARWICK: Thank you, Commissioner.

PN49

Mr Gregg, could you please tell the Commission your job title?---My job title is consultant building safety.

PN50

How long have you been employed in that capacity?---A tad over five years.

PN51

I see. I would like you to have a look at a document.

PN52

THE COMMISSIONER: Thank you. We will mark that A2, job analysis questionnaire.

**EXHIBIT #A2 JOB ANALYSIS QUESTIONNAIRE**

PN53

MR WARWICK: Mr Gregg, are you familiar with this document?---Yes, I am.

PN54

Could you give the Commission a brief description of what it is?---Okay. The job analysis questionnaire was something developed in consultation

with our relevant managers and the director and Robyn in the final instance. Basically, it was just to capture exactly what it was, or is, that we do in our position. It details such things as our normal day-to-day work, people that we consult with and basically just roles and responsibilities, if you like.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN55

Can I ask you some questions about this document? On the second page there are five dot points?---Yes.

PN56

The first of those is the delivery of time and the accurate advice to clients. Who are the clients?---The clients are a reasonably broad range. It can range from just general members of the public with a complaint or a concern and it can also relate to other members of the Fire Service: our communications divisions, operational staff and it can also be fire engineers, building surveyors - a broad range of people.

PN57

And building owners?---Building owners, yes, that's correct.

PN58

The second dot point says "Inspection of buildings against identified benchmarks and report on findings". Firstly, could you briefly summarise the benchmarks that are being referred to there?---The benchmarks are on an existing building; the requirements at the time of construction. The benchmarks for current buildings is basically the current building code and current relevant Australian standards and our code of practice, etcetera. So basically it is whatever was relevant at the time of design and/or construction dependent on whether it's an existing building or whether it's a new building.

PN59

Is it accurate, in respect to that dot point, to simply say that you inspect buildings or do you do more than that?---No, we do do a lot more than that. We inspect buildings under, I guess, the chief officer's obligations under the building regulations. We also inspect them under our own obligations under the general fire regulations of the Fire Service Act. Part of our inspection may also be an audit or scrutinising the permit holders who has either installed the fire detection system or sprinkler system or extinguishers, as the case may be. We're actually scrutinising their work as well because they hold a permit with the Fire Service to undertake that work competently; so we inspect and report on that as a separate issue to the building compliance matters as well.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN60

But what I am trying to get to in the inspections we have just participated in, we saw that you were involved in consultation in respect to the original proposal to, say, build a building and then looking at the plans and issuing reports?---That's right. Obviously, there's a number of other things we

consider. There's occupants' safety, which is generally captured by the requirements of the building code, all the relevant standards anyway. We also think of firefighters' safety and also our operational requirements should we have the need to intervene with a fire at the particular premises.

PN61

What I am trying to get to is the process that you go through when an application comes before you. If you could explain that to the Commission?---Okay.

PN62

And, in particular, what specific jobs you do at each stage of that application - - -?---Okay.

PN63

- - - because while we saw that in the inspection, we need to have it on the record as well?---Okay. It's from the original concept, if you like, we're involved with discussions with the relevant stakeholders on a lot of occasions, those being perhaps the building owner or their representative, a fire engineer, if they're engaged, a building surveyor and obviously ourself representing the Fire Service.

PN64

What are those discussions about?---The discussions are in relation to an array of issues and generally they're issues, if a fire engineer is involved in areas that don't comply with the deemed certified provisions of the building code, rather, they're looking at satisfying the performance requirements of the building code. So they can involve such things as the non-provision of a fire-isolated stair and, by counteracting that, they might want to install a sprinkler system as long as that can be demonstrated as meeting the performance requirements for having a fire-isolated stair. Those are the sorts of things. It's very much in its early stage, very much a consultative process and, as the project progresses, then it gets down to more of a formalised and, I suppose, legalised, if you like, framework where we're commenting from a legislative perspective.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN65

Take us through that process. After you have had the discussions with the stakeholders, what actually happens next? Are you given a set of plans or - - -?---Often we're given some preliminary design documents, if you like, in that early stage. When we're providing our formal comment, a request will come to us via a building surveyor on an approved form, form 41, and it will be requesting us to comment on certain items that we have the authority to. Once we receive that request to issue them with a report, we'll then assess a set of plans and any other relevant documents, whether it be specifications, alternative solutions - whatever the other documents may be - and then furnish a report back to the relevant building surveyor.

PN66

I see. And what is the process that takes place in respect to that report when you have provided it?---Once provided the report to the building surveyor, the building surveyor will then receive it and review it. They can either accept, amend or reject any comments we may make in our report. As I've stated earlier, 99 per cent of the applications go through without any advice to say they're not going to enforce the requirements of our report. If they do wish to amend or reject any of our comments that we make, then they need to inform us in writing and then we get the opportunity to appeal that decision.

PN67

To who?---Very good question. I guess it's the Building Appeals Tribunal. I've never had to go down that line, in my history anyway. I'm not even sure if the Fire Service has, that you are aware of, Damien?

PN68

MR KILLALEA: It has once, that I am aware of.

PN69

MR WARWICK: Yes?---Normally, we're - I suppose, if you like, our comments seem to be valued and most of the time - or all of the time they're nothing other than what's either required by the building code or for us, from an operational point of view; not in the business of making people jump through hoops just for the fun of it. It's just, you know, it's either compliant with the building code and meets their operational requirements or it's not.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN70

And is that the end of the process?---The next process is, we can be involved with issues during the construction of the building. Often there will be some construction issues that come up through the process. Our next legislative involvement is generally - - -

PN71

What sort of issues might they be?---Okay. Say the provisions of a booster assemblies, or something like that. They need to relocate it to another side of the building because of something they haven't thought of in the original design stage. Maybe they want to put - say, if it's a hospital, maybe they want to put their oxygen tanks at the front of the building because the truck pulls up and wants to fill the tanks; so, therefore, we need to relocate the booster system or accept an alternate location. Those sorts of things often don't come to fruition until the project's started and someone thinks, "We might have a problem here." Particularly the staff of the building are often not consulted, you know, at the design process, if you like, and, after all, they're the end users of the building and sometimes they come up with some operational issues that they have which may impact on some of the things that we comment on.

PN72

So in that example you have just quoted, would you be saying yes or no to what is being proposed?---It depends. I guess if the alternate location met both the building code of requirements and our operational requirements, then we'd have no need to refuse that application. It would obviously need to go through due process to do so, which would be an application for the building surveyor who would then refer it to us. If there was no other feasible location, then I guess they would need to look at an alternative location for their oxygen tanks, if that was an example given. So, yes.

PN73

Who finally says that it is okay for people to occupy the building?---The responsibility there lies with the appointed building surveyor. Then, I guess, the building surveyor in 99 per cent of the cases - - -

## RECORDER MALFUNCTION

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN74

THE COMMISSIONER: We are back on the record. Mr Warwick, if you could recapitulate a bit and see if we can get back to where we were? We are not sure what has been recorded.

PN75

MR WARWICK: Mr Gregg, in respect to the example you just gave in relation to perhaps a hospital and the need to relocate a booster supply because hospital might want to have its oxygen tanks out the front?---Yes.

PN76

What would happen in that case as the building is being assembled and you are called in in respect to a particular problem, what would happen in that? What would your involvement be in that situation?---Okay. Often we're involved again as a consultative process in the first instance as to say, "Can we look at an alternative location or can't we?" Once that decision is then formalised, then they'll put forward a proposal by the building surveyor, which would generally be something documented as in a revised location of a virtual assembly, as the case may be, and that will then be forwarded to us for formal comment. Providing that meets our operational requirements and the requirements of the building code, then we have no issues in seeing that one go through.

PN77

And so then, moving towards the end of the process, who is finally responsible for issuing a certificate of occupancy?---The certificate of occupancy is given by the appointed or relevant building surveyor.

PN78

and what advice do you provide to that building surveyor?---Prior to a building being occupied, the chief officer has a legislative role in regards to commenting on the schedule 2 items or the items that we get to comment on

in accordance with the building regulations. Those particular items, we comment on both our operational suitability and also the building code compliance; so if there's issues, you know, such as internal hydrants, or something like that, that the firefighters may have some additional requirements over, then that would be commented accordingly, and the building surveyor will take those into consideration and, generally, they'll issue the builder or the responsible person for the

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

project, if you like, an inspection direction or something similar to, in other words, remedy those items prior to them issuing an occupancy permit. The building surveyor can either - or does either - generally request us to reinspect those items and/or just provide us with written documentation to confirm that and that they're going to issue the occupancy permit.

PN79

Can the building surveyor issue a certificate of occupancy without your consent?---Legally, no.

PN80

What about otherwise?---I guess, they're not complying with the Building Act 2000 if they were to - I'm assuming we're only talking about buildings that we have a legislative involvement with. Not all buildings we do. I suppose we need to make that point clear. So we're not involved with every particular building. The ones that we are involved in, if the building surveyor was to issue an occupancy permit without receiving a report from us in the first instance, then they'd be breaching the Building Act.

PN81

I see. You have mentioned a couple of times - you have referred to the requirements of the firefighting staff, if you like?---Yes.

PN82

Could you tell us about what that means; what the basis of that responsibility is and what it means in practice?---Okay. To give you a practical example, we might just, say, pick a standard warehouse, something like that. If it's over 500 square metres, it requires a hydrant and a hose-reel coverage. The thing might be, you know, stacked to the top with tyres, or something like that, which can cause a firefighter some grief. So, although by providing, if it's only just over 500 square metres, it only requires one hydrant. We might consider that to be a specific fire hazard. There's certain sections of the building code and building regulations which give us some authority under those sorts of instances and, in which case, I generally have a talk to a district officer from operations and just by the particular scenario and say, "In my opinion, I think we need some addition hydrants," or something like that; "What's your thoughts?" In most cases, because of the office environment I work

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

in, I'll generally call on one of the field district officers or someone similar and they'll say, "Yeah, we agree with that," and the way the report goes with those additional items that the firefighters may need to effectively intervene. That's obviously a simplistic version. There's other sorts of things - but, yes.

PN83

Well, could you just give us a bit of a list of what they are? For one, I know that turning circles for fire trucks is a consideration?---Yes.

PN84

Are there others?---Yes, there's turning circles, there's controls and indicators for such things as smoke exhausts and ventilation. It's the guys from operations, the end-user of the system, I guess, primarily, so they need to be satisfied that although it complies with the standard, it also meets their operational requirements and, I suppose, in turn, our own internal SOPs, to a certain degree as well.

PN85

So is this an informal process or a formal process?---Internally, it's informal. Basically, I'll identify an issue that can impact on firefighters' intervention, if you like; so, therefore, I'll take the steps internally to chat with those relevant from operations to get their feelings and advice and implement that into a report and, as I understand it, it's the same consultative process within building safety state-wide. The guys in Hobart do a similar thing. If they've got something that's a little bit from left field, they'll have a talk to operations and implement potentially the discussions into the report.

PN86

You mentioned during inspections, though, that there is a code of conduct?---A code of practice?

PN87

A code of practice, I am sorry. Could you give us an idea of what is involved in that?---A brief overview is anyone that either installs or works on or maintains any fire protection equipment or systems is required to hold a permit with the Fire Service. The code of practice dictates additional requirements that that installer or permit holder must achieve with each installation or maintenance period, if you like, over and above what would be required by the relevant standards or building codes. They can be such things as A4 walkabouts, as in A4 zone drawings, if you like, in the fire panel.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN88

For the firefighters?---For the firefighters, yes, which allow a more effective and early intervention. Years ago - - -

PN89

Who would draw them up?---The installer of the system would either have them drawn up or draw them up themselves. Some organisations contract that out to someone with, you know, computerised drawing capabilities. Not every office has that, but most of them now do.

PN90

And do you approve those or does someone else?---Approve the A4 walkabouts? No, basically they're required for our use and really no one else's, so that's required by a code of practice; so, yes, we get the final -the decision on whether they're satisfactory or not.

PN91

Is it possible for the Commission to have a copy of this code of practice?---I don't have a copy with me but a copy could be made available, yes.

PN92

It would be acceptable to table that later, Commissioner.

PN93

THE COMMISSIONER: Yes, certainly.

PN94

MR WARWICK: So in respect to this code of practice, does anyone else have a role in relation to the administration of it - and there I am thinking of the fire engineer or the building surveyor?---No, no, they don't. That's primarily a Tasmania Fire Service document.

PN95

And who is primarily responsible for implementing it?---Building safety staff. Everything, I think, that is in the code of practice relates only to building safety-related matters. I can't think of anything else that would come outside that.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN96

How often do you use the code of practice in the conduct of your job?---Given that I'm reasonably familiar with the code of practice, I don't take it to each side I go to when I'm undertaking the inspection. However, if something's identified as not complying with the code of practice, then I'll obviously confer with the copy at the office before I report on that.

PN97

Well, can I ask you how many projects, for want of a better word, you have done this year, this calendar year?---How many projects? I've done about 157 chief officer reports, which are based on a plan assessment and I would suggest I've done a similar amount of occupancy inspections. Generally the two, sort of, mirror up reasonably well.

PN98

Yes?---In regards to the code of practice and the use of that, anywhere where there's fire protection systems or features, then generally something from the code of practice is applicable to that job.

PN99

So, of the 157, how many would you say? Obviously, it is a difficult question off the cuff, but - - -?---It is. It always applies where there's a new system. There will only be certain requirements of the code of practice, once



a building is up and running, for trivial things like hydrants and hose-reels, as I say, it only comes in once they're being maintained. But, primarily, it's really only where there's systems, as such. The other provisions come in where there's the maintenance of the essential services, such as extinguishers, hydrants and hose-reels.

PN100

During inspections you showed us a ream of technical drawings - architectural drawings and other technical drawings in relation to a five-storey building?---Yes.

PN101

I am intrigued to know how long does it take you to learn to be able to read those drawings?---How long does it take to learn? Well, I'm not sure whether I'm going to digress here a little bit but, to answer that question, I might have to go back to my work skills prior to being employed by the Fire Service. Is that appropriate at this stage?

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN102

I would rather we didn't but - - -?---Right.

PN103

- - - but, notwithstanding how you learnt them, I mean, how long would it take a person? I mean, obviously, there are firefighters who can come and do the same work as you who have probably never read mechanical drawings of that nature before?---Yes.

PN104

How long would it take them?---Primarily, someone from operations. We've had a couple of guys, Wayne Viney and Steve Davison come over in the last 18 months, maybe two years, something like that, from operations. They were leading firefighters, both of them, when they came to building safety unit. The mentoring and training, particularly for Steve Davison, was probably a little easier given that he's based on Hobart where there's a number of other building safety consultants. Now, as far as them going out and, you know, assessing, say, a five-storey building like you mentioned, or the plans for, then generally it would be something in the order of a minimum of six months before, I suppose, you could safely say that they'd had enough competence to do that. Now, that would be fairly stringent sort of training for them to be able to do that and, in most cases, particular in the Hobart office, they have very much a consultative process. In other words, they'll, you know - two people will sit down and have a look at the set of plans on a lot of occasions. Myself and Wayne Viney, who is one of the more recent ones, he's based at the north-west, we're, I guess, sole operators, so although we certainly have the use of phone to confer with Geoff or other colleagues about work, we don't have the same luxury or the same interaction, if you like.

PN105

So in the case of this chap Wayne Viney, how long would it take him to learn to be able to read those maps and drawings - sorry, not maps - drawing?---Okay. I guess, in the current state of play, if Wayne were to receive a set of those drawings, he would generally either call Geoff or Leon or Hayden, or someone else, up to help him assess that set of drawings - and that's probably mainly due to his experience and background, if you like. Certainly, when I started in the organisation, I came from a building enforcement background, so probably had a bit of a -or quite a good understanding of a lot of those, you know, interpretations of legislation anyway.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN106

Okay. Now, in your office we saw - I was impressed by two sets of documents. They were the Standards of Australia documents and the Building Code of Australia documents. In each case, starting with Standards of Australia documents, roughly, how many of them would there be that you have to be conversant with?---When you say "conversant" - that I'd use on a daily basis, I guess, there would probably be eight or 10. There's literally hundreds of them that may have some impact in relation to our inspectional work over the process of a building, but generally it's refined to those, you know, specific eight or 10 that are common features in buildings, such as fire detection and sprinkler systems, hydrants, hose-reels - those sorts of things, given that they're more common in buildings and they're are the more frequently used, I guess.

PN107

How would you characterise those Standards of Australia documents?---What do you mean by "characterise"?

PN108

Well, in terms of their complexity, the way that they interrelate to each other? I mean, are they easy things to read?---I suppose, first of all, standards aren't legislation unless they're called up by enacting legislation such as axe regulations or, in most of our cases, the building code; so I guess you need at least a reasonable understanding of the regulatory system to understand how they fit into the mix and that standards, unless they're called up by the building code or some other legislation, then they're only guideline; they're not actually a legislative requirement, as such.

PN109

But are they complex or are they not complex?---The relevant standards certainly do vary in their complexity. The ones that we deal with commonly being fire detection and sprinkler standards, they are quite complex and generally people in the industry that deal with them generally specialise in the field. Say, for instance, when we go out and inspect a fire detection installation, then that installer needs to install as per the standard and we need to have equally as good an understanding of that standard to someone installing it as we do to inspect it because we also scrutinise their work

under their permit system, so we need to have a very good knowledge of those sorts of things.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN110

The Building Code of Australia, how would you characterise that? Is that a simple document to read, is it?---The Building Code of Australia is a bit of a rare beast. It's extremely complex and anyone that's been in the building industry and using the BCA for a number of years is basically still learning it. It's a document that is extremely hard to interpret.

PN111

And do you have to interpret it?---Yes.

PN112

How often?---On a regular basis, it would be several times daily.

PN113

And what would be involved there? What would you be interpreting?---A number of things, such as, I suppose, the intent of the building code in regards to occupant safety - we'd be looking at the performance requirements of the building code and also the deem-to-satisfy provisions for particular items that we have authority to comment on, such as hydrants, hose-reels, fire detection, emergency warning, smoke and heat vents, and a number of other items: vehicular access for large isolated buildings. There's a number of other items that we comment and need to interpret there.

PN114

Moving on to the third dot point on this exhibit A2, now, that says:

PN115

*Education internal and external clients in regard to fire safety matters.*

PN116

Do you think you have already covered that or is there another explanation of that that is required?---I guess, yes, we've skimmed over it. Educating internal and external clients: I suppose as far as internal, often firefighters may come to me with something that doesn't quite make sense to them in a building. They'll confer with me then. If it does meet the legislative requirements or if it doesn't, an example of that might be, we went to an alarm call at a nursing home and it didn't have sprinklers. You know, does that comply or it doesn't. You know, questions in that sort of nature generally.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN117

And that happens regularly?---Yes.

PN118

External clients - how do you educate them?---Education? I guess we work extremely closely with building surveyors, given that they're the regulators of most of our legislative requirements. Therefore, from them spending time with us, say, on a building site like we went to earlier today, then they would, to a certain degree, become educated as to what our requirements are and what it is specifically that we're looking at. Often building surveyors don't undertake a joint inspection with us; they'll do that on their own, and some building surveyors insist that we go around at the same time so they know where we're coming from and we can, I guess, jointly pick up any deficiencies that may exist.

PN119

The next dot point is monitoring fire safety compliance in buildings. Can you give us an idea of what that means?---Primarily, that would be done mainly by auditing our existing building stock and, basically by doing a spot audit of the building, you get a feeling as to if the essential health and safety features are being maintained or if they're not. If they have an evacuation planned which is required by the general fire regulations or if they don't - and, basically, I guess, we're monitoring the compliance by doing those spot audits. In other words, we get a feeling as to the level of compliance in the general community, if you like.

PN120

So that is an active program that you undertake?---Yes. Audits I don't tend to undertake that regularly. We've got an auditor within building safety that primarily focuses just on those. Because, I guess, of being a sole operator in the north, it's really just the legislative side of things to do with the building regulations that seems to take up most of my time, so I don't get the opportunity to undertake, I suppose pro-active things; it's more reactive to the work that's coming in.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN121

Yes. The last dot point: insuring fire protection and practitioner's work in a competent manner?---Again, really, that's just administered by the permit system and basically we'll be inspecting and scrutinising their work when insulation is being undertaken, or has been undertaken and also when they're, you know, maintaining equipment once it's already installed. Basically, we just do an assessment of their work and also their maintenance schedules to make sure it complies with the relevant standards and building code and our code of practice.

PN122

Thank you for that. If I might, I would like to ask you some questions about autonomy. Who is the person that you immediately report to?---From, I guess, day-to-day, all operational issues, it's Geoff Knight. He's the district officer for building safety. For more - - -

PN123

He is located?---In Hobart, the southern region. For more administration or, you know, training and those sorts of requirements, I guess, it goes straight to the manager of building safety, who has been Phil Oakley. It's now Justin Young for a period of six months, or something like that.

PN124

So, in your direct reporting to Geoff Knight, when do you report to him in respect to, say, for example, the complexity of a project that you are considering? Is there a cut-off point where there are routine jobs that you don't need to go to him about and then there are other jobs that you do need to talk about with him?---Formally documented, no, there's not a cut-off point. If there's a building of specific interest or complexity, then it's a building safety position that there will be two people involved in that particular project, mainly due to the fact that if someone's sick or away or, you know, out of mobile phone range, or something like that, then someone else has enough knowledge to hopefully answer a question or at least, you know, be aware that the building is taking place.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN125

So is it Geoff Knight in every case or is it another person?---No, it's Geoff Knight I generally answer to. With a reasonably complex building, I'd say I'd probably confer with Geoff. We've already established that, you know, roughly do, say, one chief officer report a day - something like that, on an average and probably one in every 20 or 30, maybe. I might need to confer with Geoff over something that's a little bit abnormal. But generally, those are really only the projects that relate to an alternative solution for a building if something doesn't meet the deemed to satisfy provisions of the building code. So, I suppose from a day-to-day basis, yes, I don't necessarily need to have any contact.

PN126

So would I be right or wrong in saying that it is only in the most complex cases?---That's correct.

PN127

Okay. And of those 20 or 30 that you don't go to Mr Knight about, do you deal with them autonomously?---Yes, I do.

PN128

So you write the chief officer's report?---Correct.

PN129

What happens then? Is it forwarded to the chief officer to sign or - - -?---No, it's not. We're delegated to sign on the chief officer's behalf.

PN130

You sign it?---Yes.

PN131

Those documents?---Yes.

PN132

One a day?---Yes, that would probably be a fair estimate, yes. That would be one chief officer report. We probably do, on average, probably about the same in the occupancy reports as well; possibly take into consideration other correspondence like approving evacuation plans, and so forth. I'm not really sure what the daily average would be but probably signing, you know, four or five documents a day, something like that.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN133

Tell us about the occupancy reports. What are they?---The occupancy is following the construction of a building prior to it being occupied or refurbishing the building, as the case may be; so it's just commenting again on those items that we have the authority to do: sign the building regulations prior to the building being occupied, and that also includes the provisions of an evacuation plan if it's a specified building.

PN134

So this is the document you send to the building surveyor?---Yes, that's correct.

PN135

You sign that?---Yes, on behalf of the chief officer.

PN136

And it is forwarded to Hobart for filing or kept here or - - -?---No, it's captured electronically on TRIM, which is a data collection program, if you like. It's then hard-filed also on our building files here. The only ones that are duplicated in any way are evacuation files - between Hobart and Launceston, that is.

PN137

So is there any aspect of your work that you are not delegated the responsibility of the signing of?---No.

PN138

I see. I would like to table another document, if I may, Commissioner.

PN139

THE COMMISSIONER: Thank you. It will be A3, certificates, Daniel Gregg.

### **EXHIBIT #A3 CERTIFICATES, DANIEL GREGG**

PN140

MR WARWICK: Mr Gregg, this set of documents relates to your qualifications - or some of them at least?---Yes.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN141

Could you outline to the Commission what these are and what was involved in getting them?---Okay. There's a Diploma of Civil Engineering. That was undertaken through the Institute of TAFE Tasmania. There's also a Diploma of Building Surveying. I'm currently progressing that further to the advanced diploma, which I've almost completed, and the middle document there is basically just a copy of a certificate of affiliation or a membership of the Australian Institute of Building Surveyors, which is basically an institute of people in the building regulatory roles, if you like, as mainly building surveyors and assistant building surveyors throughout Australia and, yes, just accredited with them, if you like; participate in CPD or professional development training sessions.

PN142

What is CPD?---Continual professional development.

PN143

Thank you. So you got the Diploma in Civil Engineering first?---Yes.

PN144

2001?---Yes.

PN145

How long did it take you to get that?---I started the course full time. I then gained full-time employment, so I then undertook that basically after hours as the courses - or the modules - became available. That was - look, I couldn't give you a definite but I'd say it was probably something in the order of about three years combined of full and part time, of course.

PN146

How long would it take you to get this diploma if you did it full time?---Two years, I believe.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN147

Yes, and the Diploma of Building Surveying - full time, how long would that take?---Full time - the course has been - I've been undertaking the course for about six years - six or seven years, part time, of course - and the course has changed somewhat - or the format of the course has changed somewhat throughout the time that I've been doing it. Originally, the course started off as being a four-year full-time course. Now it's something in the order of three years, I believe.

PN148

Okay. Legislative diploma - not the advanced diploma which you are doing now?---Correct. Yes, the advanced diploma is, I believe, another year full time.

PN149

And what is the outcome of an advanced diploma? Does it qualify you as a building surveyor?---The qualifications received to work - this is in the State of Tasmania, of course; other states and territories have different

requirements. The State of Tasmania, it allows you to practise, or be accredited as an assistant building surveyor, which allows you to work on any buildings up to three storeys and 2000 square metres unrestricted. However, you can work under the direction of a building surveyor on larger buildings, and that, but you need to basically have someone willing to sign off on, you know, other aspects on the buildings that are over that size.

PN150

That is the diploma or the advanced diploma?---Advanced diploma.

PN151

So what does the diploma entitle you to do?---The diploma, under the old, I suppose, building scheme - they used to be called building surveyor technicians or building inspectors, if you like - that accreditation no longer exists: either you're an assistant building surveyor or you're nothing as far as the accreditation of building practitioners is concerned. So, I guess, until such time as they complete an advanced diploma and have the relevant work experience also, then they can't necessarily be accredited unrestricted as a building surveyor. There's a lot of people in council and other industries that are accredited even though they've undertaken no

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

formal qualification but they might have been a building inspector for 20 years, something like that, and under the transitional provisions that come in when the accreditation requirements first came to play in the state, a lot of those were accredited as being restricted to, perhaps, class 1s and 10s, which is houses and sheds, or maybe just restricted to work for council only - those sorts of things; so, to a certain degree, they're probably restricted in what they can do, based on their qualifications.

PN152

Mr Gregg, what did you do before you came to work for the Tasmania Fire Service?---I worked with Northern Midlands Council as a building inspector for a bit over three years. That would've been my main job within that time. I did take three months leave without pay from that position to take up a post in East Timor. Again, that was working on building rehabilitation projects and similarly related fields as well. I guess, it was all to do with, you know, building construction and everything else was still related, but it was a bit of a tangent, so to speak, in that time.

PN153

So did you obtain your civil engineering diploma while you were working for the Northern Midlands Council or before?---Yes, I'd just completed that when I was working with the Northern Midlands Council and, as soon as I'd completed that, I started on then - actually, I think I might've even crossed the two. I'd actually started my Diploma in Building Surveying at the same time as I was completing my civil engineering.

PN154

So what was involved in being a building inspector?---It's basically a regulatory enforcement role. It's determined in compliance with the



building code, assessing plans, inspecting buildings for compliance; again, liaising with clients, external and internal stakeholders.

PN155

But not the fire aspects?---As a building inspector or building surveyor, or working under the supervision of a building surveyor, I had roles in regards to requesting the reports and inspections from the chief officer and also, you know, liaising with the Fire Service following a fire in a building within the municipality. Those sorts of things.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN156

This is a fairly important question. The qualifications you currently possess, leaving aside the advanced diploma, do you have cause to use the knowledge and skills that you gained in obtaining these qualifications in your daily work?---Yes, I do.

PN157

Can you outline to the Commission how that is so, please?---Okay. The Diploma of Building Surveying covers a number of aspects to do with, I guess, the interpretations of acts, regulations, by-laws, codes - those sorts of things. Obviously, it's things I do from a day-to-day basis. Its emphasis is primarily to do with the building code and construction techniques and the features and measures that may be installed in a building. There's modules on building codes and standards as part of this course. There's modules on performance-based codes, as in, you know, finding solutions - those sorts of things. There's modules on legal aspects, as interpretation of acts and regulations. There's modules on sociology, psychology - those sorts of things - you know, obviously looking at, you know, why people react the way they do, you know, different demographics. It, sort of, gives you a rounded understanding of the community and how to interact with them in those regards as well. But, I suppose, the main focus is, in my opinion, the interpretations of acts and regulations and primarily the building code, which is something I use on a daily basis and did when I was at the council, and this qualification gives you, I suppose, the underpinning knowledge to enable you to do that.

PN158

Do you think you would be able to do your job as well as you do if you didn't have these qualifications?---Definitely not - and, I guess, in all due respect, I probably wouldn't have even got the job if I didn't have that kind of background. So I suppose that's probably a simple way of putting it. If I didn't have that sort of backgrounding, then I guess I'd be a normal layman off the street, if you like, in terms of, you know, fire requirements and building codes and acts and regulations, yes.

PN159

So, coming back to the earlier question about reading plans - and I have to confess that looking at those documents, they impress me as being illegible. I couldn't see anything on them that I understood. So, in terms of that

process, are the qualifications you obtained of use to you in the reading of plans and understanding them?---Most definitely, yes.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN160

Would you rate your skill in doing that as, say, for example, low, moderate or high?---I would rate my skill in doing that as high, yes.

PN161

Did you do that when you were a building inspector?---Yes, that's correct.

PN162

Is that a large part or a small part of civil engineering?---Civil engineering, yes, certainly, that's probably where I first cut my teeth on, you know, being able to interpret a plan, I guess, and I suppose looking at the steps through my career, I probably wouldn't have got the job with the council as a building surveyor without some of the, you know, underpinning structural and civil details that would've stemmed from my civil engineering qualification.

PN163

The job you applied for with the Fire Service, do you recall what it asked for by way of obligatory or mandatory requirements and ones that might please the Fire Service for you to have?---Okay. That's a very good question. Thinking back, I - - -

PN164

Sorry, Mr Gregg, it appears from the body language over the other side of the room that Ms Pearce has a copy; so she might want to ask you about that. I am happy to let that go, if you want to table a document in that regard.

PN165

MR BAKER: Well, not now, no.

PN166

MR WARWICK: Obviously, you are not going to get a chance now. What do you think this is? Heavens above. Sorry, Commissioner?---Well, thinking back, Richard, I'm fairly sure the advertisement, if you like, in the paper, for which I applied through in the first instance, mentioned something like people with a building surveying inspection, fire engineering background. They were calling for persons with skills or, at least, working that particular field or area. I don't recall the exact wording. It's five years ago now.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN167

Yes, I think we will get to that. Does your role differ in your work from other building safety consultants?---The actual role, Richard, no. I suppose, the outcome for building safety is the same state-wide. I guess you've got the same - generally the same sort of complexities in buildings and you're

assessing shops, warehouses, factories, backpackers - the whole mix of, you know, commercial-type buildings, if you like. About the only thing that I could say differs in regards to my role would really be that I'm a sole operator, so I work across the broader range of issues in the buildings. Particularly, the guys in Hobart tend to work on specific areas. I know Leon Carr, who is one of our senior consultants, he primarily focuses on education. Geoff Knight generally focuses on health care buildings and they sort of split, I suppose, the bottom end of the State into specific areas. Hayden looks after the CBD, Peter Plummer used to look after just evacuations - those sorts of things. Now, I'm not saying that all of them don't, you know, spread in each other's areas from time to time but, primarily, that's my observation.

PN168

You are an all-rounder?---Yes.

PN169

Are you aware of the employment status of the other building safety consultants?---When you say "employment status" - what do you mean by that, Richard?

PN170

How are they employed under the award?---Okay, well, all the other guys have come from an operational background and have transferred across at some stage throughout their career - some more recent than others - into the building safety sort of things. They're employed under TFFI Award - the Tasmania Fire Fighters Industry Award. Is that right? Something like that?

PN171

But are they paid the same as you?---No, they're not.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN172

And how are they paid differently?---They're paid under a totally different stream, if you like. Given that they've come from an operational stream, they're still paid under the operational stream as per the rank structure; whatever the station officer, district officer, senior station officer - I think that's as low as we go - to the station officer, yes.

PN173

That is correct. What is your view of that circumstance? Do you think that is reasonable?---My view of that circumstance, Richard, is, I guess, for people undertaking the same role within the same organisation, then there is inequities, if you like, in the remuneration general award conditions: sick leave, annual leave - those sorts of things.

PN174

Well, you applied for this position. You knew what the award was that you were going to be employed under?---Yes.

PN175

What has changed to make you feel the situation is inequitable?---When I first applied for the position between myself and another consultant, I think that would've been in August 2002, there was a difference in remuneration at that stage of about 4600, something like that, and by December 2006 there was difference of, I think it was almost 12,000, something like that. Basically, that was really - just came about as a result of the difference in awards. You know, the actual work environment, the role's responsibilities - nothing's changed for either party - and, I guess, that's, you know, why I feel it's inequitable.

PN176

Yes, I imagine it grates?---It was explained to me at the time of my appointment that the reason for the difference in wages was due to the fact that those employed in building safety could be called back to operations or shift at short notice - and that was the justification, if you like, given when I applied for the position, as to the difference in wage, yes.

PN177

So, can a firefighter come from operations and undertake or fulfil a role in building safety?---Directly transfer across and fulfil a role, I guess, I'd have to answer that as no. Certainly, they'd need to undergo some significant mentoring and training, you know, to be able to fulfil a role in building safety.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN178

But don't they have to be at pay point 7, at least? That is my understanding?---That's correct. I'm not sure of the wording, but I think the classification standards under the TFFI award state that the minimum entry to building is pay point 7, and I think that's due to the fact of the requirement to undertake report writing, those sorts of things. I think that skill level comes into that point; something along those lines.

PN179

Could you describe the process of mentoring and training that would have to be undertaken - or that is undertaken - in respect of leading firefighters and officers who go into building safety? You mentioned six months before?---Yes.

PN180

What would the mentoring process be?---The mentoring process would, primarily, be basically shadowing someone else or, hopefully, everyone else in the organisation, so you don't pick up someone else's bad habits, so to speak, of basically, yes, just shadowing for that period of time; assessing a set of plans with which that person or, you know, numerous sets of plans with that person; inspecting buildings with that person. There would be, guess, an implied obligation that they undertake quite a lot of reading in relation to relevant Australian standards and, hopefully, come up to speed over time with the building code. As I said earlier, the building code's are fairly complex documents, so we're all still learning in that regard. Even,

you know, Geoff Knight, who has been familiar with it and probably even had, I suppose, some initial input in, perhaps, the original building code of Australia. Certainly, we all struggle with interpretation at times. I guess that's a bit of a challenge of the job. You know, the interpretation, the intent, where it all comes from: although I might say something in black and white, the intent of it may come from, you know, totally different area.

PN181

A bit like an award, an industrial award, perhaps?---I'm not really familiar with the awards, Richard, but, yes, I'd suggest A.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN182

Who does the mentoring?---I guess, primarily, that's done by all staff. Generally, it's done by the district officer, Geoff Knight, or at least co-ordinated by him. Say, for instance, when Wayne Viney started of recent times, her spent a bit of time with myself; he spent some time with the guys in Hobart undertaking inspections and assessments.

PN183

Where does Mr Viney work?---Wayne Viney worked in the north-west region.

PN184

So he came down here and you mentored him for how long?---A bit of both. Look, my individual input into that, I don't actually recall, Richard. There were numerous occasions. For me, it wasn't a block of, say, three weeks, or anything like that. For him in Hobart, I think it was. Again, that was probably due to their additional resources down there. They had the ability to, you know, release someone; or, you know, they didn't have the same level of workload, if you like, to be able to undertake that.

PN185

So this six months you mentioned, am I right in suggesting that is how long it would take someone to be able to do all of what you do in respect to, as you mentioned before, signing documents - four documents a day?---No, I wouldn't necessarily agree with that. I guess, say, for instance, Wayne's been in the unit now for a couple of years - and I don't mean to pick on Wayne in any regard - but, obviously, he came from a background that hadn't, sort of, dealt with, you know, building codes and legislation, and that, a great deal. So, you know, earlier this week Wayne contacted me for advice in relation to a job. Those sorts of things happen on a regular basis and, I guess, to a certain degree, I do the same thing with Geoff Knight, too, if it's a more complex one and, I guess, it's a consultative process. If no one internally knows that answer, then generally we go further afield. I guess, that's the way it works.

PN186

So, obviously, Wayne Viney contacts you on regular basis for advice or, what, out of the blue?---I wouldn't say regular. Sometimes - I guess, it's probably a little bit dependent on what's happening in the region, too, and

the complexities. Sometimes I won't hear from him for two or three months and sometimes I might hear from him three times in a day. It really depends, so, yes.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN187

And do the other consultants in the south ever need your advice?---From time to time. Often Phil Oakley, the manager, he often comes to me primarily, I guess, because of my building surveying background, just to do with, you know, interpretation of acts and other bits and pieces, or perhaps an issue he's got with the building surveyor and he just wants to, I guess, confirm with me that his interpretation is the same as mine in regards to, you know, can a building surveyor issue an officer's certificate without having done the XYZ prior to that. You know, those sorts of things are done on a - I won't say a regular basis but, yes, do come by from time to time.

PN188

Yes. When those people are doing that six-month period, do they have to obtain any units of competence, do you know?---Not that I'm aware of, Richard, no. No, as far as I understand it, there is no units of competence for building safety, as such - although I tend to believe there probably should be.

PN189

I see?---I think, really it's, I guess, in relation to their pay point structure; whether they're deemed to have the necessary competence to undertake that position.

PN190

I wonder if I might table a further documents, Commissioner?

PN191

THE COMMISSIONER: This will be A4, member summary.

#### **EXHIBIT #A4 MEMBER SUMMARY**

PN192

MR WARWICK: Mr Gregg, are you familiar with this document?---Yes, I am.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN193

Could you explain to the Commission what it is?---Primarily, it's competencies, if you like that I've obtained since being with the Tasmania Fire Service. Some of those involve, I guess, operational competencies, particularly, on the second page there, the first one, I appear to be generally in relation to our first-aid-related items. The second page is really the public sector training competencies, which were, I guess, assessed and awarded by the Fire Service.

PN194

So I take it, from this document, that you are a firefighter?---Volunteer firefighter, yes.

PN195

Which brigade?---Hadspen.

PN196

The Hadspen Brigade. I see. So you didn't obtain these?--- - - - That's correct.

PN197

- - - but as a volunteer firefighter?---Yes.

PN198

Do you ever use any of these in the course of your employment?---Definitely, some of the underpinning knowledge, I guess, you know, understanding fire behaviour and, I guess, from an operational perspective, looking at, I guess, having an understanding of how the brigade will react when they turn up to a building as to in the using of hydrants and sprinkler systems and those sorts of things. Definitely, it gave me a more rounded knowledge of rather than just a technical knowledge, I guess. It actually gave me more of a doing knowledge as well as to, you know, why these things are required in building and, I guess, allowing the Fire Service to effectively intervene

PN199

Yes. So this would inform, I imagine, your - the capacity to implement the Fire Service Code of Conduct. I think you have already said that but I will ask it again?---Yes. The code of practice, I assume you're referring to, or are you talking about, I guess, the operational requirements, as such.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN200

Well, in part, the code of practice does relate to operational requirements?---Yes, the code of practice dictates some of those specific requirements. From an operational - I guess, the code of practice, to put it in terms, is really more of the "nice-to-haves" but the Fire Service have dictated to, I guess, the Fire Protection Industry, whereas the building code requirements, and so forth, are the "must-haves". That's probably a better way of putting it, yes.

PN201

Have you at any point been asked for your availability and capability during fire seasons?---Yes, I have.

PN202

Can you explain that circumstance, please?---Okay. I suppose, of the recent bushfire season which we're all still fairly familiar with, I was asked to undertake roles on incident management teams in both planning and logistic roles. Tippoogree Hills near Mount Direction was one, and undertaking

such tasks as structural triage and assessing buildings after fires, etcetera; for the East Coast fires as well. I've also been asked to take media crews into what the deputy regional chief termed as being the pointy end of the fire -or of a fire - and that was the follow-up to the release of our bushfire DVD - they wanted to get, you know, some footage to supplement that.

PN203

Have you ever been involved in organising crews and resources?---Yes, I have.

PN204

How does that work?---Okay. Particularly, with the East Coast fire, I spent, I think, an evening or two or, certainly, some periods during the day here, as directed by the regional chief, to organise crews, to relieve crews that were currently on the fire ground. So, basically, what that meant was bring in a brigade chief of a particular brigade we were seeking both crews and appliances from and co-ordinating those appliances to be on the fire ground, meet at a certain place at a certain time. Those sorts of things.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN205

Has the Fire Service ever had you up in a helicopter?---Yes, they have, particularly at the Tippogoree Hills fire. I undertook some fire plotting and mapping exercises to supplement my role with the instant management team in planning, so basically what that involved was flying the fire's edge; plotting, obviously, you know, active fire regions and other things of specific interest, but also just the perimeter of the fire; take that back - that was done by GPS; take that back, down-load that into the fire plotter and basically just produce maps for the oncoming crews and also for the operational staff to be able to determine what their next plans of attack are, if you like.

PN206

What competencies did you have to do that?---Competencies? I've undertaken some internal training through the Fire Management Unit to do with the use of GPS and also, more particularly, the fire program, which is, I guess, a computerised mapping program, if you like. So, yes, that was undertaken within the - or the training was given to me by the Fire Service and that was undertaken within fire service time, if you like.

PN207

Could you tell us what structural triage is?---In a nutshell, it's really assessing the dependability of, in most cases, a dwelling. So it would involve, you know, assessing their fuel modified buffer zones, as in the areas; clear spaces around the buildings; their operational preparedness in regards to having an on-site water storage which they can utilise to put out hot spots - those sorts of things.

PN208

Have you ever been involved in that?---Yes.



PN209

When?---East Coast fires primarily, which was, I think, December 2006.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN210

Do you have any other roles you perform in the Fire Service other than building safety roles?---I do sit on a few Fire Service committees, particularly one here within the region. I sit on the building committee; so that's to do with - although I haven't sat for quite some time. I think the last time I sat it might've been when Mike Brown was still regional chief, so it's probably been six or eight months. That was just to do with overseeing any proposed projects that the TFS had for, I guess, our regional headquarters or stations, or anything like that, just to make sure that due process was followed. Other than that, I've been trained as an accident investigator and, I guess, the lead investigator for the north. Obviously, the TFS has an obligation under the Workplace Health and Safety Act to basically - what's the word I'm looking for? I guess, follow through - investigate or follow through on an accident investigation.

PN211

We are not talking about motor vehicle accidents. What sort of accidents are we talking about here?---Well, it does involve motor vehicle accidents as well - although, obviously, the lead authority on those are obviously the police - but it involves basically anywhere where this a volunteer or a TFS member has been involved in either a - or generally when I'm involved, it's an accident of some sort. An example may be the driver of - the brigade chief from Longford last year clipped a log truck on the way to an incident under operational conditions and, yes, basically we just went through the process of investigating and reporting on that one.

PN212

What about if it was - say, a firefighter had an incident, would you investigate that?---Yes, I do. We've had a number with, you know, twisted ankles, broken legs, those sorts of things, when they've been on the fire ground, so, yes, go out on site and, you know, interview a number of people, witnesses and the person, you know, take photos, do measurements, whatever else may be required to paint the picture, so to speak.

PN213

It is a fairly rigorous process, isn't it?---Can be, yes.

\*\*\*\* DANIEL RONALD GREGG XN MR WARWICK

PN214

And how often do you do this, do you think?---It was before I actually took that on. It was indicated it was going to be something in the order of probably two or three a year. I think within the first 12 months of me doing it, I think I've probably done seven or eight and, without being to my detriment, I do, to a certain degree, try and avoid them and give others the opportunity to do it unless I'm really necessary to another use to my work commitments - and, to a certain degree, that's been dictated to me by my manager; so, yes.

PN215

So one final question, Mr Gregg. Leaving aside the question of classifications and statements of duties and money, that is, in salaries, do you think that the other building safety consultants who do the same work as you treat you as an equal or do they treat you as someone - or do they treat you in a manner that is other than equal and do they regard you as an equal?---I would definitely say that they treat me as an equal. I would say they hold me in reasonably high esteem and fairly respectful in regard. I guess, the Building Safety Unit all together, although there is, I guess, a rank structure, if you like, or at least on their side of things, we're all after the same outcomes and we work together to achieve that, so I wouldn't necessarily say that I'm thought of any less in any regard, no.

PN216

Thank you. Thank you very much for your time, Mr Gregg.

PN217

THE COMMISSIONER: We will just go off the record for a moment.

**<THE WITNESS WITHDREW** [3.06 pm]

**OFF THE RECORD** [3.07 pm]

PN218

**RESUMED** [3.15 pm]

**<STEPHEN JOHN WEBSTER, SWORN** [3.15 pm]

**<EXAMINATION-IN-CHIEF BY MR WARWICK**

PN219

THE COMMISSIONER: Yes, thank you, Mr Warwick.

PN220

MR WARWICK: Thank you, Commissioner.

PN221

Mr Webster, what is your occupation?---Mr Warwick, my occupation is an instructor with the Tasmania Fire Service.

PN222

And who do you instruct?---I instruct commercial clients through the commercial training division of TasFire Training.

PN223

And how long have you been in that position?---To the best of my knowledge, without having looked at my dates, Mr Warwick, I'm coming up for my fourth year.

PN224

Thank you. Mr Webster, there is a large amount of material that we need to table and we could perhaps do the machinery of that in the morning, Commissioner, if that is acceptable to you in terms of marking documents, and so forth. But the point of the question, there is really only one question I want to put to you, and that is - well, there are two.

PN225

MR BAKER: You have only got one.

PN226

MR WARWICK: Just by way of background, is it the case, or is it not, the case that there are a number of other people who perform the same role as you; that is, a training instructor in TasFire Training?---That is correct.

PN227

Is it the case, or is it not, that two of them - you and another come from a non-career firefighting background?---That is correct, Mr Warwick.

\*\*\*\* STEPHEN JOHN WEBSTER XN MR WARWICK

PN228

And is it true, or is it not true, that there are a number of other instructors who do come from a career-firefighting background?---It is true that there are a number of other instructors that come from those backgrounds.

PN229

Okay. Now, the question I want to put to you is this: do you involve yourself in any activities in your employment that is different than and in addition to the work performed by those other persons?---Yes, that is correct, I do.

PN230

Could you give us a description of why you have answered that question in the affirmative, please?---Mr Warwick, in addition to the normal training and delivery of training courses that are conducted by TasFire Training, I have a lot of input in structural design of our courses.

PN231

What does that mean?---In a lot of cases our clients have quite specific needs and sometimes require their training to be conducted to suit their own industry needs and it often means that to meet those industrial or industry-type needs that we need to make up our courses to fit the requirements of those industries.

PN232

Can you give us an example?---Nursing homes have their own specific requirements; emergency response team training, particularly in the mining industries, have their own very specific needs; so it means collecting

information from those areas such as what their procedures are for their workplaces and actually making up the course to fit all that information in but still meet the criteria for the component of our training system.

PN233

And who approves that those modified courses?---When we put them together, generally, I will discuss them - periodically I discuss them with the senior consultant but, for the most part, I go through and check with the information that I have with regards to the criteria for qualifications in those competencies that we're delivering and also in consultation with the employees themselves.

\*\*\*\* STEPHEN JOHN WEBSTER XN MR WARWICK

PN234

And the documentation you have provided to me will demonstrated example of that?---It will, Mr Warwick.

PN235

Thank you. I think I cut you off there on instructional design. You were going to go onto other aspects of your work?---Yes. In the north west where I'm based, it is often the case that we need to do additional duties where we haven't got the resources to pull from, which involve, in a lot of cases, organising things like our catering arrangements, developing and resourcing all of our course materials and providing the materials to the course participants so that they've got information to go away with. We often set up our own props for training for practical purposes. Sometimes that involves actually designing the props and actually doing the manual labour to set them up as well. We're also involved in adjudicating at the mines rescue competitions, which I've done for the last three years, because of our expertise in the emergency response and training for the mining areas. Some of these mining areas are very remote, so the training that's required for those areas, it has to be at quite a high level because not only are they looking after the actual mines themselves, in some cases - that is, Australian Bulk Minerals at Savage River, the emergency response team there is actually responsible as a community fire unit for the township areas well so, in essence, we're actually training them up as a fire brigade in that area. The nearest brigade response would be about an hour and half away.

PN236

Do any of the other training instructors do that work?---A couple of the training instructors in the southern region do actually participate in that sort of training, so we're working alongside one another with that.

PN237

But there are more mines on the North-West Coast, so you would do more of it, I imagine?---That is correct, yes.

PN238

Are there any other points that you can allude to?---In the north west, too, I periodically act up in the position of senior consultant, which I'm currently doing at the moment in the absence of the senior consultant for that area,

Peter Ockerby, whilst he's on annual leave, and I've done that since my commencement with TasFire Training in the north west.

\*\*\*\* STEPHEN JOHN WEBSTER XN MR WARWICK

PN239

I see. Mr Webster, the other people, including Mr Frankcombe, who will appear tomorrow, the other people who work as training instructors in TasFire Training, do you think they regard you as an equal or not as an equal?---Could you rephrase the question again - or repeat, should I say?

PN240

All I am interested in - well, obviously, this case is about the fact that you are not paid the same as other people who, the union contends, do the same job?---Correct.

PN241

Now, in respect to the attitudes of those other people who are paid more than you, do you think they treat you or perceive you as being less skilled or less capable or less able or less responsible than you?---Sometimes that has come across, often in a joking manner, to where or how we're employed in TasFire Training, particularly in relation to our pay rates. We're told from time to time periodically that we're the poor cousins and often the brunt of jokes which, I guess, after a period of time, does tend to become a little bit of a sore point.

PN242

That is not really what I am going after, though, Mr Webster. The question really is, do they think that you - do you perceive they think that you have lesser skills or lesser responsibilities?---Yes, in some areas they do.

PN243

They do?---Mm.

PN244

That is really all I want to ask you at this stage. We will go through this material with Mr Frankcombe in more detail in relation to what actually the job is involved. We understand you have pressures or work commitments tomorrow, but the Commissioner may - I am sure the Commissioner has other responsibilities to deal with.

PN245

THE COMMISSIONER: You are talking about these documents. You are going to do that in the morning?

\*\*\*\* STEPHEN JOHN WEBSTER XN MR WARWICK

PN246

MR WARWICK: Yes, well, they relate, in large measure, to both Mr Webster and Mr Frankcombe.

PN247

THE COMMISSIONER: Yes, that is fine.

PN248

MR WARWICK: But there is a particular set here that, of course, is that Mr Webster has designed and I would seek to table those tomorrow as well.

PN249

THE COMMISSIONER: Yes, certainly, that is no problem. Does that conclude your examination-in-chief?

PN250

MR WARWICK: Yes.

PN251

THE COMMISSIONER: Yes, Mr Baker?

**<CROSS-EXAMINATION BY MR BAKER**

**[3.25 pm]**

PN252

MR BAKER: Thank you, sir.

PN253

Mr Webster, you indicated that you have been an employee of the Tas Fire Service for the last four years. Are you aware of your current classification?---Yes, Mr Baker.

PN254

And what is it?---If I can look in my notes? Currently, yes, and this is an instructor with - as a community fire safety officer level 2.

PN255

That is a level 2 in the new structure that has been recently developed between the United Fire Fighters Union and TFS?---Yes.

\*\*\*\* STEPHEN JOHN WEBSTER XXN MR BAKER

PN256

And you did participate in a job analysis questionnaire 12, 18 months ago?---Yes, that is correct, Mr Baker.

PN257

And, arising out of that, there was a review undertaken of your position within TFS - sorry, the general, at that level?---The general level, that's correct.

PN258

You are aware that there is a statement of duties which outlines your current task responsibilities, etcetera?---Yes.

PN259

Would you agree, as part of your primary duties, that you are required - or it is inferred - sorry, it is more than referred - it is required within the statement of duties that you assist in the preparation of course material?---Yes, I'm aware of that.

PN260

Were you also aware insofar as the duties are concerned - and Mr Warwick touched on this in relation to the difference between - sorry, I will go back a point. There are two types of employee who deliver courses within the broad structure, are there not? That is, a former operational firefighter?---That's correct.

PN261

And there are employees who are employed from outside the service?---Correct.

PN262

And you are from outside the service?---I'm classified from outside the service, correct.

PN263

Are you aware that there is a different statement of duties for an employee classed as an instructor who has an operational firefighter's background?---Yes, I'm aware of that.

\*\*\*\* STEPHEN JOHN WEBSTER XXN MR BAKER

PN264

Are you aware of the differences that pertain to the difference in the standard; that is, the statement of duties?---I'm aware of that.

PN265

So if I were to put to you that one of the primary duties of an employee; that is, an operational firefighter who becomes an instructor, that they are required to supervise or assist in the operations at fires and other emergency incidents applying ICS principles and completing relevant reports investigations and operational analysis, you would not be surprised by that as a statement?---No.

PN266

You indicated that there is a sore point in relation to the differences in pay rates?---Yes, there is.

PN267

Are you aware of how those pay rates came about; that is, why there is a differential?---Yes, I'm pretty sure I am.

PN268

Can you advise the Commission as to how that occurred?---From my understanding, it was based on the operational competencies of the firefighters as opposed to how I was employed.

PN269

So if I take what you are saying is that an operational firefighter has a greater range of competencies than an instructor? I don't mean that in any derogatory sense?---I would take it that that's the way it's assumed.

PN270

You indicated - well, sorry, I will stay with my line of thought. But over the last four years you have received a substantial pay increase, have you not?---Over the last four years since my commencement, do you mean?

PN271

Well, the last three years?---The last three years, I believe we have received increases as per EBA arrangements.

\*\*\*\* STEPHEN JOHN WEBSTER XXN MR BAKER

PN272

It has been approximately 14 per cent?---That's correct.

PN273

Can you indicate to the Commission whether or not in those last three years there has been any significant net addition to the value of your work; that is, has there been significant changes to your work that you have undertaken in the last three years?---Yes, there has.

PN274

Could you outline to the Commission what they are?---Since I first started -or going back to my start date - originally I was just delivering structured courses that are developed by TasFire Training. Since that time, because of mainly our client needs, in relation to additional training on sites and also to meet, as I mentioned earlier on, their industry needs and more contextualised-type training, I've had to broaden my knowledge more and put a lot more work into developing courses rather than just delivering the structured courses that were available.

PN275

Would you not agree that as you develop in a job, you grow in a job?---You do.

PN276

You become more confident. You obtain more competencies?---You would normally do that, yes.

PN277

Would there not be a natural progression for you to move from just delivering courses to having an input into the development of the course?---That would be part of the job, yes.

PN278

Thank you. You made some reference to performing additional duties such as providing catering arrangements and resourcing materials. Would that not be the role of an instructor?---Certainly, yes, there would be, to some degree, yes.

\*\*\*\* STEPHEN JOHN WEBSTER XXN MR BAKER

PN279

Yes. I suppose, in a perfect world, the ideal thing would be to simply walk in, deliver the course and go home?---Yes, I guess the point I was trying to



make was there is some differences in the regions with regards to the resources that we have available to us. In the southern regions they have somebody on the ground that can set up props for them and their training resources, whereas in the north west we don't have that resource available to us, so it means that we're doing extra duties that are different to our counterparts in the south.

PN280

I will leave it there. I will just ask my colleague.

**<CROSS-EXAMINATION BY MS PEARCE**

**[3.30 pm]**

PN281

MS PEARCE: Mr Webster, in relation to that work that is done by other staff in the southern region that you referred to, the catering and setting up proposed, are you aware of the classification that those people hold?---I was of the understanding that they were instructor consultants or senior consultants that would normally organised the catering and those resources, yes.

PN282

Okay. So you don't believe that the administrative staff organise catering?---Not to my knowledge.

PN283

Okay, and what about the set-up of props, is that done by the instructor consultants or is that done by the utility officer?---That's done by the utility officer.

PN284

And you are aware of the classification of that utility officer?---No.

PN285

Thank you. Would it surprise you if that person was classified at a lower classification level to what you hold?---No, it wouldn't surprise me.

\*\*\*\* STEPHEN JOHN WEBSTER XXN MS PEARCE

PN286

Thank you.

PN287

THE COMMISSIONER: Mr Warwick?

PN288

MS PEARCE: Thank you, Commissioner.

**<RE-EXAMINATION BY MR WARWICK**

**[3.25 pm]**

PN289

MR WARWICK: Mr Webster, Mr Baker asked you about a job analysis process that occurred 18 months or so, I think he said?---Yes, that's correct.

PN290

Can I ask you, did you agree with the outcome of that process?---No.

PN291

I see. Were you satisfied by the outcome of that process?---Not totally, no. Well, not totally? Does that mean in some part you were?---No, I wasn't satisfied with the outcome of the process. I believed it was very unfinished at this point in time.

PN292

Mr Baker also asked you about the statement of duties in relation to your job - and I am in the dark here a little bit - but when you applied for the job that you currently got, did that application ask you for - or ask for people who had competencies in structural design?---To the best of my memory, Mr Warwick, no.

PN293

I see. These statement of duties change all time. Is instructional design - or assisting in course development, has that always been in the statement of duties?---I have a copy here. Assistant in a review and upgrading of training programs and resources, but not in instructional design from scratch.

\*\*\*\* STEPHEN JOHN WEBSTER RXN MR WARWICK

PN294

I see, so that has been introduced at some other time?---That's correct.

PN295

Mr Baker also asked you if you were aware as to how your wage was set. You applied for a job?---Correct.

PN296

And that job had a rate of pay attached to it?---That is correct.

PN297

Have you had any influence over the changes in your rate of pay since then?---No, I haven't.

PN298

I see. Mr Baker also asked you that - I will put the proposition to you that people grow in the job?---Yes, he did.

PN299

Do you take that to mean that all of the additional responsibilities that you have taken on over the last four years would normally have happened anyway?---No, not all of those, no.

PN300

Why not?---I believe I've demonstrated an ability to be able to take on additional duties and I've accepted the challenge to take on additional responsibilities as well.

PN301

Has the Fire Service ever told you not to?---No, they haven't.

PN302

They have been happy about you developing courses and doing a lot of those other things that you have referred to?---Yes, they have.

PN303

They have been very happy about it?---The response I've had from other regions, particularly from the evidence that I've tabled, has been extremely positive and it has proven to be quite beneficial for other areas as well.

\*\*\*\* STEPHEN JOHN WEBSTER RXN MR WARWICK

PN304

How much of it would you say is due to your own initiative?---With response to that question, the emergency response manuals and training that I've put together was initiated by myself, in the first instance, as a tool to provide the best possible training and information packages that we could to our clients.

PN305

And this process of tailoring training courses to client needs, did someone tell you to do that in each case?---No, it's usually requested by the clients to ensure that we impart the requirements of their specific needs to the trainees on the day; so, I guess, over the last few years we've done more and more of this contextualisation to, one, I guess, to maintain our client base, and the other to ensure that we are giving them the information that they do require.

PN306

One last question. In respect to this contextualisation, are the elements that are different over and above what is required of the basic course, is that how it generally works?---Yes, that is generally how it works.

PN307

Thank you. No further questions, if the Commission pleases.

PN308

THE COMMISSIONER: Thanks, Mr Webster, you are excused.

**<THE WITNESS WITHDREW**

**[3.43 pm]**

PN309

THE COMMISSIONER: We will resume at 9.30 in the morning. If the parties could get their heads together? If there needs to be some revisions to the program, then today is available. I will leave that in the hands of the parties.

**ADJOURNED UNTIL THURSDAY, 4 OCTOBER 2007**

**[3.45 pm]**

INDEX

LIST OF WITNESSES, EXHIBITS AND MFIs

**EXHIBIT #A1 COMMUNITY FIRE SAFETY POSITIONS AND INCUMBENTS  
..... PN16**

**DANIEL RONALD GREGG, AFFIRMED PN47**

**EXAMINATION-IN-CHIEF BY MR WARWICK..... PN47**

**EXHIBIT #A2 JOB ANALYSIS QUESTIONNAIRE ..... PN53**

**EXHIBIT #A3 CERTIFICATES, DANIEL GREGG..... PN140**

**EXHIBIT #A4 MEMBER SUMMARY ..... PN192**

**WITNESS WITHDREW ..... PN218**

**STEPHEN JOHN WEBSTER, SWORN ..... PN219**

**EXAMINATION-IN-CHIEF BY MR WARWICK..... PN219**

**CROSS-EXAMINATION BY MR BAKER ..... PN252**

**CROSS-EXAMINATION BY MS PEARCE..... PN281**

**RE-EXAMINATION BY MR WARWICK..... PN289**

**WITNESS WITHDREW ..... PN309**