



EMPLOYING EMERGENCY SERVICE VOLUNTEERS

An information pack produced by
the South Australian Fire and
Emergency Services Commission
for employers of emergency
service volunteers



Government
of South Australia



SUPPORTING REMARKABLE PEOPLE

Emergency service volunteers are an integral part of our State's emergency response capacity. Volunteers add value estimated at billions of dollars across Australia, but their value cannot be judged just in terms of dollars and cents.

Emergency service volunteers add to the social capital of society, and contribute to building strong and resilient communities where both people and businesses thrive.

The contribution made by emergency service volunteers is recognised, appreciated and highly valued by all sectors of the community.


However, the employers of emergency services volunteers, including self employed volunteers, also have a vital role to play.

They also contribute to the success of our emergency services, and enhance our ability to deliver quality services to our communities.

Employers who take a socially responsible approach to volunteers also contribute to the fabric and resilience of their communities. They often report that employees who volunteer their time are committed, trained to cope in an emergency, can work under pressure and enjoy helping others. They are not afraid of hard work and are responsible and diligent team members.

We commend emergency service volunteers and their employers for their efforts and contribution to the South Australian community.


This booklet has been produced as a resource for both emergency services volunteers and their employers to assist in developing agreements of how volunteers might respond to emergencies while at work.



Malcolm Jackman
Chief Executive Officer
SAFECOM



Greg Nettleton
Chief Officer
Country Fire Service



Chris Beattie
Chief Officer
State Emergency Service

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Benefits of employing emergency service volunteers

Emergency service volunteers are valuable employees. They are committed, trained to cope in emergencies, work under pressure, are not afraid of hard work and enjoy helping others.

If one of your employees is an emergency service volunteer, there is a good chance that they will possess some, if not all, of these attributes. Volunteers participate in a variety of training – and many of the skills they learn are life skills that benefit them in their lives outside of the Country Fire Service (CFS) or State Emergency Service (SES).

Volunteers come from a variety of backgrounds and work in a range of professions, jobs and industries. Skills gained with the CFS or SES have assisted many employees in their business or working lives.

Our communities rely upon the skills and dedication of emergency service volunteers to protect them during an emergency. This can happen at any time of the day or night, and sometimes they occur during working hours. To ensure the emergency does not escalate, a quick response is needed.

You can make a significant contribution to your community by releasing emergency service volunteers from work to respond to emergencies as they arise.

Payroll tax exemptions for emergency service volunteers

Payroll tax exemptions apply to employees that volunteer for the CFS or SES and attend an emergency during work time.

These exemptions occur for wages paid or payable to an employee whilst performing their volunteer duties as outlined in the *Fire and Emergency Services Act 2005*.

Exemptions will not apply to paid sick leave, annual leave, long service leave or similar leave taken while the employee is absent due to these volunteer activities. For more information please contact RevenueSA (www.revenuesa.sa.gov.au).

Employer recognition

SAFECOM, CFS, MFS and SES have a commitment to recognising supportive employers of emergency service volunteers (including self-employed volunteers) through the Volunteer and Employer Recognition and Support Program (VERSP). This program recognises supportive employers and they are able to receive certificates and stickers that can be displayed at their businesses to promote their support of the emergency services.

Leave arrangements

SAFECOM encourages employers and employees to negotiate suitable arrangements for when emergency service volunteers need time off to assist in emergency situations. In many instances this may be a verbal agreement, however should you wish to formalise these arrangements, SAFECOM's Volunteer Services Branch (VSB) can assist you.

In this booklet we have included some sample volunteer leave policies from other businesses as a guide for employers. These examples may help you work with your employees to negotiate suitable leave arrangements.

By encouraging employees to volunteer for emergency service work, you will not only be contributing to the vital work carried out by our emergency services, you will also be helping your community.

Things to consider when negotiating a workplace agreement:

- will leave be paid or unpaid?
- does the employee need to provide documentation as evidence of attending an incident?
- do the business needs allow the employee to be released?
- what types of emergencies will an employee be able to attend?
- how will an employee communicate their absence back to the workplace?
- what happens if the incident takes a long time?
- what happens if an employee is injured whilst on a call out?

The law and the employment of emergency service volunteers

There are several laws which impact on the relationship between employers and emergency service volunteers - both Federal and State.

The *Emergency Management Act 2004* gives certain protection to emergency service volunteers, as detailed below:

Part 6 Section (33) Employment

"A person who is absent from employment on official duties in connection with response or recovery operations undertaken in accordance with this Act is not liable to be dismissed or prejudiced in employment by reason of that absence".

The *Fair Work Act 2009* provides similar protection for employees under section 772(1)(h).

(1) An employer must not terminate an employee's employment for one or more of the following reasons, or for reasons including one or more of the following reasons:

- (h) temporary absence from work for the purpose of engaging in a voluntary emergency management activity, where the absence is reasonable having regard to all the circumstances.

The *Fair Work Act 2009* also allows for Community Service Leave (s108-112) for employees engaging in an eligible community service activity.

National employment standards

Employees are entitled to be absent from work for the purpose of engaging in a *'volunteer emergency management activity'*. Volunteers from the CFS and SES can be entitled to this leave if the *'absence is reasonable in all circumstances'*. This leave must comply with the notice and evidence requirements under the *Fair Work Act 2009*.

Leave arrangements – examples

Emergency services leave

Target Australia Retail Agreement 2012

1. A team member other than a casual, involved in recognised voluntary services including SES and CFS shall be entitled to paid time off to attend to emergency situations which may affect the community as a whole.
2. It shall be the responsibility of the team member to keep the company informed about the time off needed to attend to emergency duties.
3. To receive payment, a team member shall provide the company proof of attendance at the emergency situation.
4. Paid time off for attendance at emergencies in the local area shall not be unreasonably restricted nor accessed, and shall be limited to a maximum of three days per situation.
5. Paid time off for attendance at emergencies that are not local shall be limited to a maximum of two days per annum, but may be increased depending on the nature of the emergency (e.g. major bush fire), subject to company approval.

Case study

I was nervous at first. I didn't know how my boss would feel about me taking time off at such short notice, but when I joined the CFS, I knew that I could be called out at anytime. It was never an issue while I was at University, but this was my first job and I wanted to make a good impression.

I made an appointment to see my boss. I explained that I was a member of the CFS and that I had to carry a pager. I went on to tell her that I may have to attend incidents on the weekends or after work. The boss seemed interested in what I did - she was asking questions about the training I had done, how often I attended incidents and what types of incidents I went to.

The conversation was going well so I decided to ask her about responding to call outs during the day, or if I was attending an incident that caused me to be late to work. I explained that many brigades faced challenges in raising a crew - although our brigade was pretty lucky that there were a number of flexible employers and retired people who were volunteers.

My boss asked how often I would be expected to respond during the day. She also asked how much notice I could give if I did have to attend an incident. We went through a list of scenarios and came up with an agreement. I could take three days leave per year, which came out of my sick leave (counted as personal leave), but this had to be approved by management. It was stressed to me that during busy times, I might not be able to leave work. If I needed more leave, I could apply for it and I had to provide a certificate of attendance, like a doctor's certificate.

The meeting went well – I hope I don't need to use my emergency services leave, but it's nice to know its there.

Frequently asked questions

Question: How many days of Community Services Leave are volunteers entitled to?

Answer: The leave entitlement is unpaid and unlimited.*

Question: Are casual employees able to apply for Community Services Leave?

Answer: Yes. Casual employees are able to access Community Service Leave under the same conditions as ongoing staff.*

Question: Are employees who are volunteers automatically able to attend an incident if their pager goes off?

Answer: No. The absence must be reasonable in all circumstances. This includes considering the needs of the business.

Question: What types of evidence of attending an incident could an employee provide me?

Answer: Each CFS brigade and SES unit is different. There is a template your employee can utilise which should be signed off by a Brigade Captain or Unit Manager and include the start and finish time of an incident. The information you require should be discussed when you make your workplace agreement.

Question: What happens if my employee is injured whilst on volunteer duties?

Answer: Generally speaking, volunteers are covered under the *Return to Work Act 2014*. For specific details it is best that you speak to SAFECOM Injury Management (8463 4143) and they will provide you with the details of the appropriate contact person.

Further information

Community Service Leave

www.fairwork.gov.au

Country Fire Service

www.cfs.sa.gov.au

State Emergency Service

www.ses.sa.gov.au

Volunteer Services Branch

South Australian Fire and Emergency Services Commission

Email vsb@safecom.sa.gov.au

Phone 1300 364 587

www.safecom.sa.gov.au





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