



# DIRECTIONS

*Fair Work Act 2009*

s.269—Intractable bargaining workplace determination

## **United Firefighters' Union of Australia**

**v**

## **Fire Rescue Victoria**

(B2023/771)

JUSTICE HATCHER, PRESIDENT

ADELAIDE, 25 OCTOBER 2023

*Application for an intractable bargaining declaration in relation to the proposed Fire Rescue Victoria, United Firefighters' Union Operational Staff Agreement 2022 – Fair Work Act 2009 (Cth) s 234 – declaration made – intractable bargaining workplace determination now required.*

*Application for intervention*

1. The Minister for Emergency Services (Vic) (the Minister) is to file, and serve on the United Firefighters' Union of Australia and Fire Rescue Victoria (together, the parties), an outline of submissions in support of her application to intervene in this matter, and any evidence, by **5:00 pm (AEDT) on Thursday, 16 November 2023**.
2. The parties may each file, and serve on each other and the Minister, an outline of submissions and any evidence in response to the Minister's material filed pursuant to item 1 of these directions by **5:00 pm (AEDT) on Monday, 11 December 2023**.

*Agreed terms and matters at issue*

3. The parties are each to file, and serve on the others:
  - (a) a position document setting out:
    - (i) the agreed terms for the intractable bargaining workplace determination;<sup>1</sup> and
    - (ii) the matters at issue;<sup>2</sup>
  - (b) an outline of submissions in support of their respective positions; and
  - (c) any evidence on which they wish to rely in support of their respective positionsby **5:00 pm (AEDT) on Thursday, 16 November 2023**.

---

<sup>1</sup> *Fair Work Act 2009* (Cth) s 274(3).

<sup>2</sup> *Ibid* s 270(3).

4. The Minister may also file, on a provisional basis, any submissions and evidence relating to the matters in item 3(a)(i) and (ii) of these directions by **5:00 pm (AEDT) on Thursday, 16 November 2023.**
5. The parties and, on a provisional basis, the Minister are each to file, and serve on the others:
  - (a) an outline of submissions in response to the others' materials filed pursuant to items 3 and 4 of these directions; and
  - (b) any evidence on which they wish to rely in response to the others' materials filed pursuant to items 3 and 4 of these directions

by **5:00 pm (AEDT) on Monday, 11 December 2023.**

*Preliminary hearing*

6. The matter will be listed for preliminary hearing to determine:
  - (a) whether the Minister is permitted to intervene in this matter in relation to the intractable bargaining workplace determination; and
  - (b) which are the agreed terms and which are the matters at issue that the Full Bench will need to proceed to determine in the course of making the intractable bargaining workplace determination

in person in Melbourne commencing at **10:00 am on Monday, 18 December 2023 and Tuesday, 19 December 2023.**

7. Liberty to apply is granted.



PRESIDENT

Printed by authority of the Commonwealth Government Printer