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UNITED FIREFIGHTERS UNION



**United Firefighters Union  
Victorian Branch** ABN 74 030 569 265

410 Brunswick Street  
Fitzroy Victoria 3065  
Australia  
Email: [officeadmin@ufuvic.asn.au](mailto:officeadmin@ufuvic.asn.au)  
Phone: (03) 9419 8811

Website: [www.ufuvic.asn.au](http://www.ufuvic.asn.au)  
Fax: (03) 9419 9258

12 December 2014

Jim Higgins  
Chief Executive Officer  
MFESB  
456 Albert Street  
East Melbourne  
VIC 3002

via email: [jhiggins@mfb.vic.gov.au](mailto:jhiggins@mfb.vic.gov.au)

Dear Mr. Higgins,

**RE: ACFO Selection Process**

I respectfully write to you regarding the current selection process for Assistant Chief Fire Officers for the MFB. [REDACTED]

[REDACTED] This was only brought to my attention recently and raises serious concerns regarding the potential for apprehended bias, if not actual bias, regarding the decision making process of successful candidates.

You would be aware that there was a significantly adversarial legal process whereby the MFB made an application to terminate both the *MFB UFU Operational Staff Agreement 2010* and the *MFB UFU Assistant Chief Fire Officer Agreement 2010*. You would also be aware that the UFU had a number of Commanders give witness evidence on its behalf in opposing such application. I am informed that Mr. Comrie (and indeed some members of the above panel) have expressed a view to the effect that employees who gave evidence on behalf of the UFU are seen as not complying with the direction and philosophy of the MFB.

You would also be aware that there are a number of adverse actions claims (which related to the above matter) that are currently progressing through the various legal structures.

In this context it is inappropriate that any candidate who has given evidence on behalf of the UFU should be treated less favourably and not be assured a fair and equitable assessment of their merit without the inference of apprehended or actual bias.

Accordingly, we seek to discuss with you a potential way of removing what is clearly either an implied or apprehended bias and to ensure that all employees are afforded the same opportunities in accordance with the relevant principles and legislation of which the MFB are bound by.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Marshall', written in a cursive style.

Peter Marshall  
**Branch Secretary**