

From: [Gregory, Kerry](#)
To: [secretary](#)
Cc: [Nally, Brendan](#)
Subject: RE: GM POSITIONS IN TARANAKI AND HAWKES BAY
Date: Friday, 6 August 2021 5:12:00 pm
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)
[image005.jpg](#)

Kia ora Wattie,

Further to our conversation this afternoon around the Group Manager positions currently being advertised, and notwithstanding my response below outlining the misunderstanding, as a sign of good faith and respect for the relationship between us I agree to:

- Remove the line from the advertisements for Group Manager on the Portal that pertains to the exclusion of those that have applied before
"If you have already applied for a GM position in any region, you are ineligible to reapply at this time" and
- We will extend the deadline for submission of applications, they will now close at 5pm Friday 13 August.
- All applications will be fully considered as is our normal process of recruitment.

Please provide confirmation as discussed this brings resolution to this dispute.

Ngā mihi
Kerry

Kerry Gregory
National Commander
Deputy Chief Executive Service Delivery
Toihau ā-Motu

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Text Description automatically generated



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From: Secretary [\[REDACTED\]](#)
Sent: Monday, 2 August 2021 2:44 PM
To: Gregory, Kerry <xxxxx.xxxxxx@xxxxxxxxxxxxxxxxxx>
Cc: [\[REDACTED\]](#) Nally, Brendan
<xxxxxxx.xxxxx@xxxxxxxxxxxxxxxxxx>
Subject: RE: GM POSITIONS IN TARANAKI AND HAWKES BAY
Importance: High

Dear Kerry

We are pleased you have no intention of contravening the agreement or legislation. In order to

remedy the current breaches you will now need to re-advertise the positions. You will also have to fully consider every application.

The current advertisement states that anyone that has previously applied for a GM Position (whether the Hawkes Bay and Taranaki positions or others) are in eligible. Therefore there may be applicants that are the most suited that FENZ is refusing to consider. This is in breach of the agreement (clause 1.21.8 and the appointment policy at Part 6 5.6.1) and the FENZ Act.

We are now notifying you of a dispute. The remedy is to re-advertise the positions without the exclusion of those that have applied before, and provide 14-days from the date of the amended advertisement. You will also have to fully consider every application, whether the applicant has applied previously or not.

Yours sincerely,
Wattie



Ms Wattie Watson
National Secretary
New Zealand Professional Firefighters Union
Te Kāhui Kaipatuahi o Aotearoa

web: <http://www.nzpru.org.nz/>

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From: Gregory, Kerry <Kerry.Gregory@fireandemergency.nz>

Sent: Monday, 2 August 2021 7:24 AM

To: Secretary [REDACTED]

Cc: [REDACTED] Nally,

Brendan <Brendan.Nally@fireandemergency.nz>

Subject: FW: GM POSITIONS IN TARANAKI AND HAWKES BAY

Kia ora Wattie

Thank you for your email.

I have now had a chance to speak with the Region Manager for these Districts in relation to the advertised positions of Group Manager Taranaki and Group Manager Hawkes Bay, It appears there has been a misunderstanding which I am sure could have been clarified directly with the Region Manager. Please see further clarification below.

These are not new vacancies. This is just the continuation of the existing process underway to fill these vacancies.

- As you are aware, following an initial redeployment round, we commenced the next stage of the process to fill the remaining District Leadership positions.
- All of the remaining GM positions were advertised and were available for applications from all people who were unable to apply in the first round because they were not affected.
- I would like to stress that every vacant GM position (following the redeployment round) has been advertised on the Portal and every person in FENZ has had the opportunity to apply for these vacancies. No-one has been excluded from having an opportunity to apply.
- Many people did apply at an early stage and passed through the recruitment process of assessment of their CoRE application, shortlisting and interview. Some people passed through the process, but did not meet the criteria of suitability for the position, as you would expect in any recruitment process.
- This process is ongoing.
- Applications are still being considered, people are being interviewed, offers are still being made and advertising is ongoing for a few positions where, for example, insufficient people applied or were found to be suitable, or a person initially offered a position chose not to accept.
- The continued advertising of these few GM roles is not for newly vacant positions; it is just the continuation of the same process for filling the same positions that have already been advertised.
- These roles do not take effect until 27 September 2021, and we were always of the view that the process could be an extended one due to the volume of roles required to be filled, the number of locations and the specialist nature of the positions, especially in relation to the operational positions.

I will address the points you have raised specifically below.

1. **Section 27 of the Fire and Emergency Act 2017**

This states as follows:

“If the board intends to fill a position in FENZ that is vacant or is to become vacant, the board must, if practicable, notify the vacancy or prospective vacancy in a manner sufficient to enable suitably qualified persons to apply for the position.”

- I note that we have complied with the requirements of the Act. We have notified every single GM vacancy (following the recruitment round) on the Portal. This is

notification in a manner sufficient to enable suitably qualified persons to apply. We are also conducting a process to ensure that suitability is appropriately assessed.

2. **Clause 1.21.6 of the FENZ NZPFU collective agreement.**

It appears that this relates to laundry facilities, and I am not sure of the relevance of this.

Please clarify if you are raising a different point and/ or this is a typo.

3. **Appointment Policy (5.6.1.) of the FENZ NZPFU collective agreement.**

This states:

“Vacancies and positions should, wherever practicable, be advertised in a way that encourages people with the right skills, knowledge and attributes to apply”.

- I note that this has been done by our advertising every vacant GM position on the Portal.
- The response we have had to our advertising, together with our use of selection practices leading to offers of appointment to most positions already having been made, reflects that this Portal advertising and our selection practices have encouraged (and is still encouraging) people with the right skills, knowledge and attributes to apply.

I hope that this clarifies the situation.

We have no intention of contravening either the Act or any of our employment agreements.

I have been pleased with the number of successful applicants (including SSOs) for the GM positions. If you do have any remaining concerns please do contact me.

Ngā mihi

Kerry

Kerry Gregory


National Commander

Deputy Chief Executive Service Delivery

Toihau ā-Motu

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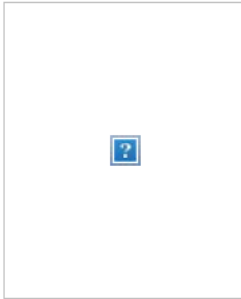
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From: Secretary [REDACTED]
Sent: Thursday, 29 July 2021 3:50 PM
To: Gregory, Kerry <Kerry.Gregory@fireandemergency.nz>; Nally, Brendan <Brendan.Nally@fireandemergency.nz>
Cc: [REDACTED]
Subject: RE: GM POSITIONS IN TARANAKI AND HAWKES BAY

Dear Kerry and Brendan

We have not had a response to the email below. Can you please confirm whether the unlawful restriction has been removed from the advertisement?

Yours sincerely,



**Ms Wattie Watson
National Secretary
New Zealand Professional Firefighters Union**

[REDACTED]
[REDACTED]
Web: <http://www.nzpfrd.org.nz/>

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From: Secretary
Sent: Thursday, 22 July 2021 11:03 AM
To: Gregory, Kerry (<Kerry.Gregory@fireandemergency.nz>); Nally, Brendan <Brendan.Nally@fireandemergency.nz>
Cc: [REDACTED]
Subject: GM POSITIONS IN TARANAKI AND HAWKES BAY

Importance: High

Dear Brendan and Kerry

It has been brought to my attention that Vacancies R0174 and R0175 have been advertised but those that have previously applied for positions are excluded:



The exclusion is in breach of section 27 of the FENZ Act, and clause 1.21.6 and the Appointment Policy (5.6.1.) of the FENZ NZPFU collective agreement.

Please confirm this restriction has been withdrawn and the position will be re-advertised forthwith enabling all suitably qualified personnel to apply for the positions.

Yours sincerely,
Wattie



Ms Wattie Watson
National Secretary
New Zealand Professional Firefighters Union
Te Kāhui Kaipatuahi o Aotearoa

[Redacted]
[Redacted]
web: <http://www.nzpfu.org.nz/>

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