



Strategic Volunteer and Youth Programs Team

Employers' Guide

Supporting Staff as Emergency Services Volunteers

2024



Acknowledgements

Title:
Employers' Guide: Supporting Staff as Emergency Services Volunteers

©2024 Department of Fire and Emergency Services (DFES), Government of Western Australia

Author:
Strategic Volunteer and Youth Programs, DFES

The author acknowledges volunteers and their employers for their valuable feedback in the creation of this guide.

DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea, and community. We pay our respects to Elders past and present.

The information contained herein is provided by the State represented by DFES in good faith and as a general guide to support employers of emergency services volunteers. Recipients of this information acknowledge and agree that:

- DFES cannot guarantee and makes no representation as to the accuracy of the information
- changes in circumstances after the date of publication may impact the accuracy of that information
- they will exercise their own skill and care with respect to use of this information and will make their own enquiries as to the accuracy, completeness and suitability of this information for their purposes; and
- where they intend to rely on this information, they will obtain their own independent, professional advice as to the accuracy, completeness and suitability of the information to their particular circumstances.

Recipients acknowledge and agree that they will not hold DFES liable for any act or omission made in reliance on this information, nor for any consequence of such an act or omission. To the fullest extent permitted by law, DFES and its servants and agents expressly disclaim all liability for loss or damage arising from the information in this guide, whether direct or consequential and howsoever caused, including but not limited to any negligence on the part of DFES and its servants or agents.

Additional information about emergency services volunteer roles is available at <https://dfes.vol.org.au>.

Aboriginal and Torres Strait Islander peoples are advised that this publication may contain images of people who have passed away.



Foreword



As Fire and Emergency Services Commissioner, I am committed to building resilient Western Australian communities that collaborate to enhance their capability and capacity to prevent, prepare for, respond to and recover from emergencies. Critical to achieving this are our emergency services volunteers who play a vital role in safeguarding local communities.

More than 95 per cent of emergency services personnel are volunteers and many regional and remote areas depend entirely on them to swiftly react to emergencies such as natural disasters, fires, road crash rescue incidents, floods, storms and land and sea search operations.

They also play a significant role contributing to community preparedness, response and rehabilitation capability, youth programs and many more valuable initiatives.

Every year more than 26,000 volunteers put their personal and professional lives on hold, generously giving up their time and providing their expertise to keep their community safe.

Often this means that service to the community takes priority over family events, social outings with friends, and participation in local sport.

For many, managing the dual responsibilities of work and emergency services volunteering would not be possible without the assistance of workplaces that offer flexible and supportive arrangements.

Studies indicate that when employees engage in volunteering it not only benefits the community but also has positive impacts on the workplace. It enhances employee morale, fosters a sense of teamwork, builds leadership and other professional skills and contributes to a more positive and productive work environment.

Employers that support volunteering bolster the standing of their organisation in the community. Emergency services volunteers come from all walks of life, bringing a wide range of skills, insights and local knowledge with them.

Driven to help their communities stay safe, they do an extraordinary job. They are ready to respond to an emergency call no matter the time – 24 hours a day, 7 days a week, 365 days a year – protecting one of the largest jurisdictions in the world.

Their selflessness is inspirational and Western Australians can count on them in a crisis, which is why they are held in such high esteem.

I thank all our volunteers for their commitment to creating a safer WA.

Darren Klemm AFSM
Fire and Emergency Services Commissioner

Contents

Foreword..... 3

Introduction 5

 Benefits to the community from employers supporting emergency services volunteers 5

 Benefits of employing emergency services volunteers 6

Releasing Employees During Work Hours..... 7

 Key considerations when negotiating an arrangement with your employees..... 7

 Workplace leave example 8

What the Law Says..... 9

 Emergency Situation declarations..... 9

 Rights and obligations for declared emergencies..... 9

Emergency Management Act 2005..... 9

 Western Australian public sector employees..... 10

 Rights and obligations for non-declared emergency volunteering..... 10

 State system employers (Western Australian-based sole traders, unincorporated partnerships and associations) 10

 National system employers 10

Payroll tax exemptions for emergency services volunteers..... 12

Insurance Cover and Claims 13

Employer Recognition 14

In Conclusion 15

Frequently Asked Questions 16

Introduction

This guide has been prepared to support employers develop a greater appreciation for the benefits of supporting volunteering. It can also be used as a tool to open the conversation about an emergency services volunteer's role in the community and the arrangement under which they are released from their employment to attend an incident or emergency.

Emergency services volunteer employers play a vital role in keeping Western Australians safe. Without their advocacy, many incidents and emergencies would not receive the support and response required. Whilst it is encouraged that emergency services volunteer employees are released during business hours to respond to an incident or emergency when required, employers have the final say on whether they are released.

If employers release an employee, this should be done under an established prior arrangement so the employee knows the conditions under which they are leaving and their entitlements. This can be a combination of paid leave, unpaid leave or flexible working arrangements. Having an agreement in place about when an employee will be released to attend an incident or emergency can reduce stress and confusion for both the employer and the employee and ensure continued support in the workplace for volunteers. As such, DFES encourages establishing an agreed arrangement between the employer and employee before there is a need for the volunteer to respond to an incident or emergency. This will ensure that there is a clear process around deployment during work hours.

Benefits to the community from employers supporting emergency services volunteers

There are many benefits to the community when employers support emergency services volunteers to attend incidents and emergencies in the community. The key benefits are as follows:

1. Increases local prevention, preparedness, and response and recovery capability.
2. Helps to make the community safer and more resilient.
3. It may reduce the cost of damage caused by fire and other emergencies by saving lives, properties, communities and the environment.
4. Some communities depend solely on volunteer emergency response. Without this support these communities are more vulnerable.
5. People, businesses and lifestyles thrive due to a higher level of community hazard risk awareness and ability to respond to a local emergency quickly, or support emergency response further afield (which may be reciprocated at some point in time).



Benefits of employing emergency services volunteers

Emergency services volunteers are highly trained and bring considerable capacity to the workplace. If your employee is an emergency services volunteer, they are likely to have well developed skills in some or all of the following areas:

1. Experience dealing with emergency situations.
2. An ability to cope under pressure.
3. Leadership and decision-making.
4. Problem solving and analytical thinking.
5. Effective communication.
6. Experience working in teams.
7. Work health and safety awareness.
8. First aid skills.

In addition to the above benefits, studies^{1,2} have shown that if an employer supports volunteering, their company's organisational image improves in the community as their corporate social responsibility is acknowledged. This recognition also correlates with heightened levels of employee motivation, job satisfaction, loyalty, and performance.³

1 Cycyota, C. S., Ferrante, C. J., & Schroeder, J. M. (2016). Corporate social responsibility and employee volunteerism: What do the best companies do? *Business Horizons*, 59(3), 321-329.

2 Haski-Leventhal, D. (2021). *Strategic corporate social responsibility: A holistic approach to responsible and sustainable business*. (2nd ed.) SAGE Publications.

3 Rodell, J. B. (2013). Finding meaning through volunteering: Why do employees volunteer and what does it mean for their jobs? *Academy of Management Journal*, 56(5), 1274-1294.

Releasing Employees During Work Hours

Employers may agree to release emergency services volunteers at short notice in service of their communities. If emergency services volunteer employees wish to attend call outs during work time, DFES encourages employers and employees to make agreements **before** there is a need for the volunteer to respond to an emergency. In many instances this may be a verbal arrangement; however, we encourage employers to formalise this arrangement so that both parties are clear as to the conditions under which the employee is being released.

Leave arrangements may include:

- only releasing employees during quiet times
- flexible work practices
- using personal leave or unpaid leave
- using rostered days off
- providing community service leave
- providing emergency service leave
- implementing other leave arrangements.



Employers make the final decision on whether an employee may leave work when called to an incident or emergency.

Key considerations when negotiating an arrangement with your employees

Before negotiating an arrangement with your emergency services volunteer employees, responses to the following questions should be considered:

1. Do the operations of the business allow for employees to be released? If so, for how many days per year?
2. How will the employee communicate their absence in the event of an incident or emergency?
3. Will leave be paid or unpaid; or debited against annual or other leave entitlements? How will this process be managed?
4. Does the employee need to provide documentation as evidence of attending the incident or emergency? If so, what?
5. What happens if the incident or emergency takes longer than expected?
6. What happens if an employee is injured whilst attending an incident or emergency?
7. How will your organisation manage volunteer employee fatigue and rest requirements?

8. Will the business limit the type of incidents or emergencies employees may attend?
9. Do the business needs and proposed arrangements enable the release of your employees for different emergency services volunteer events including those that are:
 - planned (e.g. training, incoming natural disaster)?
 - unplanned (e.g. unexpected incidents or emergencies)?

Workplace leave example

Employers are encouraged to consult with their own legal or industrial representative about the creation of an arrangement to enable their employee/s to volunteer with an emergency response agency such as DFES. The following is a simple example of one type of arrangement for workplace leave for an emergency services volunteer.



Example

Full time, part time and casual employees who are emergency services volunteers shall be entitled to up to five (5) days of unpaid/other leave per annum at ordinary time rates to attend an incident or emergency during work hours.

It is the responsibility of the employee to inform the employer as soon as practicable about the length of leave required to attend to emergency duties

In order to be granted unpaid/other leave, the employee shall provide the company with reasonable proof of attendance at the emergency incident.

This arrangement expires on X date.



What the Law Says

Emergency Situation declarations

In the event that an incident escalates to a level where significant resources are required to respond to a high level of threat or impact from an emergency or disaster, the Minister for Emergency Services can declare a State of Emergency and the Fire and Emergency Services Commissioner can declare an Emergency Situation. This occurrence is not frequent; however, it places additional obligations upon employers. Employers can still make the final decision on whether an employee may leave work when called to an incident or emergency, even during a declaration of an Emergency Situation.



If a declaration is raised, it will be published on the [Emergency Situation Declarations](#) page of the DFES website.

Situations experienced in other Australian states and territories cannot be declared as emergency situations or states of emergency under Western Australian legislation. It is therefore at the discretion of the employer as to whether their employee volunteer is released, and how their release from work duties is managed.

Rights and obligations for declared emergencies

In cases where an Emergency Situation declaration is made, employers of emergency services volunteers have specific legal obligations to fulfill.

Emergency Management Act 2005 (WA)

An Emergency Situation declaration is prescribed under the *Emergency Management Act 2005 (WA)*, which provides that specific provisions must be met by employers who release an employee to assist with an emergency.

For the purposes of the *Emergency Management Act 2005 (WA)*, an emergency is 'the occurrence or imminent occurrence of a hazard which is of such a nature or magnitude that it requires a significant and coordinated response.'

If employers choose to release emergency services volunteer employees, under Part 9 of the *Emergency Management Act 2005 (WA)*, employees who are absent from work to carry out an emergency response on a voluntary basis for an emergency management agency are entitled to the following:

1. Pay entitlements

An employer must pay their emergency services volunteer employee their ordinary rate of remuneration for the time they would ordinarily have worked while they are carrying out an emergency response.

2. Leave entitlements

An employer must ensure continuity of service for emergency services volunteer employees is preserved for long service leave, sick leave, recreational leave, and other entitlements.

3. No victimisation

An emergency services volunteer employee who attends an emergency cannot be victimised by their employer due to their absence to provide an emergency management response.

It is important to note that employers found to be in breach of these provisions could receive a fine, and/or be ordered to compensate the employee, and/or reinstate the employee if dismissed.



External links

[Emergency Management Act 2005](#)

Western Australian public sector employees

Western Australian public sector employees may access paid emergency service leave in accordance with Part 9 of the *Emergency Management Act 2005* (WA) or provisions of their industrial agreement. Public sector employees are not entitled to emergency service leave for a volunteering activity involving the prevention of, preparedness for, or recovery from an emergency (e.g. training courses).

Rights and obligations for non-declared emergency volunteering

The following represents the minimum entitlements for employees. Employers should review the Contract, Award, or Agreements relevant to the current employment relationship to determine if they offer a more favourable entitlement. With employer approval, both state and national system employees can access leave such as annual leave and long service leave if they have to volunteer at non-declared emergencies during workdays.

State system employers (Western Australian-based sole traders, unincorporated partnerships and associations)

There is no industrial provision in the *Minimum Conditions of Employment Act 1993* (WA) specifically providing for leave to volunteer. Please check the entitlements contained within the employment contract, Award or Agreement or seek legal advice if unsure.

National system employers

Community service leave forms part of the National Employment Standards (NES) and applies to all employees covered by the national workplace relations system.

Community service leave under the NES is unpaid but entitles employees to be absent from work to engage in a voluntary emergency management activity.

For an employee to be covered by the unlimited unpaid community service leave provisions, they must give their employer:

- notice of the absence as soon as practicable
- the period or expected period of absence
- evidence that they are entitled to the leave (if requested by the employer).



External links

State system employers free general advice contact:
Wageline: Department of Energy, Mines, Industry Regulation and Safety
https://www.commerce.wa.gov.au/sites/default/files/atoms/files/no._3_of_2022_-_emergency_service_leave_for_volunteers.pdf

National system employers, free general advice contact:
Fair Work Ombudsman: Community service leave and the National Employment Standards
<https://www.fairwork.gov.au/sites/default/files/migration/723/Community-service-leave.pdf>



Payroll tax exemptions for emergency services volunteers

Employers may be able to claim an exemption from payroll tax for wages paid to emergency services volunteer employees while they are performing their volunteer activities, as outlined in the *Pay-roll Tax Assessment Act 2002 (WA)*.

Emergency services volunteer employees are those that volunteer for an emergency management agency (this includes DFES' Bush Fire Service, Volunteer Fire and Rescue Services, Marine Rescue, State Emergency Service, and Volunteer Fire and Emergency Services).

As at April 2024, any employer in Western Australia who pays wages in excess of \$83,333 in any month or \$1 million per year is liable for payroll tax. These figures are subject to change and employers should seek independent advice around its application from their accountant or financial advisor.



External links

More information regarding payroll tax exemptions can be found at:
Government of Western Australia
[Payroll Tax Employer Guide](#)



Insurance Cover and Claims

DFES ensures that there is an appropriate level of insurance cover over all insurable risks and reviews insurance arrangements before the renewal of each policy. All of DFES' insurance arrangements are managed by RiskCover, a business division of the Insurance Commission of Western Australia.

Under DFES' insurance coverage, all registered volunteers in the following brigades, groups and units are covered:

1. Bush Fire Street Coordinators.
2. Bush Fire Brigades managed by DFES, and Bush Fire Brigade cadets.
3. Emergency Services Cadet Corps units.
4. Marine Rescue WA groups.
5. State Emergency Service units.
6. Volunteer Fire and Emergency Services units (including Education and Heritage Centre members).
7. Volunteer Fire and Rescue Services brigades.
8. Youth in Emergency Services cadets and instructors.

DFES aims to provide a safe and healthy work environment that minimises the risk of injury and illness and ensures prompt and appropriate injury management following an injury or illness, with appropriate modifications as required.

In the event of an injury or illness, the DFES Workers' Compensation and Injury Management Team provides assistance to emergency services volunteers registered with DFES (other than members of a Bush Fire Brigade managed by local government) while they are recovering from an injury/illness, including claims management support and return to volunteer duties.

Members of a Volunteer Bush Fire Brigade (not managed by DFES) performing a function under the *Bush Fires Act 1954* are insured through their local government. Claims management and support are coordinated through the Local Government Insurance Scheme (LGIS).

Employer Recognition

Employers receive many benefits from employing and supporting emergency services volunteers, such as:

- positive working relationships in the local community
- an increased awareness of the important role of emergency services volunteers
- an increased ability to attract and retain skilled workers
- increased staff motivation and team morale
- the promotion of the business' corporate social responsibility.

In addition, recognising the important role employers and self-employed volunteers play in the delivery of emergency services across Western Australia, DFES has established the Volunteer Employer Recognition Awards (VERA Awards). These awards recognise the businesses and self-employed volunteers who go above and beyond to support their emergency services volunteer employees respond to incidents and emergencies during work hours. In addition, the awards highlight the importance of supportive employers and flexible workplaces that allow volunteers time off from work to attend critical emergency incidents and vital training.

VERA recipients are granted the privilege to use the official VERA logo on their business marketing materials for three years. This serves as a public acknowledgment of the appreciation felt by volunteers and the community for their support.



External links

Government of Western Australia
Department of Fire and Emergency Services
[Awards](#)

In Conclusion...

Your role as an employer in supporting emergency services volunteers is invaluable to our community. By supporting your employees who are emergency services volunteers, you are making a significant contribution to the safety and well-being of our community. Your support enhances local resilience, preparedness, and response capabilities, ensuring that we are ready to face emergencies with confidence.

We encourage you to continue fostering supportive arrangements and recognise the impact you have on our emergency services.

Thank you for your unwavering support and for helping to create a safer, more resilient Western Australia.



Frequently Asked Questions

Am I under obligation to release my emergency services volunteer employees to attend an emergency?

No, you have full discretion as the employer and are under no obligation to release your employees.

What are my obligations as an employer when there is a State of Emergency or a Declared Emergency Situation?

As an employer, you don't have to release your volunteer employees. If employers choose to release emergency services volunteer employees where there is a State of Emergency or Declared Emergency Situation, under Part 9 of the *Emergency Management Act 2005*, employees who are absent from work to carry out an emergency response are entitled to leave and pay entitlements as well as no discrimination for attending the declared emergency.

How long will my employee's absence typically last?

The absence of your employee from work will depend on how long you have agreed to release them for. Your employee should discuss their volunteer role and the magnitude of the incident with you to help you decide.

How many hours of training will my employee have to attend during working hours?

DFES prioritises the provision of training to volunteers outside of normal business hours to reduce the impact of training on volunteers in terms of employment and education.

Are volunteers required to attend every incident when they are called upon?

No, volunteers are not obligated to attend every incident that they may be called upon to assist at.

What if my employee is injured whilst on volunteer duties?

DFES holds a Personal Accident Policy which provides a level of insurance cover to its registered volunteers with benefits that are similar to workers compensation arrangements for paid staff. Members of Bush Fire Brigades not managed by DFES are covered under their respective Local Government's insurance policy.

For further information

DFES Workers' Compensation and Injury Management Branch

(08) 9395 9754

Injury.Management@dfes.wa.gov.au



What types of documentation could employees provide as evidence of attending an incident or emergency?

Individual brigades, groups and units may have different arrangements. However, it might be in the form of a letter signed by the commander, brigade captain or unit manager.

If an emergency situation is declared, it will be published on the DFES website.

The evidence you require should be discussed with your employee when establishing an arrangement.

How do I manage employee fatigue after a call out?

Most incidents or emergencies volunteers attend do not create fatigue issues that translate into their workplace. Occasionally, volunteer activities may be prolonged, stressful and vigorous and volunteers may need to take some extra time to rest before returning to work to ensure their safety and the safety of other staff at the workplace.

It is recommended that discussion occurs around fatigue management and the requirements of the business when the arrangement is being created.



Download this resource:

