

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 1 OF 1999

SALARY NON-REDUCTION PROVISIONS INCLUDING COMMUNICATIONS TRADES (NAVY, ARMY AND AIR FORCE)

Pursuant to Section 58H of the Defence Act 1903, the Defence Force Remuneration Tribunal, hereby determines as follows:

Citation

1. This Determination may be cited as Determination No 1 of 1999, Salary Non-Reduction Provisions including Communication Trades (Navy, Army and Air Force).

Commencement

2. This Determination is to be taken to have commenced on 10 December 1998.

Amendment

3. Determination No. 6 of 1992, Salaries, as amended, is amended as set out in this Determination.

Clause 11A (Salary Non-Reduction Provisions)

4. Omit the clause, substitute the following Part:

“PART 1A – SALARY NON-REDUCTION

Definitions

11A. “In this Part:

‘date of effect’, for a relevant employment category, means the date of effect specified for that category in column 2 of Schedule 1A;

‘relevant employment category’ means an employment category listed in column 1 of Schedule 1A for the purposes of salary non-reduction.

Application

“11B. This Part applies to a member if, but for this Part, the salary payable to the member would be reduced as a result of:

(a) compulsory transfer from one employment category to another employment category;

- (b) transfer of an employment category to a lower pay group; or
- (c) the restructure of an employment category,

but not if the reduction would result from:

- (d) unsatisfactory performance of duty; or
- (e) disciplinary action.

Entitlement to salary non-reduction

“11C. During a salary non-reduction provision period of 18 months (or longer if so determined), a member is entitled to continue to receive the rate of salary payable to the member immediately before this Part applies.

Salary non-reduction period

“11D.1 For clause 11C, the salary non-reduction period begins on the day on which this Part applies to a member and ends:

- (a) for a member who occupied a relevant employment category immediately before the date of effect – at the end of the day specified in column 3 of Schedule 1A; and
- (b) for any other member – after 18 months.

“11D.2 However, the salary non-reduction period ends if the member becomes entitled to salary at a rate that is equal to or higher than the salary payable immediately before this Part applies.

Service during salary non-reduction period to count for certain purposes

“11E. At the end of the salary non-reduction period, service during that period by a member to whom this Part applies is to be treated as service for determining previous service for promotion and incremental advancement, unless the member’s rank or pay group has been otherwise reduced.

Salary non-reduction – member posted as Recruit Instructor (1 RTB)

“11F. Unless otherwise entitled to be paid at a higher rate, a member who is posted as a Recruit Instructor (1 RTB) is entitled, for the period of posting, to salary at the rate that would have been payable from time to time but for the posting”.

Schedule 1 (Permanent and Reserve members – pay group applicable to employment category of member)

5.1 Part B Pay Group 3:
Insert in alphabetical order “Gun Number Grade 2”.

5.2 Part B, Pay Group 4:

Insert in alphabetical order the following employment categories:

“Meteorologist Artillery
Operator Command Post Field Grade 2”.

New Schedule 1A (Salary non-reduction – relevant employment categories, dates of effect and dates of cessation)

6. After Schedule 1, insert the Schedule set out in the Attachment to this Determination.

Dated this twenty-third day of March nineteen hundred and ninety nine.

Commissioner P L Leary
Acting President

Rear Admiral K A Doolan AO RAN (Retd)
Member

SCHEDULE 1A**SALARY NON-REDUCTION –
RELEVANT EMPLOYMENT CATEGORIES
DATES OF EFFECT AND DATES OF CESSATION**

Column 1	Column 2	Column 3
Relevant Employment category	Date of effect	Date of cessation
NAVY		
Pay Group 4		
Radio Operator Teletype ¹	10 December 1998	9 December 2002
Signals ¹	10 December 1998	9 December 2002
Pay Group 5		
Radio Operator ¹	10 December 1998	9 December 2002
ARMY		
Pay Group 3		
Gun Number, Grade 2	20 August 1998	31 December 2003
Operator Radio Grade 2	10 December 1998	9 June 2000
Pay Group 4		
Meteorologist, Artillery	20 August 1998	31 December 2003
Operator, Command Post Field, Grade 2	20 August 1998	31 December 2003
Operator Computer	10 December 1998	9 December 2000
Operator, Information Systems and Cipher	10 December 1998	9 June 2000
Operator, Information Systems and Radio	10 December 1998	9 June 2000
Pay Group 5		
Supervisor Communications	10 December 1998	9 June 2000
Supervisor Operator Signals	10 December 1998	9 December 2002
Technician Cipher	10 December 1998	9 December 2002
Technician Electronic Grade 2	10 December 1998	9 December 2002
Pay Group 6		
Supervisor Technical Telecommunications	10 December 1998	9 December 2002

SCHEDULE 1A - continued

Column 1	Column 2	Column 3
Relevant Employment category	Date of effect	Date of cessation
AIR FORCE		
Pay Group 4 Communication and Information Systems Controller	10 December 1998	9 June 2000

NOTE 1: This relevant employment category applies only to members of the Permanent Forces