

23 JUNE 2004

**DEFENCE FORCE REMUNERATION TRIBUNAL**

**SPECIALIST SALARY STRUCTURE LEGAL OFFICERS**

**MATTER NO 5 OF 2004**

**STATEMENT**

IN DECEMBER 2003, THE TRIBUNAL APPROVED ADDITIONAL PAY POINTS WITHIN THE LEGAL OFFICERS SPECIALIST CAREER AND SALARY STRUCTURE TO PROVIDE ADDITIONAL FLEXIBILITY FOR MEMBERS ACTING IN HIGHER POSITIONS OR WHO WERE PROMOTED IN RANK WITHOUT MEETING THE REQUIRED COMPETENCY LEVEL. AT THAT TIME THE AUSTRALIAN DEFENCE FORCE (ADF) UNDERTOOK TO RETURN TO THE TRIBUNAL BEFORE JULY 2004 TO ADDRESS PROBLEMS IDENTIFIED WITH THE REQUIREMENTS FOR COMPETENCY ADVANCEMENT.

ON 23 JUNE 2004, THE ADF SUBMITTED THAT THE LEGAL OFFICERS STRUCTURE SHOULD BE FURTHER AMENDED BY REMOVING EXISTING TIME BASED REQUIREMENTS, DE-LINKING LEGAL LEVEL 5 FROM CURRENT PROMOTION REQUIREMENTS, THE PROVISION OF AN ADDITIONAL PAY POINT BETWEEN LL4 AND LL5 OF \$119,001 AND RECOGNISING A SMALL NUMBER OF SPECIFICALLY QUALIFIED RESERVE LEGAL OFFICERS.

IT WAS SUBMITTED BY THE ADF THAT THE NEW STRUCTURE WOULD ALLOW THEM MORE FLEXIBILITY WITH THE EMPLOYMENT OF LEGAL OFFICERS AND WOULD PROMOTE THE DEVELOPMENT OF EXPERTISE AT THE MORE SENIOR RANK LEVELS.

THE ADF PROPOSAL WAS SUPPORTED BY THE COMMONWEALTH, THE ARMED FORCES FEDERATION OF AUSTRALIA, THE RETURNED AND SERVICES LEAGUE OF AUSTRALIA AND THE REGULAR DEFENCE FORCE WELFARE ASSOCIATION.

HAVING REGARD TO THE EVIDENCE AND SUBMISSIONS WE ARE SATISFIED THAT THE AMENDED STRUCTURE, AS SOUGHT BY THE ADF, IS APPROPRIATE. WE HAVE, THEREFORE, DECIDED TO APPROVE THE STRUCTURE AS SOUGHT, INCLUDING THE NEW PAY POINT.

IN REGARD TO THE TRANSITIONAL ARRANGEMENTS PROPOSED BY THE ADF, WE AGREE THAT MEMBERS SHOULD BE ABLE TO PROGRESS TO THE NEXT COMPETENCY LEVEL ON THE BASIS OF THE PREVIOUS COMPETENCY STANDARDS, BUT SHOULD THEN COMPLETE THE NEW REQUIREMENTS FOR ADVANCEMENT TO THE NEXT COMPETENCY LEVEL.

THE CHANGES TO THE LEGAL OFFICERS SPECIALIST CAREER AND SALARY STRUCTURE ARE TO APPLY FROM 1 JULY 2004.

WE WILL TAKE UP THE PROPOSAL FOR A REPORT-BACK ON THE OPERATION OF THE AMENDED STRUCTURE AND TRANSITION ARRANGEMENTS, TO BE SCHEDULED IN FEBRUARY 2005.

WE WILL PUBLISH OUR REASONS FOR DECISION IN DUE COURSE.