

DEFENCE FORCE REMUNERATION TRIBUNAL

SPECIAL ACTION FORCES ALLOWANCE

REASONS FOR DECISION

The Australian Defence Force (ADF) has sought a restructure and revised rates for Special Action Forces Allowance (SAFA). Following hearings on 23 and 24 April 2002 the Tribunal approved a revised structure and rates for SAFA. We now publish the reasons for our decision.

BACKGROUND

SAFA is paid to some members of the Special Forces in recognition of the work requirements which cannot be remunerated adequately in the ADF salary structure. These requirements include additional skills which must be acquired and maintained in an environment of hazard and stress.

The last review of SAFA was conducted by the Tribunal in 1996. At that time the ADF sought changes to the structure and quanta of the allowance on the basis of changes in the role of the Special Air Services Regiment (SASR); an increase in the number of days in the field; a greater requirement for multi-skilling; a wider regional focus including a requirement for language skills; an increased requirement for water operations; mobility operations and air operations; and the impact of changes on training.

The current allowance is:

	Qualification and Skill	Disability
Level 1	5029	9760
Level 2	10411	11476
Unqualified rate	-	2869

INSPECTION

On 12 and 13 November 2001 the Tribunal visited SASR at Campbell Barracks in Swanbourne Western Australia.

During the inspection the Tribunal observed specific capability demonstrations, heard presentations from members from each of the different teams and experienced, to a limited extent, interactive visual demonstrations and the capability and disabilities experienced by members undertaking these roles.

THE ADF CLAIM

Special Action Forces Rate	Qualification and Skill Rate	Disability Rate
Trainee	8500	15000
Beret Qualified Member (including SAS beret qualified members of 152 Sig SQN)	15000	20000
Support Staff	As applicable	5000
152 Sig SQN	1500	5000
Designated Special Duty	As applicable	150 per day

SUBMISSIONS AND EVIDENCE

Australian Defence Force

The Defence Force Advocate submitted that the proposed restructure of SAFA is characterised by the following:

- a. an increase in the quanta of the disability element of the allowance in recognition of changes which have impacted on the level of disability which affects both trainee and qualified members;
- b. an increase in the quanta of the qualification and skill element of the allowance in recognition of increases in training and capability requirements;
- c. an increase in the quanta of the non qualified rate of SAFA in recognition of the increased level of disability experienced by non qualified personnel posted to the Regiment;
- d. an expansion of the entitlement to the non qualified rate of SAFA to all non qualified members posted to SASR who are subject to short notice to move;
- e. a lifting of the bar to entitlement to other s.58H allowances for members in receipt of the non qualified rate of SAFA;
- f. the introduction of an on occurrence disability rate for members subject to designated special duties; and
- g. the introduction of a qualification and skill element for signals qualified members posted to 152 Signals Squadron in recognition of the unique body of training and skill undertaken by signallers operating in the Special Forces environment.

It was submitted that the proposed changes in structure and quanta are justified on the basis of work value principles and structural efficiency considerations. It was stated there have been developments and changes to roles and capabilities; increased operational tempo, the introduction of new technology and sophisticated equipment; and changes to the organisation, employment and training.

A number of support functions are fulfilled by non SAS qualified ADF members from a variety of trades and corps. These include signallers, medics, cooks, ordnance and logistic members. The ADF submitted that the allowance for non qualified members should be raised due to a significant increase in operational tempo. Furthermore unqualified members are also subject to the same reduction in readiness times experienced by qualified members.

The ADF proposed the introduction of a Qualification and Skill element for members of 152 Signals Squadron. It was stated that signallers employed in a Special Forces environment are required to undertake a minimum nine weeks additional formal training as well as additional informal training required to maintain skills and keep pace with emerging technology.

The ADF also submitted that it is appropriate to lift the bar on access to other s.58H allowances for members in receipt of the unqualified rate of SAFA. It was submitted that payment of the unqualified rate is based on a limited range of disabilities experienced by members in the Special Recovery Squadron and in particular the short notice to move. The effect of the disallowing clause restricts such members being compensated for other disabilities experienced.

The ADF called three witnesses: the Commander Special Forces, the Commanding Officer SASR and the Officer Commanding 152 Signals Squadron.

Commonwealth, Returned and Services League of Australia and Armed Forces Federation of Australia

The Commonwealth, Returned and Services League of Australia and Armed Forces Federation of Australia supported the ADF proposal.

CONSIDERATION

The nature of operations and training of the Special Forces are by necessity classified information. Accordingly, it is not appropriate in this decision to cover in detail the evidence and material presented.

We consider that the changes in work value, and in the skill and responsibility required of members of SASR since 1996 have been sufficient to justify the restructuring and increase of the allowance. We have also taken into account the increases to other allowances subsumed by SAFA, in particular Paratrooper Allowance.

We have also noted the evidence regarding the increase in the number of SASR members who are required to be at a high degree of readiness. This requirement and the need to maintain skills at a very high level places considerable demands on the family and personal lives of members

On the basis of the submissions and evidence the Tribunal approved the new structure and rates of SAFA as sought by the ADF and agreed by the parties.

The new structure and rates shall come into effect on and from 9 May 2002.

APPEARANCES: R Kenzie QC, Defence Force Advocate, with Lieutenant Commander
A Bradshaw, for the Australian Defence Force

A O'Brien with M Frawley for the Commonwealth

J Dainer for the Returned and Services League of Australia

DATE AND PLACE OF HEARING:

23 – 24 April 2002 Canberra

INSPECTION:

20 – 21 November 2001 Campbell Barracks, Western Australia