

DEFENCE FORCE REMUNERATION TRIBUNAL

ROYAL AUSTRALIAN INFANTRY

COMBAT CLERK AND STOREMAN CATEGORIES TRADE RESTRUCTURE

REASONS FOR DECISION

The Australian Defence Force (ADF) sought a restructure and revised pay groups for the Royal Australian Infantry Combat Clerk and Storeman employment categories.

Infantry is the primary combat arm of the Australian Army. The role of the Infantry is to “seek out and close with the enemy, to kill or capture him, to seize and hold ground and repel attack, by day or night, regardless of season, weather or terrain”. To carry out this role the Royal Australian infantry relies heavily on skilled application of tactics, effective teamwork and cooperation with other Corps.

An infantryman is a skilled soldier who fights the enemy at close quarters in all phases of warfare using a variety of weapons. All infantrymen are trained as riflemen and are initially employed in a rifle section before transferring to one of the specialist streams: mainstream rifleman, specialist rifleman (such as sniper or mortarman), clerks, storeman or bandsman. Depending on the role of the unit, the Rifleman may also be trained as a Paratrooper or Armoured Fighting Vehicle Crewman.

BACKGROUND

In 1979 the Committee of Reference for Defence Force Pay (COR) retained the 1971 Committee of Inquiry placement of all Royal Australian Infantry soldiers at the Rifleman Grades 1 and 2 skill levels. The structure did not cater for any further trade training and classification occurring after attainment of Rifleman Grade 2.

The Tribunal reviewed the structure of the Royal Australian Infantry in 1996/1997 (Matter No. 10 of 1996) and allocated new pay groups, up to Pay Group 4, for those soldiers who attained specialist skills. At the time no evidence was presented in respect of Combat Clerks and Storemen. As a consequence, soldiers following the Combat Clerk and Storeman career path continued to be remunerated at Pay Group 3, which was attained at the Rifleman Grade 2 level.

The Combat Clerk category has a current strength of 232 personnel against an established requirement of 277 while the Infantry Storeman category has a strength of 367 personnel against an established requirement of 419 soldiers.

INTERIM DETERMINATION

In October 2003, the ADF sought an interim Determination for the Combat Clerk and Storeman categories. The ADF submitted that significant shortages of infantry manpower during ADF involvement in 1999 had led to the practice of training and employing clerks and storeman in the Rifleman subtrade, specifically at the Rifleman Grade 3 and Infantry Company Operations (CSM) levels. A practice of 'dual trade' then evolved as a result of a Chief of Army Directive and there was little practical differentiation between the training and employment of Combat Clerk/Storemen and Riflemen when away from the base element. The operational need for trained soldiers demanded flexibility in the use of available personnel. Consequently the Combat Clerk and Storeman soldiers were paid against the higher pay groups, ie Pay Group 4 and 5.

It was submitted that in 2002 it became apparent that the need for dual trade training and employment of the two categories had ceased but no action was taken to revert Combat Clerks and Storeman to Pay Group 3. The ADF, therefore, sought a period of salary protection for those soldiers affected from 2 October 2003 – 30 December 2003, until a work-value case for Clerks and Storeman could be put before the Tribunal.

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

The Tribunal approved the interim structure as proposed by the ADF and supported by the parties.

THE PRESENT CASE

INSPECTION

The Tribunal had the benefit of an inspection at 1 Brigade, Robertson Barracks, Darwin on 10 and 11 November 2003. During the inspection the Tribunal was briefed on the roles and responsibilities of both categories.

SUBMISSIONS

Australian Defence Force

The ADF proposed replacing the existing structure which identifies two skill grades at Pay Groups 2 and 3 with a three tiered structure at Pay Groups 2, 3 and 4. The ADF also sought to rename the categories Infantry Operations Clerk and Infantry Resource Storeman to more closely reflect the changed roles and responsibilities of clerks and storemen.

It was submitted that the demands placed on members of both categories have increased significantly since the Committee of Reference Review in 1979 and are consistent with those that necessitated restructuring of both the Royal Australian Infantry and Royal Australian Army Ordnance Corp trades in the late 1990s.

The ADF submitted that the proposed restructure was justified on the following grounds:

- expanded roles and responsibilities due to changes in operational doctrine and technology;
- the introduction of new and complex computerised processes and procedures;
- increased requirement for multi skilling;
- increased training requirements;
- expanded range of operating environment; and
- increased requirement to operate within a wider legislative framework.

It was submitted that emphasis had been on the placement of tiers at the point at which there was a significant increase in work value, rather than where there was an increase in authority through rank. The structure sought was as follows:

Infantry Operations Clerk (IOC)

Tier 1: IOC Grade 1 Pay Group 3

Tier 2: Assistant Supervisor IOC Grade 1 Pay Group 4

Infantry Resource Storeman (IRS)

Tier 1: IRS Grade 1 Pay Group 3

Tier 2: Assistant Supervisor IRS Grade 2 Pay Group 4

The ADF called one witness, Major A Forbes, Staff Officer Grade 2 Infantry Trades and Policy, Headquarters Combat Arm Training Centre, who gave evidence on the roles and responsibilities of the two categories and the changes that have occurred since the Committee of Reference placement in 1979. Major Forbes submitted that Army considers that the proposed structures provide a clear training progression that allows members in both trades to follow a logical career path.

Witness statements were provided by Warrant Officer Class 2 G Fitzallen and Sergeant P Cochrane both of 5/7 Battalion the Royal Australian Regiment.

The ADF proposed that the Tribunal approve a non-reduction period of 18 months applied to the IOC and IRS members affected by the 2001 Chief of Army Directive. It was submitted that these provisions were necessary either to allow time for members to undertake training to access Pay Group 4 under the new structure or to transfer out of the trade.

Commonwealth

The Commonwealth supported the structure and pay groups proposed by the ADF on the basis that there had been an expansion in training, responsibilities, duties performed and the skill sets required since 1979. It submitted that members of both categories were required to be proficient in their trade; in the core skills of the Infantry and also the skills specific to the Brigade to which they are posted. It submitted that the present structure did not provide adequate recognition of the training required and, as a result, the increased work value in these categories.

The Commonwealth did not support the totality of the transitional arrangements as proposed by the ADF. The Commonwealth supported the 18 month non-reduction period for members currently being paid at Pay Group 4 to allow members to complete the training necessary to meet the requirements of the new structure. The Commonwealth, however, did not support the non-reduction provisions for those members currently being paid at Pay Group 5 “as there has never been any consideration that Pay Group 5 should apply to the Combat Storeman and Clerk trades, there is obviously no scope for such translation arrangement for those members.....”.

Armed Forces Federation of Australia

The Armed Forces Federation of Australia generally supported the structure and pay groups proposed by the ADF. The Federation submitted that the award of Pay Group 4 should occur earlier than was proposed, namely after members had completed the Section Infantry Operations Course.

The Federation also supported the transitional arrangements proposed by the ADF.

DECISION

Having regard to the evidence and submissions we are satisfied that the new structure sought by the ADF is justified. We have, therefore, decided to approve the ADF’s proposal as supported by the parties.

We are satisfied that the evidence in this matter discloses a significant net addition to the value of the work of Clerks and Storemen since the last effective review.

In this context, having regard to both the evidence and submissions, we are further satisfied that the new structure sought by the ADF is justified on the grounds of the increased level of skills and the requirement for acquisition and use not only of trade skills but also core infantry skills.

In our view the proposed structure and pay groups are consistent with the restructure of the Royal Australian Infantry trades and the Royal Australian Navy Supply Categories trade restructure approved by the Tribunal in 2002.

In regard to the transitional arrangements, although we have carefully considered the submissions of the Commonwealth, we do not agree that differential treatment of the two groups of members affected is warranted in this case as to do so would raise issues of equity. We have therefore decided that a period of non-reduction will apply for a period of 18 months from the date of our interim determination on 2 October 2003.

DATE OF EFFECT

The new structure and pay groups will apply on and from 18 December 2003.

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

H Lavey with L Cox for the Commonwealth

G Howatt for the Armed Forces Federation of Australia

INSPECTION:

10 and 11 November 2003 Robertson Barracks, Darwin

DATE AND PLACE OF HEARING:

10 November 2003 Darwin

10 December 2003 Canberra