



Defence Force Remuneration Tribunal

DECISION

Defence Act 1903

s.58H—Functions and powers of Tribunal

ROYAL AUSTRALIAN NAVY: MARITIME WARFARE OFFICER – NAVIGATION

(Matter 18 of 2021)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 22 DECEMBER 2021

MAJGEN G. FOGARTY AO RETD, MEMBER

[1] This decision arises from a listing application received from the Australian Defence Force (ADF) for a determination to be made under Section 58H of the *Defence Act 1903*. The listing application¹ seeks to have the ‘Maritime Warfare Officer – Navigation’ specialisation recognised in the Graded Officer Pay Structure (GOPS) with other Maritime Warfare Officer specialisations.

Background

[2] A Maritime Warfare Officer (MWO) provides mariner, technical and warfare specialist skills, and is responsible for the safe conduct of the ship at sea in all aspects of navigation, seamanship and safety. Ashore, the MWO is involved in a broad range of command, operations management, training, and policy and project management.

[3] We considered this matter in a hearing on 2 December 2021 where Mr J. Phillips SC appeared for the ADF and Mr H. Miller for the Commonwealth.

Submissions

[4] The ADF submits the Maritime Warfare Officer – Navigation (MWO-N) qualification, currently considered as an ‘additional qualification’, should be recognised as a ‘specialisation’ within the MWO employment category. In particular, the Navy seeks to determine MWO-N as a ‘specialisation’ to be included in pay grade 7 of the GOPS as a “*Maritime Warfare Officer – Specialist – Minor War Vessel Command*”.²

Commonwealth

[5] The Commonwealth submission³ supports the ADF proposal in its entirety and “*agrees that it’s reasonable for MWO-Navigators to be remunerated at pay grade 7 when in command of a Minor War Vessel, consistent with the practice of other streams*”.⁴

Consideration

[6] We accept, within the MWO category, there are a number of streams recognised as having either ‘non specialisation’ (e.g. MWO); an ‘additional qualification’ (e.g. MWO-Fighter Controller); or a ‘specialisation’ (e.g. MWO-Principal Warfare Officer).

[7] We note the evidence that MWO ‘specialisations’ are “*different to an additional qualification (ADQUAL), which provides further specialist knowledge and skill as a subset of a specialisation*”.⁵ We accept, since 2017, the Navy has recognised the navigation career and training continuum as a ‘specialisation’ within the MWO category.

[8] In deliberating on the proposal, within the context of the MWO workforce, we considered the evidence that “*current efforts to improve the health of the MWO-Navigator workforce have not been successful: shortfalls existed at sea and ashore in key navigation positions that were notably challenging Navy’s ability to expeditiously train and qualify future MWO – Navigators (MWO-N)*”. We accept these shortfalls have been “*affecting the ability of ships to proceed to sea, and frequently short term operational relief personnel were being sought*”.⁶

[9] We note MWO ADQUALs and ‘specialisations’ attract an increase in pay grade placement (to pay grade 5) above that of a ‘non-specialised’ MWO (at pay grade 4). Additionally we accept currently only some ‘specialists’ are eligible for the specified pay grade 7, (Maritime Warfare Officers Specialist – Minor War Vessel Command), and officers without those discrete specialisations appointed to Command of a Minor War Vessel remain at pay grade 5.⁷

[10] We considered the evidence that an “*increased pay placement for MWO ‘specialists’ recognises the additional capability that a platform/crew is able to deliver under the Command of an MWO specialist in comparison to the capability that can be delivered under an MWO ADQUAL*”.⁸

Conclusion

[11] We agree the increased recognition, training and career profile Navy attributes to MWO-N changes it from an ‘additional qualification’ to a formal ‘specialisation’, making it “*generally equivalent*”⁹ to the other MWO specialisations.

[12] In agreeing with the proposed pay grade placement we note, in the development of GOPS, and in Matter 6 of 2011 – *Graded Officer Pay Structure 2011*, the Tribunal agreed to a range of MWO specialisations being determined in pay grade 7. We consider, in essence, this proposal adds another specialisation to the placements determined at that time and agree with that approach.¹⁰

[13] No amending determination is required to give effect to this amendment and we agree the changes as submitted from the date of this decision.

MS I. ASBURY, PRESIDENT
MR A. MORRIS, MEMBER
MAJGEN G. FOGARTY AO RETD, MEMBER

Appearances:

Mr J. Phillips SC for the ADF assisted by Mr P. Blady

Mr H. Miller for the Commonwealth assisted by Mr N Doukas

¹ DMR/OUT/2021/27 *Listing Application – Royal Australian Navy – Maritime Warfare Officer – Navigation: recognition as a specialisation* dated 11 October 2021

² ADF Submission *Royal Australian Navy: Maritime Warfare Officer: Navigation* undated (ADF1) page 1 paragraph 4.

³ Commonwealth submission *Royal Australian Navy Maritime Warfare Officer: Navigation* dated December 2021 (CWLTH1).

⁴ Transcript 2 December 2021 page 4 lines 40 to 43.

⁵ ADF1 page 4 paragraph 23.

⁶ ADF1 page 2 paragraph 9.

⁷ Principal Warfare Officer (including ADQUALs Air Warfare, Mine Warfare, Navigation and Surface Warfare); Submariner; Mine Clearance Diving Officer; and Maritime Geospatial Officer (including ADQUALS Meteorological and Oceanographic, and Hydrographic)

⁸ ADF1 page 6 paragraph 32.

⁹ ADF1 page 6 paragraph 33.

¹⁰ <https://www.dfrt.gov.au/sites/default/files/2021-01/Salaries-Amendment-MWO-and-MCO-14-Dec-2011.pdf>