



# Defence Force Remuneration Tribunal

## DECISION

*Defence Act 1903*

s.58H—Functions and powers of Tribunal

### **AIR FORCE: AIRBORNE ELECTRONICS ANALYST**

(Matter 6 of 2023)

MS B. O'NEILL, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA 8 NOVEMBER 2023

MAJGEN G. FOGARTY AO RETD, MEMBER

[1] This decision arises from a listing application from the Australian Defence Force (ADF) for a determination to be made under Section 58H of the *Defence Act 1903* (the Act). The listing application<sup>1</sup> seeks to modernise the career progression requirements of the existing Airborne Electronics Analyst (AEA) employment category streams and introduce a new ground-based stream at the same time.

### **Background**

[2] AEAs work as part of a multi-disciplinary team and have responsibility for the surveillance of Australian and international waters and airspace. Their primary tasks involve the operation of airborne sensors and analysis of data. Their roles are intrinsically linked to an aircraft platform, and the tactical deployment of that aircraft is directly informed by the advice provided by the AEA.

[3] We considered this matter in a hearing on 4 October 2023. Ms K. Hagan appeared for the ADF and Mr M. Guteridge for the Commonwealth. Warrant Officer M. Kowald appeared as a witness for the ADF.

## Submissions

### ADF

[4] The ADF submits that the restructure of the AEA category will contemporise the category by:

- a. modernising the career progression requirements of current and prospective employment streams; and
- b. introducing two new employment sub-streams.

[5] Specifically the ADF seek to:

- a. amend the current prefixes in the name of designated skill grades in the AEA category from AEA to AEA (Air) and amend the structure to reduce the number of skill grades from six to five;
- b. establish skill grades within the AEA employment category for a new ground-based stream that essentially mirrors the restructured airborne stream; and
- c. disestablish redundant skill grades within the AEA category.<sup>2</sup>

[6] The ADF submits the AEA category is presently configured into three sub-streams (Maritime Warfare Operator, Electronic Support Measures Operator; and Electronic Warfare Operator) spanning six skill grades at the ranks of Corporal to Warrant Officer.

[7] The ground-based stream is to consist of two new employment streams: Mission System Operator and Mission Payload Operator, with the career progression structure and skill grades largely mirroring the restructured five skill grade air-based stream. It is proposed the ground-based stream be established with a pay grade placement one below that of the air-based stream. This is because the ground-based AEAs will not be required to meet the same aviation duties, training or skills, nor meet the same medical standards.

[8] The requirements for skill grade placement or advancement are primarily based on skills progression aligned within the Graded Other Ranks Pay Structure (GORPS). Due to the sensor-based specialist structure, progression for AEA members is not tied directly to promotion, nor is promotion dependant on technical expertise.

[9] The ADF submission outlines a number of increasingly complex capabilities, which the ADF submit, “*require AEA workforce growth*”. Further, it states “*advances in technology contained within these new [aircraft] platforms will allow some AEA duties to be performed in the ground environment, in real time, beyond line of sight of the sensor platform*”. In summary the ADF, consider this “*presents an opportunity for Air Force as AEA candidates that are*

*otherwise unable to work in an airborne environment can now be gainfully employed in the ground environment”.*<sup>3</sup>

## **Commonwealth**

[10] At the hearing, the Commonwealth made an oral statement concerning the proximity to the hearing in which the ADF submission had been made. This meant, *“the Commonwealth has not had time to formally prepare a written submission”*.<sup>4</sup> Despite this, it made a brief oral submission, and requested approval for a written submission to be made later. This was agreed, and a submission from the Commonwealth was filed on 17 October 2023.<sup>5</sup>

[11] While not opposing the ADF proposal, in its written submission the Commonwealth raised a *“number of queries in relation to the ADF proposal”* and sought to *“caveat its position subject to those being adequately addressed”*.<sup>6</sup> These queries included work value assessment, the nexus between the air and ground-based streams, and the costing of the proposal (which the ADF state is cost neutral). The ADF replied to the Commonwealth submission on 27 October 2023.

[12] In finalising its position, the Commonwealth stated it *“does not oppose”* the ADF submission however retains a position *“that a work value argument in support of an additional pay grade for one stream, should not automatically apply to the other for the sole intention of retaining a minus one pay grade nexus”*.<sup>7</sup>

## **Witness Evidence**

[13] Warrant Officer M. Kowald gave written and oral evidence in support of the ADF submission. In his affidavit<sup>8</sup> he outlined how *“AEAs are currently utilised on three aircraft platforms being the P-8A Poseidon, E-7A Wedgetail and AP-3C Orion”* and how *“the platform that an AEA is qualified to work on determines the particular nature of their duties”*.<sup>9</sup>

[14] He gave evidence that the introduction of new platforms will *“change the way part of the AEA workforce are employed”* with *“most of the AEAs working with these new platforms”* performing their duties in ground-based roles and *“not be required to be physically in an aircraft”*.<sup>10</sup> He explained that, as AEAs employed in the ground-based streams are *“not required to fly, members in these streams are not required to meet or maintain the higher aviation medicine standards that apply to aircrew”*.<sup>11</sup>

[15] Warrant Officer Kowald explained that to qualify as an AEA, trainees need to *“complete approximately 14 months of Initial Employment Training”* with the first eight months including *“37 weeks of enlisted aircrew training, one week of initial Aviation Medicine, and two weeks of Combat Survival training.”* Based on that training he stated *“individual preference and broader operational requirements trainees are then streamed”* to a platform and *“undertake an operational conversion course of approximately six months”*.<sup>12</sup> Further, he detailed, *“progression through skill grades in the AEA continuum is tied to the attainment of aircrew categorisations as prescribed in Defence Aviation Safety Regulations”*.<sup>13</sup>

## Consideration

[16] We considered the evidence that the evolution of platforms has directly affected the work of the entire category and that, for example, *“at the end of this year the AP-3C Orion will be withdrawn from service and will be replaced by the MC-55A Peregrine. Additionally, the MQ-4C Triton<sup>14</sup> is expected to commence operational service in 2024 and will complement the surveillance capability of the P-8A Poseidon”*.

[17] We accept this will impact the way the AEA workforce is employed and agree that, while ground-based members will *“work the same hours as the aircraft flying the mission however, they have no requirement to be deployed to the same location as the platform”<sup>15</sup>* nor will they be required meet the same aviation standards as the airborne streams.

[18] We considered the evidence concerning the removal of one skill grade in the airborne stream and accept that skill grade 4 is considered an *“administration skill grade”* historically designed for the AP-3C Orion, which required *“three distinct sensor categories on the aircraft”*. We accept this skill grade now creates a *“blockage which very few people can actually get past”<sup>16</sup>*.

[19] This proposal was considered in the context of the current recruitment and retention issues facing the ADF. We accept that the AEA workforce is also currently *“under strength with significant shortfalls at the ranks of Corporal and Sergeant”*. We comment here however, that select members of this workforce are already in receipt of a targeted retention bonus, paid under s.58B of the Act, which is not within the remit of this Tribunal.

[20] We note the category provides for both Permanent and Reserve Force members of the category and that the submission seeks no retrospective salary placements. We accept the ADF intends to protect the salary of any member until they are able to complete the required training for salary progression, or for a maximum five-year period, under s.58B of the Act.

[21] We note that the Air Force intends to begin recruitment of ground-based personnel from 2024 with intakes expected to consist of both direct entry and internal transfers.

[22] We gave detailed consideration to the concerns of the Commonwealth, particularly about the nexus between air and ground-based streams and the lack of a formal work value assessment, as well as the cost impact of the proposal. However, we agree with the ADF that *“while there is minimal difference in the technicality of the work performed on the ground and in the air, the additional pay grade for air-based AEAs continues the historical recognition of qualification and skills allowances”* considered in GORPS. Further, we accept that *“as ground-based AEAs are not trained, nor maintain any liability to fly, the pay grade differential is appropriate”<sup>17</sup>*.

[23] While we agree any further differential may result in workforce friction, we support the Commonwealth's concerns in regard to any permanent link between the two streams and agree that each stream is to stand on its own – there should be no assumed nexus in pay placement between the two in future.

[24] With regard to the cost implications, we accept cost neutrality of the proposal will be achieved, in the long term, due to the lower salary costs of the ground-based stream.

## **Conclusion**

[25] We agree that the move to new platforms, coupled with the resultant increased technology, means the employment conditions and career progression established in GORPS are no longer relevant. We agree to the removal of skill grade 4 so as to provide for streamlined career progression, and accept the restructured AEA employment category will now consist of five sub-streams: three airborne and two ground-based.

[26] We agree that the introduction of ground-based categories provides an opportunity to expand the recruitment pool for potential recruits who may be seeking an AEA career but are otherwise unable to meet the required aircrew medical standards. We also agree that, as AEAs employed in the ground-based streams are not required to fly, perform aviation duties, nor meet or maintain the higher aviation medical standards, a pay grade placement one below the air-based streams is presently appropriate.

[27] We ask the ADF to return to us during the Annual Review in 2026 to advise us on the success, or otherwise, of this restructure and the state of the AEA workforce at that time.

[28] Determination 16 of 2023 gives effect to our decision from 18 January 2024.

MS B. O'NEILL, PRESIDENT  
MR A. MORRIS, MEMBER  
MAJGEN G. FOGARTY AO RETD, MEMBER

### *Appearances:*

*Ms K. Hagan for the ADF assisted by Flight Lieutenant L. Hawke*

*Mr M. Guteridge for the Commonwealth assisted by Mr N. Doukas*

### *Witness:*

*Warrant Officer M. Kowald, Airman Aircrew Manager, Headquarters Surveillance and Response Group.*

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- <sup>1</sup> DMR/OUT/2023/12 Listing Application: Airborne Electronics Analyst dated 28 June 2023.
- <sup>2</sup> ADF1 pages 2 and 3 paragraphs 1.8 and 1.9.
- <sup>3</sup> ADF1 page 14 paragraph 4.4.
- <sup>4</sup> Transcript 4 October 2023 page 14 lines 31 and 32.
- <sup>5</sup> Commonwealth submission Air Force: Airborne Electronics Analyst dated October 2023.
- <sup>6</sup> Commonwealth submission page 1 paragraph 5.
- <sup>7</sup> Commonwealth letter of 31 October 2023.
- <sup>8</sup> Affidavit of Warrant Officer M.J Kowald dated 28 September 2023 (ADF2).
- <sup>9</sup> ADF2 page 3 paragraph 8.
- <sup>10</sup> ADF2 page 8 paragraph 28.
- <sup>11</sup> ADF2 pages 9 and 10 paragraph 33.
- <sup>12</sup> ADF2 pages 4 and 5 paragraph 13.
- <sup>13</sup> ADF2 page 5 paragraph 15.
- <sup>14</sup> An autonomous operator system, which sends data to a ground based location.
- <sup>15</sup> ADF2 page 9 paragraph 30.
- <sup>16</sup> Transcript 4 October 2023 page 5 lines 31 to page 6 line 41.
- <sup>17</sup> ADF submission in reply, undated.