



Defence Force
Remuneration Tribunal

Defence Force Remuneration Tribunal

Annual Report

2025–26



HMAS Choules

President's overview

This year has been a significant one for the Australian Defence Force (ADF), marked by strong growth in workforce numbers and continued investment in the people and capabilities needed to meet Australia's future defence requirements. More people are choosing to join and remain in the ADF, with the 2025-26 financial year seeing the force reach its largest size in a quarter of a century. It is encouraging to see this renewed interest in military service and the opportunities it provides.

Throughout the year the Tribunal considered a range of cases reflecting the evolving nature of military employment and the increasingly specialised skills required of ADF personnel. Several matters involved recognition of increases in work value arising from technological advancement, the growing complexity of military capabilities, and the expertise required to operate and sustain them. These cases highlight the importance of ensuring the remuneration framework continues to recognise the unique contribution of ADF members and remains responsive to the changing demands placed upon them.

As always, the professionalism, enthusiasm and commitment demonstrated by ADF personnel appearing before the Tribunal has been outstanding. Through hearings, inspections and engagements with members across a broad range of employment categories, we continue to be impressed by the pride people take in their Service and the dedication they bring to their work. The Tribunal greatly values the collegiate approach taken by the ADF and the Commonwealth, enabling thorough examination of matters and supporting well-informed decision-making.

I also wish to acknowledge the contribution of my fellow Tribunal Members, Major General Gerard Fogarty AO (Retd) and Ms Andrea Lester. I greatly appreciate the expertise, insight and commitment they bring to the Tribunal's work. My thanks also extend to the Secretariat, whose professionalism and diligence ensure the effective operation of the Tribunal and support the delivery of our hearing and inspection program throughout the year.

On behalf of the Tribunal, I thank all ADF members who have contributed to our work this year. Their willingness to share their experiences, and perspectives enables us to better understand the unique nature of military service and assists the Tribunal in fulfilling our statutory responsibilities. Through those contributions, the Tribunal is better placed to ensure that ADF remuneration arrangements remain fair, relevant, and responsive to the demands of contemporary military service.

Bernadette O'Neill
President

1. INTRODUCTION TO THE DEFENCE FORCE REMUNERATION TRIBUNAL

The Defence Force Remuneration Tribunal (the Tribunal) was established in 1984 to determine the salaries and allowances payable to members of the Australian Defence Force (ADF), having regard to the unique nature and conditions of ADF service.

The Tribunal is an independent statutory authority established under section 58G of the *Defence Act 1903* (the Act). Under subsection 58H(2) of the Act, the Tribunal's functions are to:

(a) inquire into and determine the salaries and relevant allowances to be paid to members; and

(b) inquire into and make determinations in respect of prescribed matters that have been referred to the Tribunal.

In performing its functions, the Tribunal is guided by the legislative framework established by the Act. Section 58KD provides that the Tribunal may, in making a determination, give effect to any agreement reached between the Minister, acting on the behalf of the Commonwealth, and the Chief of the Defence Force acting on behalf of ADF members, in relation to the matter under consideration.

2. MEMBERSHIP OF THE TRIBUNAL

The Tribunal consists of three part-time members appointed by the Governor-General in accordance with the Act.

The President of the Tribunal is to be a Deputy President of the Fair Work Commission. The remaining members must include a person who is experienced in industrial relations matters, and a person who has previously served as a permanent member of the ADF.

This composition ensures that the Tribunal brings together expertise in workplace relations, remuneration, and military service when considering matters affecting ADF members.

The current Tribunal members are:

Ms Bernadette O'Neill, President

Appointed as President of the Tribunal for a five-year period commencing 20 July 2023, Ms O'Neill has been a Deputy President of the Fair Work Commission (FWC) since October 2022. Prior to her appointment as Deputy President of the FWC, Ms O'Neill had been a FWC Commissioner since April 2021, and the FWC General Manager since 2012. She has also held senior executive positions with Industrial Relations Victoria, and with the Australian Liquor Hospitality and Miscellaneous Worker's Union, along with extensive experience in private legal practice and the trade union movement. Ms O'Neill holds a Bachelor of Laws degree, ANZSOG Executive Master in Public Administration, and is a Graduate of the Australian Institute of Company Directors.

Ms Andrea Lester, Industrial Relations Member

Appointed as Industrial Relations member of the Tribunal for a five-year period commencing on 5 December 2024, Ms Lester has been President of Victoria's Police Registration and Services Tribunal since 2015. From 2010 to 2015, she consulted in policy and systems reviews, workplace relations, mediation, and investigations. Between 2003 and 2010, Ms Lester held senior policy and advising roles with the Victorian and Commonwealth Governments, focussing on workplace relations reform, enterprise bargaining and workplace productivity, and justice portfolio issues. Previously, Ms Lester was in legal practice for 12 years, where she specialised in public sector workplace relations and employment law. Ms Lester holds a Master of Public Policy and Administration, and degrees in Law (with honours) and Science, from the University of Melbourne.

Major General Gerard Fogarty AO (Ret'd), Member

Initially appointed as the ADF Member of the Tribunal for a three-year period commencing 10 December 2020, Major General Fogarty was re-appointed for a further three-year term on 23 May 2024. Major General Fogarty retired from the Australian Army in early 2014 after a military career predominantly in the fields of Command and Leadership, and Human Resource Management. Major General Fogarty was the Chief Executive Officer of Defence Health Limited between 2014 and 2024; a restricted not-for-profit Private Health Insurance company located in Melbourne. He is currently a Non-Executive Director of Vitura Health Limited and an Independent Member of the Civil Aviation Safety Authority's People and Culture Committee. He holds a Bachelor of Business, a Masters of Business Administration, and a Masters in Strategic Studies from the United States Army War College in Carlisle, Pennsylvania.

3. THE PERFORMANCE OF TRIBUNAL FUNCTIONS

The Act provides the Tribunal with broad discretion in the conduct of its proceedings. The Tribunal may regulate its own procedures, is not required to act in a formal manner, may inform itself on any matter in such manner as it considers appropriate, and is not bound by the rules of evidence.

In practice, matters are generally considered through formal hearings, conferences, or consideration on the papers. The Tribunal ordinarily conducts its proceedings from purpose-built facilities within the Treasury Building, Parkes Australian Capital Territory.

4. THE OPERATIONS OF THE TRIBUNAL

The President, supported by the Secretariat, oversees the operations of the Tribunal.

The ADF submits applications seeking consideration of salary and/or allowance claims affecting its members. Upon receipt of a listing application, the Secretariat invites the ADF and the Commonwealth to provide recommendations regarding the most appropriate means of determining the matter, including by formal hearing, conference, consideration on the papers, or, where appropriate, inspections.

The Secretariat supports the administration of proceedings, including the filing of submissions from the parties and any interveners, and the scheduling and conduct of hearings and conferences. Following completion of a hearing, conference, inspection, or consideration on the papers, the Tribunal deliberates on the evidence and submissions before it. The Tribunal's conclusions are recorded in a written decision setting out its reasons, accompanied by a determination giving effect to the outcome. Decisions and determinations are published on the Tribunal's website at www.dfrt.gov.au.

Determinations by the Tribunal are subsequently tabled in Parliament by the Minister for the Public Service.

5. PARTIES AND THEIR ADVOCATES

The principal parties appearing before the Tribunal are the ADF, represented by the Defence Force Advocate, and the Commonwealth, represented by the Commonwealth Advocate. Each party is entitled to appear before the Tribunal and to make submissions in relation to matters under consideration.

These advocates play an important role in assisting the Tribunal by presenting evidence, making submissions, and providing relevant information to support the Tribunal's consideration of matters affecting ADF remuneration and conditions. During the reporting period, the role of Defence Force Advocate was performed by Mr Patrick Keane, and Mr Kris Wong served as Commonwealth Advocate.

6. INTERVENERS

Under subsection 58K(10) of the Act, the Tribunal may permit a person or body to make submissions or seek leave to appear before the Tribunal, where it considers that the person or body should be heard in relation to a matter before it.

No intervenors participated in matters considered by the Tribunal during the reporting period.

7. REVIEWS

The Tribunal has a statutory obligation under subsection 58H(6) of the Act to inquire into, and make a further determination in respect of, matters it has previously determined:

(a) within 2 years of the first-mentioned determination taking effect; or

(b) if the Minister, by notice in writing given to the President, requests the Tribunal to make a further determination in respect of those salaries and allowances within a shorter period of the first-mentioned determination taking effect – within that shorter period.

Reviews are generally conducted as the Tribunal's first matter each calendar year. During the reporting period the Tribunal reviewed 8 determinations, all of which were assessed as having operated effectively and require no further action.

8. MATTERS CONSIDERED IN 2025-26

Matters before the Tribunal are often complex and may be considered over an extended period. The examination of a matter can involve a combination of hearings, inspections, conferences and the consideration of written submissions before a final determination is reached.

The principal matters considered by the Tribunal during 2024-25, as identified by the ADF, are outlined below:

- [Matter 13 of 2025 Nuclear Submarine \(SSN\) Workforce Tranche 3](#)
- [Matter 14 of 2025 Maritime Warfare Officer](#)
- [Matter 15 of 2025 Navy Chief of Boat](#)
- [Matter 16 of 2025 Army Maritime Officer](#)
- [Matter 17 of 2025 Army Marine Specialist](#)
- [Matter 18 of 2025 Army Driver Specialist](#)
- [Matter 2 of 2026 ADF Training Systems Officer](#)
- [Matter 3 of 2026 Navy Submarine Executive Officer and Submarine Warfare Officer Employment Category](#)
- [Matter 4 of 2026 Nuclear Submarine \(SSN\) Workforce Tranche 4](#)
- [Matter 5 of 2026 Military Factor Framework Crew G Allowances](#)
- [Matter 6 of 2026 Navy Undersea and Geospatial Warfare Officer](#)
- [Matter 7 of 2026 Navy Undersea and Geospatial Warfare Specialist](#)

Administrative matters

The following matters were administrative in nature or related to changes in nomenclature, organisational structures or administrative arrangements. These matters were considered by the Tribunal either on the papers or through conferences with the parties:

- [Matter 19 of 2025 Royal Australian Corps of Signals – Report Back](#)
- [Matter 20 of 2025 Air Force Officer Aviation Pay Structure – Final Report Back](#)
- [Matter 21 of 2025 Air Force Network Technician – Final Report Back](#)

9. INSPECTIONS

Inspections may be initiated by either the Tribunal or the parties where it is considered that a practical examination of the work performed by ADF members will assist the Tribunal's consideration of a matter. Inspections are particularly valuable in informing the Tribunal's decision-making, as they provide members with an opportunity to observe firsthand, albeit within the constraints of a brief visit, the working and living conditions experienced by ADF members across a range of employment categories, environments and locations.

Representatives of the ADF and the Commonwealth, together with the Secretariat Advisor, ordinarily accompany the Tribunal during inspections

Two inspections were conducted during the reporting period, at HMAS Waterhen and HMAS Watson. These inspections examined a range of Navy employment categories and provided the Tribunal with an opportunity to observe the duties, working environments and operational capabilities of ADF members. Particular focus was given to the Geospatial Warfare, Mine Warfare and Clearance Diving workforces.

10. VISITS

The Tribunal may undertake visits to ADF units, establishments, and vessels independently of any specific matter before it. These visits provide Tribunal members with broader exposure to contemporary ADF workplaces, roles and operating environments, and often include open forums with ADF members of all ranks.

No visits were conducted this year.

11. TRIBUNAL ADMINISTRATION

Secretariat support

The Tribunal is supported by a small Secretariat team, comprising employees of the Australian Public Service Commission (APSC). Secretariat staff are responsible for the administration of Tribunal proceedings, stakeholder engagement, records management and corporate support activities. The Secretariat operates from purpose-built premises within the Treasury Building, Parkes ACT.

Financial matters

The Tribunal's financial and administrative requirements are met through the APSC. The Tribunal does not maintain separate financial accounts.

Website

The [Tribunal's website](#) provides information on current activities, the work program and hearing schedule, as well as historical information concerning the Tribunal's operations, decisions, and determinations. The website is hosted and maintained by the APSC.

Freedom of information

For the purposes of the *Freedom of Information Act 1982* (FOI Act), the Tribunal is treated as a separate agency. Consistent with the requirements of the FOI Act, the Tribunal publishes information through its [Information Publication Scheme](#), which is available on the Tribunal's website.

Privacy policy

The Tribunal is committed to protecting the privacy of individuals whose personal information is collected or disclosed in connection with the performance of its functions. To support this commitment, the Tribunal maintains a privacy policy and publishes privacy collection notices on its website.

The [privacy policy](#) and [collection notices](#) outline how personal information is managed and the rights available to individuals in relation to that information.