

**DEFENCE FORCE REMUNERATION TRIBUNAL**

**MATTER NO 6 of 2010**

**GRADED OTHER RANKS PAY STRUCTURE 2010**

**STATEMENT**

On 31 August 2010, the Tribunal was briefed by Navy regarding the introduction of the new Landing Helicopter Dock (LHD) vessels including the introduction of the newly proposed Aviation Support (AS) employment category which is required for the delivery of Naval Aviation capability.

On 9 September 2010 the Tribunal conducted inspections of the Navy Electronic Warfare (EW) employment category at HMAS KUTTABUL and on HMAS DARWIN which reviewed the technology now employed by the category. There has been, and will continue to be, a progressive introduction of new technology to allow the delivery of enhanced capability.

Having regard to the submissions of the Parties and the comprehensive materials presented in respect to the proposed Pay Group placements for both the AS and EW employment categories for Navy, the Tribunal is satisfied that the relativities are appropriate and consistent with previous placements. The Tribunal therefore approves the placements as proposed by the Parties.

The date of effect for the Navy AS employment category shall be on and from 9 December 2010. The date of effect for Navy EW placements is on and from 7 July 2011. The Parties should provide a draft determination for the placement of the Navy EW category within 14 days.

The Tribunal will seek a report back in respect to the EW category placements some 18 months after the after the category stand up date.

On 1 September 2010 the Tribunal conducted an inspection of Air Force Ground Support Equipment Technicians (GSETECH) at RAAF Williamtown in relation to a pay group placement anomaly for this employment category.

20 October 2010

We are satisfied that an anomaly has been identified and this has been supported by the submissions and presentations of the Parties. Further, we are satisfied that the Pay Group placement proposed maintains relativities and is appropriate and consistent with previous placements.

The Commonwealth submitted that as the placement for GSETECH is the resolution of an anomaly the new Pay Group should be implemented to take effect from the date of the establishment of the Graded Other Ranks Pay Structure (GORPS) being 4 September 2008.

The ADF submitted that the date of effect for the Air Force GSETECH placements should be on and from 28 October 2010.

The Tribunal notes the proposal of the Commonwealth in respect to the effective date and seeks further information and submissions from the Parties in regarding the date of effect for the GSETECH category. Those submissions should consider precedent, flow on and any special circumstances surrounding this particular pay group anomaly and whether there are similar circumstances likely to arise in the future and if so, how they will be addressed. The Parties should provide a written submission to the Tribunal Secretariat within 21 days.

In the meantime we endorse the proposal of the ADF that the pay group for GSETECH category take effect on and from 28 October, 2010 and would ask the Parties to provide draft determination within 14 days.

The issue of effective date for the GSETECH employment category will be dealt with in due course.

The Tribunal will publish its reasons for decision in due course