



Defence Force Remuneration Tribunal

DECISION

Defence Act 1903
s.58H—Functions and powers of Tribunal

AUSTRALIAN DEFENCE FORCE MEDICS – TEMPORARY ENTRY PLACEMENTS (Matter 8 of 2020)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 29 APRIL 2020

RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

[1] This statement arises from a listing application¹ made by the Australian Defence Force (ADF) under s.58H of the *Defence Act 1903* to provide temporary pay grade provisions for selected medical employment category members presently under training.

[2] We considered this matter on the papers via teleconference on 21 April 2020.

Background

[3] The COVID-19 pandemic, and associated health and physical distancing requirements, have impacted health training throughout Australia. This includes the delivery of initial employment training for ADF Medic employment categories across all three Services, and in particular with regard to industry partner practice placements.²

[4] This means that those ADF Medics who are presently in the final stages of their training are unable to complete all of the training requirements and assist in the delivery of operational ADF health support during the coronavirus emergency.

Submissions

[5] In light of this unprecedented situation the ADF is proposing a set of temporary provisions for medic employment categories under training across the three Services. Consequently, beginning on 4 May 2020 and ending 24 months after the lifting of health and social distancing related restrictions (and following the resumption of industry partner placements for the Diploma of Enrolled Nursing and Diploma of Paramedical Science) the ADF is seeking to:

- a. re-open the previously closed, Service-specific medic employment categories at Skill Grade 1/Pay Grade 3; and
- b. amend the eligibility criteria for medic employment category award of Skill Grade 1 category, and placement in the Graded Other Ranks Pay Structure (GORPS) at Pay Grade (PG) 3, to be the completion of the following training on the ADF Medic Course:
 - i. military introduction training (3 weeks)
 - ii. nursing training (32 weeks);
 - iii. military specific training (5 weeks)

and on the condition that the member has been “*expressly released from the training pipeline/directed to deliver capability.*”³

Commonwealth

[6] The Commonwealth supports the intent of the ADF proposal, however considers there to be “*some points of concern that should be addressed.*”⁴

[7] The Commonwealth considers these issues to be that:

- a. members who finish providing capability during the pandemic and return to the training environment would be at a higher pay grade than other members who never left the stream;
- b. even if the capability was provided for a short time period these members would continue on higher remuneration; and
- c. it is more appropriate to review [the situation] in 12 months given the evolving challenges that present themselves due to COVID-19.⁵

[8] We note here that the ADF elected to make further written reply⁶ to the Commonwealth submission in response to these concerns which will be expanded upon later in this decision.

Consideration

[9] Firstly, in considering this matter we note that the Tribunal last reviewed ADF Medics in Matter 3 of 2013 when it was agreed, in part, that the application of Skill Grade 1 PG3 would be closed in, but not removed from, the relevant determination.⁷

[10] In all aspects related to this matter it is evident that COVID-19 is placing extreme pressure on Australian society. We accept that as a result the ADF has been directed by Government to help support the community and various agencies, including supporting Australia's health care system, while still providing health care to all ADF members.

[11] We accept that the suspension of practical placements by industry partners has left a number of ADF Medic trainees considered to be still 'under training' and therefore clinically restricted in providing health care.

[12] We note that the ADF is mitigating the training impacts for certain members undertaking the ADF Medic initial employment training where possible by directing distance learning. We also note that the practical placement element is unable to be delivered due to COVID-19 restrictions. We accept that any suspension in practice placements results in members being unable to complete their diplomas at this time.

[13] We do not share the concerns of the Commonwealth with regard to those members who may provide capability during the pandemic, and then return to the training environment, being paid at a higher pay grade than members who have remained in the training stream. Nor do we consider it of concern that, even if the capability was provided for a short period of time, the members would continue on higher remuneration.

[14] We agree with the ADF written reply to the Commonwealth that were the affected members to revert to the trainee rates of salary this deliberate loss of income "*would be highly irregular and unprecedented*"⁸ and would not recognise the provision those members had made to the community in times of crisis. We also accept that as a result of this "*some cohorts will deliver more capability than others when released from the training pipeline.*"⁹

Conclusion

[15] We accept that while a Medic at Skill Grade 1 would previously be acknowledged to have "*limited utility*" such a member "*can provide some capability in this time of crisis, and the ADF wish to access as much capability as possible.*"¹⁰

[16] We agree to reopen the determined Skill Grade 1 Pay Grade 3 within GORPS for those members who have successfully completed the military introduction, nursing and military specific training **and** who have been expressly released from the training pipeline to deliver capability.

[17] We agree with the Commonwealth that a review on the progress of this matter is more appropriate in 12 months' time noting the uncertainties of the pandemic situation and its duration.

[18] We agree to the amendments sought and make provision for the placement of those personnel outlined in paragraph 5 to be placed in Skill Grade 1 Pay Grade 3 for the duration of the COVID-19 restrictions. This is explicitly from 4 May 2020, and for a period of 24 months following the lifting of health and distance restrictions (and the resumption of industry partner placements for the Diploma of Enrolled Nursing and Diploma of Paramedical Science) with an initial progress review to be conducted by the ADF in May 2021.

MS I. ASBURY, PRESIDENT
MR A. MORRIS, MEMBER
RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

¹ DMR/OUT/2020/008 letter *Listing Application – ADF Medic Employment Categories- Temporary Entry Placements* dated 3 April 2020.

² Considered to be a practical work-place experience with the same standards and work conditions as a fully qualified worker.

³ ADF Submission *ADF Medic employment categories – temporary entry placements* dated April 2020 pages 2 and 3 paragraphs 9 and 10.

⁴ Commonwealth Submission *Australian Defence Force Medic Employment Categories – Temporary Entry Placements* dated 16 April 2020 page 4 paragraph 18.

⁵ Commonwealth Submission page 4 paragraphs 20-24.

⁶ ADF Submission *ADF Medic Employment Categories – temporary entry placements* (ADF Submission in reply to Commonwealth submissions) dated April 2020.

⁷ <https://www.dfrt.gov.au/sites/default/files/Determination-4-of-2013-Army-Medical.pdf>

⁸ ADF Submission in reply paragraph 2b.

⁹ ADF Submission in reply paragraph 2a.

¹⁰ ADF submission page 4 paragraph 19.