



Defence Force Remuneration Tribunal

DECISION

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

ARMY CONSTRUCTION ENGINEER EMPLOYMENT CATEGORIES (Matter 8 of 2019)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 6 NOVEMBER 2019

RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

[1] This decision arises from a listing application¹ made by the Australian Defence Force (ADF) under section 58H of the *Defence Act 1903* seeking to expand the scope and criteria for selected Construction Engineer categories.

[2] We conducted a familiarisation visit in relation to this matter at RAAF Base Amberley on 23 September 2019. A hearing was conducted at the same location on 24 September 2019 where Mr J Phillips SC appeared for the ADF and Mr J O'Reilly for the Commonwealth.

Background

[3] All of the Construction Engineer employment categories fall within the Corps of the Royal Australian Engineers. These categories are responsible for the delivery of engineering support, design and emergency response including the provision of humanitarian and disaster relief options; reconstruction for long-term disaster relief assistance; host nation indigenous training and assistance missions for regional and international partner forces.

Submissions

[4] The ADF states that this submission addresses a requirement to expand the entry criteria for the carpenter, electrician and plumber trade categories and provides “*a revised structure that enables civilian qualified carpenters, electricians and plumbers to be recruited at entry level into the Permanent Force*”.²

[5] The ADF also submits that the proposition aims to “*resolve existing relativity tensions and align the pay grade placement for civilian qualified carpenters, electricians and plumbers with their Air Force counterparts in the Graded Other Ranks Pay Structure (GORPS)*”.³

[6] Specifically the ADF seeks to:

- a. allow the placement of direct entry civilian trade qualified carpenter, electrician, and plumber recruits into the Army Permanent Force within the existing carpenter, electrician and plumber skill grade 2; and
- b. resolve the consequential relativity tension by reducing skill grade 2 from pay grade 4 to pay grade 3.⁴

[7] The Commonwealth submission supports the ADF proposal in its entirety.⁵

Consideration

[8] Discussions with a number of personnel during the familiarisation visit to 6 Engineer Support Regiment on 23 September 2019 were invaluable in providing the context in which to understand the complexities of the matter and the skills of all three trades when applied within Army.

[9] We accept the evidence that Army’s emerging program of regional infrastructure, coupled with the growing Army Aboriginal Community Assistance Program, results in a need for “*rapid growth*”⁶ within the selected trades.

[10] We considered the evidence that, at present, these categories are only open to Reserve personnel and agree a pay placement is required to enable the recruitment of suitable qualified tradespeople into the Permanent Army. We note the evidence that the Construction Engineer family is currently undergoing a further category review and that on completion of the review Army intends to provide a further submission to us in ‘*the latter half of 2020*’.⁷

[11] We considered the evidence that there is a relativity tension between Army and Air Force direct entry civilian qualified carpenters, electricians and plumbers who, within Army, are placed in skill grade 2 at pay grade 4, while in Air Force the same direct entry tradesperson would be placed in skill grade 1 pay grade 3. We agree this inequity requires resolution.⁸

[12] We considered the evidence that Army seeks non-reduction provisions for five years to ensure transition of all members.

Conclusion

[13] We agree that entry level civilian qualified carpenters, electricians and plumbers are to be paid the same in Army and Air Force upon successful completion of their relevant military recruit training.

[14] We agree that non-reduction provisions for five years will provide sufficient time for members to complete any transition requirements. We ask the ADF to return to us on the progress of these provisions during the development of any related cases and in the annual review process.⁹

[15] Determination 8 of 2019 will give effect to this decision with effect from 28 November 2019.

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

Appearances:

Mr J Phillips assisted by Mr P Blady *for the ADF*

Mr J O'Reilly *for the Commonwealth*

¹ ADF letter DMR/OUT/2019/26 Listing Application – *Army Construction Engineer Employment Categories* dated August 2019

² ADF Submission *Army Construction Engineer Employment Categories* (ADF 1) undated page 3 paragraph 1.10

³ Covering email of 23 August 2019 filing submission.

⁴ ADF 1 page 3 paragraph 1.11

⁵ Commonwealth submission (CWLTH 1) – *Army Construction Engineer Employment categories* dated 10 September 2019.

⁶ ADF 1 page 11 paragraph 3.9

⁷ ADF 1 page 20 paragraph 6.8

⁸ The Royal Australian Navy does not have any categories for carpenters, electrician or plumbers.

⁹ Transcript of 24 September 2019 page 2 lines 35-38.