



Australian Government
Defence Force Remuneration Tribunal

DECISION

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

ROYAL AUSTRALIAN NAVY – CRYPTOLOGIC NETWORK SAILORS (Matter 12 of 2017)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 22 OCTOBER 2018

RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

[1] This decision arises from a supplementary submission¹ made by the Australian Defence Force (ADF) under s.58H of the *Defence Act 1903* (the Act) in relation to Matter 12 of 2017 – *Royal Australian Navy Cryptologic Sailors*, which was considered in December 2017. This decision should therefore be read in conjunction with our earlier decision which noted that “*the ADF will return to us in 2018 to make provision for a network specialist sailor within the cryptologic sailor (CT) category*”.²

[2] We considered this matter in a hearing on 6 September 2018. Captain D. McCourt DSM, OAM, RANR the Director of *Project Metis*, and Commander R Apikotoa RAN, the Deputy Director Intelligence Capability, Navy Information Warfare Branch appeared as witnesses.

Background

[3] The cryptologic workforce is primarily responsible for intercepting, recording, analysing and disseminating intelligence. The networks stream will provide the intelligence-led component of cyberspace operations for Navy and operate within the information warfare workforce.³

Submissions

[4] The supplementary submission seeks to have a networks stream included within the Cryptologic Sailor employment category established in April this year. The proposal outlines a structure for the networks stream that would commence on 1 December 2018 and align with the previously determined skill grade and pay placements for the linguists and systems streams.⁴

[5] The proposal makes provision for a total of 58 positions within the networks stream; this will result in a total cryptologic workforce of 325 sailors comprising four streams of operators, systems, linguists and networks specialists.

[6] The Commonwealth supports the proposal in its entirety.⁵

Evidence

[7] We gave overarching consideration to the written evidence of Captain McCourt that this supplementary submission is *“purely about incorporating the network stream into the broader category structure and mirror the skill and pay grade already established so as to retain their respective work value”*.⁶

[8] We also considered his evidence in the hearing that *“the skill sets these sailors will develop over the course of their careers will be particularly attractive to outside industry and there is an expectation that, over time, that Navy and indeed the broader Defence community will look at developing some kind of differentiated package that will make them far more competitive for us to retain these people in the Navy”*.⁷

[9] We noted the evidence provided by CMDR Apikotoa in regard to the flexibility required for this employment category. We accept that this workforce requires a *‘paradigm shift’* and that Navy is *“looking at a more flexible workforce for cyberspace operations in relation to placement of skill grade and avenues of career progression”* and where *“the career progression is not directly linked to rank which is different to our other employment categories, and indeed, Army and Air Force”*.⁸

Consideration

[10] We gave consideration to the evidence that Navy cyberspace operations are a *“whole of workforce endeavour”* and that *“no single category will be solely responsible for delivering cyber-capability”*. We note that related components of the cyber capability will also be achieved through the Navy Communications and Information Systems and Electronic Technician employment categories.⁹

[11] In addressing this submission we had regard to the evidence that *“cyberspace operations will demand a new approach to workforce flexibility so that this highly specialised workforce is equipped to meet the challenges of ever-growing technological sophistication and complexity, in a rapidly developing environment. This will create a unique cohort who will operate as part of Navy’s information warfare workforce and whose training and career continuum needs to be agile and adaptable”*.¹⁰

[12] We gave consideration to the career structure set out in this submission and accept that Navy has an expectation that these sailors can increase their technical skill set to achieve a higher pay grade but will need to develop leadership and management skills in order to gain promotion. We deliberated on the evidence of Commander Apikotoa given in the hearing that *“in this way we look at rewarding our sailors through skill and pay grade, by their technical skill set, and rewarding their leadership and management skills through rank, and eventually they achieve pay and skill grade parity a the senior sailor level”*.¹¹ We accept that this may result in a situation where a sailor at a lower rank may have higher technical expertise, while the higher ranked sailor may have gained the rank based on their leadership skills or maturity and not necessarily on their technical expertise.

[13] We accept that the nature of their duties means that networks sailors will have *“variety with respect to the places where they might be able to undertake their role but they won’t be able to go out of their category where they would have no exposure to their technical employment.”*¹² We agree this is due to the skills they obtain being perishable and the rapid degradation of those skills when not used consistently.

[14] In regard to the likelihood of the requirement for amending remuneration arrangements, as emphasised by Captain McCourt, we note that from 6 March 2018 the ADF has already offered individual retention bonuses to eligible members of this workforce under s.58B of the Act in order to immediately provide recruitment and retention initiatives.

Conclusion

[15] We agree that the Cryptologic Sailors networks stream commence from 1 December 2018 as sought.

[16] Determination 14 of 2017 - *Salaries – Navy Cryptologic Sailors – amendment* which took effect from 20 April 2018 also relates to this decision.

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

¹ ADF submission Royal Australian Navy Cryptologic Sailors Supplementary Submission for Network stream undated.(ADF1)

² http://www.dfirt.gov.au/_data/assets/pdf_file/0003/101856/Decision-Navy-Cryptologic.pdf

³ Information warfare is the warfare discipline that encompasses cyberspace – e.g as with air, mine or surface warfare, information warfare is a field in its own right.

⁴ http://www.dfirt.gov.au/_data/assets/pdf_file/0020/101855/Determination-14-of-2017-Cryptologic-sailors.pdf

⁵ Commonwealth letter Matter 12 of 2017 dated 29 August 2018.

⁶ Affidavit of Captain D McCourt DSM OAM RANR dated 4 September 2018 (ADF3) page 6 paragraph 31.

⁷ Transcript of 6 September 2018 page 6 lines 2 – 7.

⁸ Affidavit of Commander R Apikotoa RAN dated 4 September 2018 (ADF 5) page 3 paragraph 13

⁹ ADF1 page 7 paragraph 1.6

¹⁰ ADF1 page 9 paragraph 2.7

¹¹ ADF5 page 3 paragraphs 15 and 16.

¹² Transcript page 7 lines 35 – 43.