



Defence Force Remuneration Tribunal

DECISION

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

ROYAL AUSTRALIAN NAVY: COMMUNICATION AND INFORMATION SYSTEMS

(Matter 10 of 2020)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 13 APRIL 2021

MAJGEN G.FOGARTY AO RETD, MEMBER

[1] This decision arises from a listing application¹ for a determination to be made under Section 58H of the *Defence Act 1903* (the Act) for the Australian Defence Force (ADF) to reassess pay placements for Navy Communication and Information Systems (CIS) sailors in both the Communication and Information streams at skill grades 4 and 5 and make amendments to positions at the Warrant Officer level.

[2] We considered the matter in hearing on 8 April 2021 when Mr J. Phillips SC appeared for the ADF and Mr P. Hoang for the Commonwealth. In support of the matter an affidavit was provided by Commander R. Apikotoa RAN, Deputy Director Cyber Workforce, Joint Cyber Directorate.

Background

[3] Navy CIS sailors (both General Service and Submariners) provide skills and expertise in information systems management and administration; communications security; operational information management; technical information warfare planning; and control and communications interoperability and assurance. They are broadly responsible for the successful

operation of complex information systems and the computer network and defence of tactical and strategic networks.

[4] The CIS employment category consists of three specialisations; Communication, Information and Information Systems Submariner. This decision will deal only with the General Service (surface fleet) sailors.

Submissions

[5] In its submission the ADF seeks to:

- a. reassess the pay placement for CIS skill grade 4 and 5 due to increased complexities in the roles and responsibilities in the current operating environment;
- b. disestablish Warrant Officer CIS Grade 5 Tier A for both streams; and
- c. create Warrant Officer Information Warfare Advisor roles in both streams to provide specialist communications advice to Command.²

[6] Additionally, Navy is seeking to close the Grade 4 Tier A CIS-Communications and CIS-Information streams in the Warrant Officer Pay Structure to new entrants.³

[7] The Commonwealth supports the proposal and notes the exclusion of the CIS Submariner workforce. It notes that the proposal “*aims to compensate Navy CIS sailors for increases to their roles and responsibilities in the current environment*”. In summary the Commonwealth supports the reassessment of pay placements for CIS, creation of the Warrant Officer Information Warfare Advisor and the disestablishment of the Warrant Officer CIS Grade 5 Tier A for both streams.⁴

Consideration

[8] We note the exclusion of CIS submariners in this submission and accept the work-value factors outlined in the submission do not pertain equally to the submarine workforce. We recognise that factors outlined in this submission such as increased department size on vessels, equipment variety between platforms, and complexity of communications in task group operations do not apply in the Submarine Force.

[9] We are cognisant the CIS employment category presently has a “*position requirement for 727 sailors (ranging from Seaman to Warrant Officer) across the Permanent and Reserve Forces but has only 587 positions filled*” and accept that this is being addressed by Navy workforce management with particular regard to the low ratio of sea to shore (respice) positions; medical employment categorisation; and gender participation rates in order to ensure future capability strength.⁵

[10] In considering this matter we were also aware the CIS workforce has a comparable relationship with other information warfare workforces such as electronic warfare and imagery specialists and that as a member progresses through the CIS career continuum that level of interaction increases. We accept that all information warfare workforces are required to work

together to meet the warfare effect and effectively they are now trained as “war fighters in the information warfare domain”.⁶

[11] We considered the evidence of the key work value increases for skill grades 4 and 5-are associated with the “*complexity in technological advances of the systems they operate and maintain, as well as an increase in the number of those systems that are now networked with other communications/information/information warfare systems*”. We agree this is accentuated when coupled with “*connectivity to Royal Australian Air Force and Army assets and/or Coalition partner assets*”.⁷

[12] We accept the increased complexities in the roles and responsibilities of the contemporary environment and the evidence that strategic direction has also changed in an operating environment where Navy now support two seagoing Task Groups. We considered the evidence that this has resulted in a “*changed operating model where CIS sailors are now expected to fulfil many (if not most) of the contractor type work at sea and ashore to undertake rectification of information technology systems faults and problems while deployed*”.⁸

[13] We considered the evidence in regard to the cessation of one Warrant Officer role and creation of another and accept that “*what is needed is an advisor that brings together the technical information from both CIS specialisations and provides a complete picture to the Commanders’ battle staff and Task Force in an information warfare context*”.⁹ Further we accept that “*when revising the roles the need for a Warrant Officer at Skill Grade 4 was deemed unnecessary from a capability and operational perspective*” and that “*it has been a number of years since a Warrant Officer CIS Skill Grade 4 has performed Communication or Information specialist work at sea or ashore*”. We agree this has occurred because “*their roles and responsibilities were adequately performed by a Chief Petty Officer Skill Grade 4 from a technical perspective and by a warrant Officer Skill Grade 5 for managerial responsibilities*”.¹⁰

[14] We note the Information Warfare Advisor role will be “*responsible for gathering communications and information events, intelligence and the like and be able to synthesise that information and provide useful advice to Command*”.¹¹ We also note that some of these roles were previous undertaken by CIS Communication and Information Grade 5 Tier A Warrant Officers and agree the new role will “*subsume those roles as well as have additional roles and responsibilities in regard to joint operations planning; information warfare; task group communications management; operational information management; and interoperability coordination and assurance*”.¹²

Conclusion

[15] We accept that since 2015 there have been a number of major changes influencing the training, capability, management and employment of CIS General Service sailors driven by new capabilities and a resultant increases in the skills and knowledge levels required. We accept this requires contemporary skill sets to perform and operate in a complex environment with more technically demanding equipment.

[16] Further, we agree that this submission provides that “*progression through the career structure of the CIS category should not be tied to rank-skill grade, but rather permit a range of*

*ranks within a skill grade to allow for flexibility. Building a category structure that allows a rank range within a skill grade accommodates those sailors who want a career of developing their deep specialist knowledge and less leadership/rank progression, while at the same time accommodating those who do not want to pursue leadership roles and climb the rank ladder”.*¹³

[17] We note that the ADF will be applying non-reduction provisions under s.58B of the Act to this workforce for a period of five years to permit members to meet prescribed service and training requirements before they are placed in the new pay grade associated with the relevant skill grade. We ask the ADF to return to us during the Annual Review in 2023 with a report on progress against these provisions and again at the expiration of the five year period.

[18] Determination 7 of 2021 will give effect to our decision from 1 July 2021.

MS I. ASBURY, PRESIDENT
MR A. MORRIS, MEMBER
MAJGEN G.FOGARTY AO RETD, MEMBER

Appearances:

Mr J Phillips SC with Mr P Blady for the ADF

Mr P Hoang with Ms E Beresford-Jones for the Commonwealth

Affidavit provided by Commander R I Apikotoa RAN, Deputy Director Cyber Workforce Joint Cyber Directorate

¹ DMR/OUT/2020/14 Listing Application – Navy Communications and Information Systems – Information and Communication streams dated 6 May 2020

² ADF Submission Royal Australian Navy Communication and Information Systems – Information and Communication streams: General Service Modernisation undated (ADF1) page 4 paragraph 1.5

³ It will remain as a legacy category in the Warrant Officer Pay Structure so as to continue remunerating one current Permanent Navy member.

⁴ Commonwealth submission Royal Australian Navy Communications and Information Systems: Information and Communications streams: General Service modernisation dated 29 March 2021 (CWLTH1) page 5 paragraphs 25, 26 and 27.

⁵ ADF1 page 9 paragraph 3.2 and 21 paragraph 4.14.

⁶ Affidavit of Commander R I Apikotoa RAN dated 6 April 2021 (ADF2) page 2 paragraph 8.

⁷ ADF2 page 4 paragraph 19.

⁸ ADF1 page 24 paragraph 4.22b

⁹ ADF1 page 24 paragraph 4.22d.

¹⁰ ADF1 page 34 paragraph 4.50.

¹¹ ADF2 page 8 paragraph 37.

¹² ADF2 page 9 paragraph 39.

¹³ ADF1 page 33 paragraph 4.46