



Defence Force Remuneration Tribunal

DECISION

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

ROYAL AUSTRALIAN ENGINEERS: COMBAT ENGINEER EMPLOYMENT CATEGORY

(Matter 11 of 2010)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 16 NOVEMBER 2021

MAJGEN G. FOGARTY AO RETD, MEMBER

[1] This decision arises from a listing application for a determination to be made under Section 58H of the *Defence Act 1903* (the Act). The listing application¹ seeks to combine the Army Combat Engineer category, and Explosive Ordnance Disposal specialist category, into one category within the Corps of Royal Australian Engineers.

[2] We considered this matter in a hearing on 28 October 2021, where Mr J. Phillips SC appeared for the ADF, and Mr H. Miller for the Commonwealth.

Background

[3] Combat Engineer soldiers conduct combat engineering, and provide close combat support, across the full spectrum of conflict. The category is responsible for a range of combat engineering tasks including: breaching of enemy minefields and obstacles; explosive ordnance detection and destruction; bridging and rafting of rivers; construction of deception measures; water purification and route clearance.

[4] Explosive Ordnance Disposal (EOD) soldiers provide detection, identification, and evaluation of explosive ordnance. The category is also responsible for ‘render safe’, recovery and

disposal of explosive ordnance, including improvised explosive devices, and biological and chemical explosive devices.

Submissions

ADF

[5] The ADF submission summarises a recent restructure of the Combat Engineer employment category. Following the restructure, the ADF proposes the existing EOD employment categories, and a new ‘Dry Bridge Support’ capability, be incorporated into the Combat Engineer category. The ADF states this will “*enable soldiers to stream into specific skills sets by formalising specialist roles*”.²

[6] Specifically, the ADF seeks to:

- a. establish a ‘Combat Engineer Dry Support Bridge’ skill grade at pay grade 4 in the Graded Other Ranks Pay Structure;
- b. establish the ‘Combat Engineer Section Commander’ Grade 3 Explosive detection dog skill grade in pay grade 5;
- c. disestablish ‘Crewman Commander’ and ‘Operator Specialist Vehicles’ and amalgamate those categories to establish a new ‘Combat Engineer Operator Engineer Vehicle’ category at pay grade 4;
- d. disestablish the EOD category and re-establish its skill grades and capability within the Combat Engineer category as follows:
 - i. ‘Explosive Ordnance Reconnaissance Technician’ to become ‘Combat Engineer’ (with no change to pay grade);
 - ii. ‘EOD Technician’ to become ‘Combat Engineer EOD Operator’ (with no change to the pay grade);
 - iii. ‘Supervisor EOD’ to be split into three skill grades (with no change to pay grades):
 1. ‘Combat Engineer EOD Supervisor’;
 2. ‘Combat Engineer EOD Manager’; and
 3. ‘Combat Engineer EOD Manager’ Tier A/B/C.

[7] Within those amendments, the ADF proposes a range of specific changes applicable to either the Permanent or Reserve Forces. They are:

- a. Permanent:
 - i. ‘Combat Engineer Section Commander Grade 3’ –increase in placement from pay grade 4 to 5;
 - ii. ‘Combat Engineer Manager Grade 2’ – rename ‘Combat Engineer Manager Grade 3’ and increase placement from pay grade 5 to 6;
 - iii. ‘Combat Engineer Manager Grade 2 Tier A’ – rename ‘Combat Engineer Manager Grade 3 Tier A’ and increase placement from pay grade 5 to 6;

- iv. ‘Combat Engineer Manager Grade 2 Tier B’ – rename ‘Combat Engineer Manager Grade 3 Tier B’ and increase placement from pay grade 6 to 7.
- b. Reserve:
- i. Close ‘Combat Engineer Section Commander Grade 1’ to new entrants;
 - ii. ‘Combat Engineer Section Commander Grade 2’ – increase placement from pay grade 3 to 4;
 - iii. Close ‘Combat Engineer Supervisor Grade 1’ to new entrants;
 - iv. ‘Combat Engineer Manager Grade 1’ – rename to ‘Combat Engineer Manager Grade 2’ and increase placement from pay grade 4 to 5;
 - v. ‘Combat Engineer Manager Grade 1 Tier A’ – rename to ‘Combat Engineer Manager Grade 2 Tier A’ and increase placement from pay grade 4 to 5.³

Commonwealth

[8] The Commonwealth “*supports the proposed restructure including the establishment, disestablishment, and amalgamation of skill grades with the Combat Engineer employment category*” and agrees “*the new structure should provide greater flexibility to meet future needs*”.⁴

Consideration

[9] In our consideration of this matter, we had regard to the workforce transition being driven by Chief of Army’s ‘*Army in Motion*’ strategic guidance, and *SAPPER Plan 2028 – ‘A strategy for Army’s Military Engineer Capability’* – which provides targeted and specific guidance about the transformation of the Corps of Royal Australian Engineers.

[10] We also considered the outcomes of a Royal Australian Engineer Employment Category Review, conducted by Army, which concluded in July 2020. We accept the Review resulted in changes to the Combat Engineer category, including the transfer of the category from the Technical/Engineering family to the Combat 1 family, within the Corps.

[11] We acknowledged the evidence that “*the Combat Engineer soldier’s role has evolved, shaped by many influences*” and agree the most significant of those influences are the:

- a. increasing improvised explosive device threat to the ADF;
- b. maturing of the combined arms philosophy; and
- c. urbanisation of warfare.⁵

[12] We accept Combat Engineers contribute an expert range of skills in an increasingly dangerous operating environment. Coupled with technological advancements, we accept this now includes a range of enhanced specialist proficiencies such as explosive breaching; high risk search; increased training; enhanced surveillance equipment; and the operation of protected mobility vehicles.

[13] In the hearing, we gave consideration to the “*increased IED threat to the ADF*” which has “*required greater technological and tactical focus for the Combat Engineer who provides high-risk search capabilities*”.⁶

[14] We also gave particular consideration to the impact of the new ‘Dry Support Bridge’ system and accept that Combat Engineers operating the ‘Dry Support Bridge’ are required to “*tactically operate and maintain the bridge system following completion of specialist training*” in addition to “*performing all the core skills expected of a Combat Engineer in support of Combined Arms teams*”.⁷

[15] In considering the effect of the restructure on skill grades from Combat Engineer Grade 1 to Supervisor EOD⁸, we accept there is a broad range of additional training and capability required that was not previously mandated. We accept all skill grades are now required to operate in a more dangerous environment, with greater exposure to increased hazards and threats, while working with organisational changes and increasingly technically complex equipment. We agree the increased capability across the category reflects changes in work value and that, accordingly, all skill and pay grade placements required assessment.

[16] Having said that, we considered the evidence that the transfer of the category to the Combat 1 family “*means a different set of relativities will apply*” to other employment categories in the family being “*Armour, Artillery, Infantry and Combat Rescue*”. We previously considered a similar impact in Matter 10 of 2021⁹ - *Combat Rescue employment category* and, as with that Matter, agree there are outcomes that “*could warrant an increase in work value and pay grade placement*”. However, we accept “*Army does not believe it would be prudent to assess and award a pay grade increase as it would cause potential friction within the Combat Family 1 workforce*”.¹⁰

Conclusion

[17] In summary, we agree the restructure will provide the Army with a more contemporary and effective capability and agree to the amendments outlined in paragraphs 6 and 7 of this decision in their entirety. The ADF may make a further submission to reassess the relativity issues within the Combat 1 family, should this be considered necessary.

[18] Determination 22 of 2020 will give effect to these changes from 20 January 2022.

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

Appearances:

Mr J. Phillips SC for the ADF assisted by Mr P. Blady

Mr H. Miller for the Commonwealth assisted by Mr N. Doukas.

¹ DMR/OUT/2021/015 *Listing Application – Royal Australian Engineers – Combat Engineer Employment Category* dated 13 July 2021.

² ADF Submission – *Royal Australian Engineers Combat Engineer Employment Category – Matter 11 of 2021* dated October 2021 (ADF1) page 4 paragraph 1.8

³ ADF1 pages 3-5 paragraph 1.9.

⁴ Commonwealth submission - *Royal Australian Engineers Combat Engineer Employment Category – Matter 11 of 2021* dated October 2021 (CWLTH1) page 5 paragraphs 13 and 15.

⁵ ADF1 page 1 paragraph 1.3

⁶ Transcript 28 October 2021 page 1 lines 42-45.

⁷ ADF1 page 40 paragraph 4.18(l)

⁸ ADF1 pages 45 - 56.

⁹ <https://www.dfrt.gov.au/matters/royal-australian-engineers-combat-rescue-employment-category>

¹⁰ ADF1 page 74 paragraphs 6.12 and 6.13