



AFPA

Australian Federal
Police Association

EA 2021
OPERATION
RECOGNITION

Breaking Out of the Straight-Jacket

Wages and Conditions
Discussion Paper

Message from President

The upcoming enterprise negotiations will play a critical role in determining the sort of agency the AFP becomes.

The AFP has the potential to build a police force that can meet the challenges of the future by combining the best of policing and criminology in a respectful and supportive environment.

But underpinning this must be a commitment to a fair wages scale that recognises the contribution of all AFP workers:

- » those sworn officers, both Police and PSOs, putting themselves in harm's way in the line of duty;
- » unsworn staff with expertise critical to modern law enforcement;
- » and a dedicated team of unsworn staff supporting and working with frontline officers.

In previous wage negotiations we have been too ready to look over our shoulders at our colleagues and compare our circumstances with them. There have even been calls to separate out the industrial arrangements of different parts of the workforce into different agreements.

This has the potential to fragment the workforce and drive a culture of protecting our own patch.

The AFPA's position is that a divided workforce would play directly into the hands of a management seeking to drive down costs and avoid responsibility, pitting member against member and diverting from the real issue.



Angela Smith, AFPA President

Rather, we believe a united front – armed with full information – will give us the best chance of negotiating the sort of wages outcome that you deserve.

The first step is to understand the environment we are operating under, particularly the constraints of a government-wide bargaining policy that was designed to constrain wages and gradually erode industrial terms and conditions.

In this, the second of a series of discussion papers, we canvass these issues and give you an idea of how your salary currently lines up against other law enforcement agencies.

The EA is only as good as we make it - together we can shape the future of the AFP.

Angela Smith
President



Wages and conditions

Wages and conditions are at the heart of our EA (Enterprise Agreement) 2021. Securing fair recompense for effort, experience and personal risk is integral to building a functioning police force.

But right now, AFP wages and conditions are being set in a legislative straight-jacket – otherwise known as the **Federal Government Workplace Bargaining Policy**.

The government has imposed a policy that effectively over-rides its workforce's industrial rights to bargain for improved wages and conditions. The AFP is limited to paying 2 per cent per annum and only if the Commissioner can identify savings to offset the increased costs.

Of course, anyone who has worked in policing knows this is fundamentally flawed. Are there more efficient ways to protect the community?

Playing catch-up with CPI

Year ended	CPI	Yearly % change	Salary increase
June 2015	107.5	1.5%	0%
June 2016	108.6	1.0%	0%
June 2017	110.7	1.9%	0%
May 2018	N/A	N/A	3%
June 2018	113.0	2.1%	0%
May 2019	N/A	N/A	2%
June 2019	114.8	1.6%	0%
TOTAL		6.8%	5%

Or conduct intelligence operations? When the job is vigilance and constant engagement, of course the answer is no.

The policy is not designed to support a police force which by its very mission operates in the public interest, rather than a commercial interest.

Simply put, the Australian Government's Workplace Bargaining Policy is not fit for an operational policing force.

Wages policy at a glance

Fact: AFP salaries have fallen 1.8 per cent behind CPI since June 2015

Tracking the movement in the Consumer Price Index against wage rises shows that member salaries have not kept pace with increases to the cost of living.



Fact: AFP pay rates are relatively lower than many officers in comparable agencies

Sworn officers

- » Across the nation, sworn officers' base salaries are significantly lower than state counterparts.
- » Constables and Band 8 wages particularly lag behind.
- » It is only when the core composite is factored in that wages become competitive.
- » But even here, Band 8s (Station Sergeant and Officer in Charge ranks) lag behind most states.

Unsworn staff

- » Across all bands, AFP unsworn staff lag behind comparable workers in NSW and, amongst senior bands in Victoria.
- » For example, the maximum rate for Band 3 officer in the AFP is more than \$40,000 behind their NSW counterparts
- » Bands 5 and 6 staff are on rates more than \$30,000 behind.
- » While the rates for Band 8 max out at \$20,000 less.



Image courtesy of AFP and ACT Policing



What's going on?

When it comes to policing, the public sector bargaining policy is fundamentally flawed.

The current Australian Government's Workplace Bargaining Policy is designed to create a leaner Commonwealth public service that operates more like a private sector business.

In a nutshell, this policy:

- » restricts salary increases to 2 per cent per annum which must be funded by efficiencies sourced from within the existing AFP budget;
- » bans enhancements to terms and conditions; and
- » prohibits the modification of top pay-points within salary bands.

The assumptions underlying this are flawed and based on a breed of managerialism and political philosophy that sees public services

as commodities that can be delivered by businesses. In this worldview, an agency can become more efficient and productive, driving constant savings.

This policy, stacked on top of the Government's Efficiency Dividend, is constantly shrinking the resourcing pool available for both AFP operational activities and basic employee entitlements. Given the importance of the work of the AFP and members' commitment to fulfilling their oaths to keep the nation safe, the burden has inevitably fallen on employees who are assuming ever-increasing workloads with less resources for an ever-shrinking pay packet.

While this "philosophy of efficiency" may be suitable for some agencies, it is fundamentally wrong to try to apply it to law enforcement.

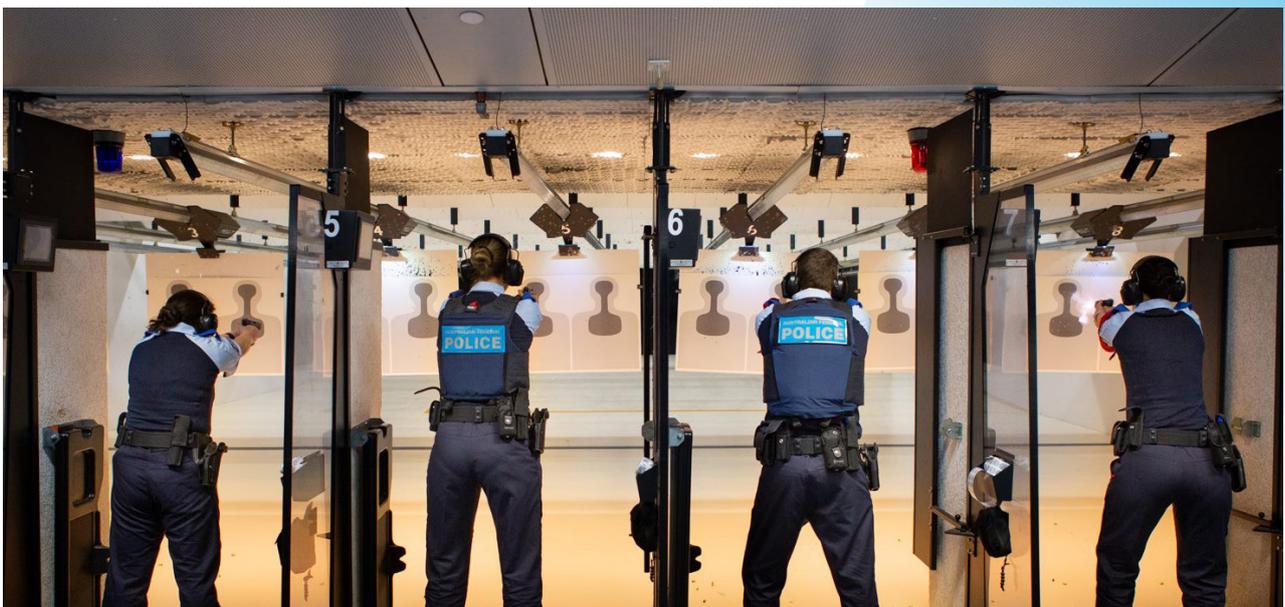


Image courtesy of AFP and ACT Policing



Think about some of the distinct and inherently non-commercial activities AFP officers and staff undertake every day. Consider the unique expectations on those who have pursued a career in policing:

- » Sacrifice of certain freedoms and luxuries, unique to policing;
- » Increased risk of mental health injuries;
- » The risks of physical harm and death in the course of employment;
- » Carriage of accoutrements;
- » Extensive and unpredictable working hours;
- » Regular deployments;
- » Use of force qualifications and maintenance;
- » Increased scrutiny of both public and private behaviour;
- » A stringent Code of Conduct, far more restrictive than those in place in most private and public sector workplaces;
- » Operational decision making and the consequences associated with these decisions;
- » Increasingly hostile social and media attitudes toward police officers;
- » Attendance at warrants and other police duties;
- » Apprehension of offenders, sometimes violent;
- » Attendance at court;
- » Dealing with witnesses and human sources;
- » Dealing with and viewing child exploitation material;
- » Enforcing bail conditions on offenders; and
- » Family Law duties, including child recovery orders and arrest warrants.

Because of this, there is a strong case that the AFP should have a complete exemption from the entire policy.



Image courtesy of AFP and ACT Policing



At a minimum the AFPA opposes the following elements of the policy:

- » **Limiting remuneration increases** – to 2 per cent (excluding expense-related allowances) and prohibiting back-pay caused by delays in finalising the agreement. Because of the no back-pay rule, AFP and Fair Work Commission can minimise payments by delaying settling the agreement. While the two per cent is currently in line with CPI there is no guarantee should inflation rise.
- » **Productivity improvements** – all pay rises to be funded by sacrificing other conditions. That is, finding ways of doing the job faster, cheaper or with fewer resources, or submitting to restructures that inevitably cut staff. For example, in the last agreement the 'productivity

improvement' was the removal of an allowance designed to help members in high-cost of living areas. This has left these workers materially worse off.

- » **Top pay point clauses** – the policy bans the modification of pay scales to allow for salary advancement. This will lead to the stagnation of wages, in particular Band 8 wages as can be seen in the table on page 8.
- » **No enhancements** – while the workforce is required to trade off conditions to fund a wage rise there is no capacity to enhance wages and conditions on the part of the AFP. It is a formula for negotiating conditions down!

The net result is a one-sided negotiation played on an uneven playing field.



Image courtesy of AFP and ACT Policing



The joker in the pack – otherwise known as ‘The Composite’

Many of the uncertainties and fears around wages and conditions crystallise around the future of the 22 per cent core composite.

The principle of the composite was simple: in order to demonstrate flexibility, AFP staff assigned to either the Rostered Operations or Operations working patterns are expected to be available, on a 24/7 basis, for an average of 40 hours per week over a three-month averaging period. In return, members receive a 22 per cent loading on their base salary.

The message from members is loud and clear:

WE MUST NOT ALLOW THE COMPOSITE TO BE WATERED DOWN ANY FURTHER.

Fact: AFP rates of pay rely on the composite payment

Analysis for pay rates of uniformed officers show the base salary rates for AFP sworn officers’ lags behind rates of most colleagues in most jurisdictions.

The following table shows the importance of the composite in securing parity with police in other jurisdictions:

Rank	NSW Effective from 01/07/18		QLD Effective from 01/07/18	VIC Effective from 01/07/18	SA Effective from 01/07/17	WA Effective from 01/07/18	NT Effective from 30/06/18	TAS Effective from 01/07/18	AFP Effective from 24/05/19	
	Base Salary	11.5% Loading							Base Salary	22% Composite (Operational staff)
Min Recruit/Cadet	N/A	N/A	N/A	N/A	55153.00	56329.00	59275.00	50832.00	59252.00	N/A
Max Recruit/Cadet	N/A	N/A	N/A	N/A	N/A	N/A	62632.00	N/A	N/A	N/A
Min Constable	66107.00	73609.00	60285.00	69836.00	66169.00	74284.00	69114.00	60470.00	61480.00	75006.00
Max Constable	74735.00	83330.00	73199.00	77735.00	77118.00	87437.00	82598.00	88357.00	74673.00	91101.00
Min Senior Constable	82214.00	91669.00	75281.00	85279.00	79412.00	92882.00	86729.00	N/A	74673.00	91101.00
Max Senior Constable	95908.00	106937.00	90720.00	98818.00	95292.00	100609.00	95755.00	N/A	87783.00	107095.00
Min Leading Senior Constable	98961.00	110342.00	N/A	99807.00	N/A	N/A	N/A	N/A	87783.00	107095.00
Max Leading Senior Constable	101539.00	113216.00	N/A	104685.00	N/A	N/A	N/A	N/A	95098.00	116019.00
Min Sergeant*	97159.00	108332.00	90720.00	106859.00	96989.00	112959.00	103634.00	89596.00	95098.00	116020.00
Max Sergeant*	112102.00	124994.00	101349.00	116452.00	107321.00	119102.00	110427.00	103329.00	112376.00	137099.00
Min Senior Sergeant*	110860.00	123609.00	105763.00	119730.00	109110.00	122702.00	114292.00	N/A	N/A	N/A
Max Senior Sergeant*	118236.00	131833.00	112309.00	127466.00	115388.00	130588.00	120221.00	N/A	N/A	N/A
Min Inspector (AFP: Station Sergeant/Officer in Charge)	138515.00	N/A	140386.00	141769.00	135400.00	141090.00	N/A	136607.00	112376.00	137099.00
Max Inspector (AFP: Station Sergeant/Officer in Charge)	175348.00	N/A	148892.00	157413.00	146246.00	151663.00	N/A	147794.00	122320.00	149230.00
Chief Inspector	N/A	N/A	N/A	N/A	150870.00	N/A	N/A	N/A	N/A	N/A
Min Superintendent	188691.00	N/A	153989.00	160203.00	153681.00	159445.00	154922.00	N/A	147391.00	N/A
Max Superintendent	215309.00	N/A	163100.00	187939.00	166390.00	169875.00	161814.00	N/A	194487.00	N/A
Chief Superintendent	N/A	N/A	N/A	N/A	172612.00	N/A	N/A	N/A	N/A	N/A
Min Commander	N/A	N/A	N/A	N/A	178650.00	178029.00	N/A	154814.00	N/A	N/A
Max Commander	N/A	N/A	N/A	N/A	N/A	188459.00	N/A	N/A	N/A	N/A

Discussion point



Would you support an initiative to roll the composite into the base salary?

High-volume operations composite

Under the previous Enterprise Agreement, the High-Volume Operations Composite compensated members for working in more intense operational business areas. Members in receipt of the “High-Ops” composite received an additional 35 per cent on top of their base salary and 22 per cent Core Composite.

This composite bought up to an additional 10 hours per week.

While this provision still exists in the current Enterprise Agreement, the AFP has determined that there are no longer any roles eligible to receive the High-Ops composite.

Members in Close Personal Protection, Police

Technical Teams and Surveillance regularly working between 50-100 hours are not receiving compensation commensurate to the work performed.

Employees were sold the idea that shortfalls in remuneration caused by the removal of the High-Ops composite would inevitably be recovered through overtime and penalty payments. However, when overtime costs started ballooning due to the intense operational requirements of these business areas, certain business areas banned the use of overtime.

As a result, morale and goodwill has eroded amongst the “High-Ops” cohort.

EA	High Volume (Additional Hours)	Core Composite (Flexibility)	Standard Weekly Working Hours	Total Composite
1999-2002	6 Additional Hours= 33%	Flexibility= 27%	46 Hour Week	Total Composite = 60%
2003-2006	4 Additional Hours= 33%	Flexibility= 27%	44 Hour Week	Total Composite = 60%
2007-2011	7 Additional Hours= 35%	Flexibility= 22%	47 Hour Week	Total Composite= 57%
2012-2016	Up to 10 Additional Hours= 35%	Flexibility= 22%	Up to 50 Hour Week	Total Composite= 57%
2016-2019	Presently 0%	Flexibility= 22%	40 Hour Week + High Flexibility	Total Composite= 22%

Discussion points



We encourage you to send in anecdotes of the inadequacy of the current system since removal of 35% High Volume Operations Composite.



If you were once on High-Ops we encourage you to send in examples of hours worked within a week and compensation received in return.



Safety net provisions

The AFP Enterprise Agreement has built-in mechanisms to protect workers' health and safety and fulfil WHS obligations. Depending on your assigned working pattern, you may know these mechanisms by different names – Safety Net Provisions for Operations, Rostering Principles for Rostered Operations, and Scheduling Principles for Support.

These provisions ensure employees receive adequate rest times and are provided adequate financial compensation for working extensive hours within a specified period of time.

These provisions provide a price signal to decision makers about whether a proposed pattern of attendance is appropriate. If a safety net is breached, it will come at an

additional cost to the AFP and the business area, therefore discouraging decision makers from requiring individual employees to work excessive and unsociable hours, unless no other options are available.

Regardless of the name, the fundamental principle behind these protections is the same: **employees must be fairly compensated for performing work beyond their expected hours.**

Negotiations for EA2017 saw attempts to water down these safety nets.

That's why it's essential that in EA 2021 we protect safety nets.



Image courtesy of AFP and ACT Policing



Mission: Commission discussion board

Issues for Feedback



Bargaining policy

- » Do you feel your pay packet is going backwards compared to the cost of living?
- » Would you be prepared to support a campaign to seek AFP exemption from the Workplace Bargaining policy?



Composite

- » Do you understand the current operation of the composite? Does it recognise you for all the work you carry out?
- » If so, what would you be prepared to do at your workplace?



General issues with the Enterprise Agreement

- » Are there particular provisions contained within the Enterprise Agreement that are causing issues for you and your workplace?
- » If so, what are these issues? Please send us your anecdotes!
- » We welcome your ideas and suggestions on how to improve these problematic clauses!



Image courtesy of AFP and ACT Policing



New provisions/allowance Ideas

Alongside pushing for an improved wage offer, the AFPA is seeking feedback on members' appetite for a suite of new provisions and allowances. It is important to note that the ability to negotiate these new allowances without sacrificing existing conditions relies heavily on securing exemption from the Workplace Bargaining Policy.

Notwithstanding this, we are interested in your ideas for new allowances that would properly compensate you for the work you do. Below are examples from state and international law enforcement agencies:

- » Recall to duty for court attendance;
- » Tighten loophole in Higher Duties Allowance to ensure members cannot be left financially worse off;
- » Unsociable hours composite;
- » On-call allowance for members directed to be contactable in case of a change of shift;
- » Detectives allowance;
- » Professional/academic qualification allowance;
- » Uniform allowance;
- » Operational shift allowance;
- » Covert allowance;
- » Paid Emergency Service leave;
- » Child exploitation allowance.

Let us know!

- » At an upcoming AFPA workplace muster
- » Through our AFPA website:
www.afpa.org.au
- » Or via email: **afpa@afpa.org.au**

Your AFPA negotiating team:

Professionals with a long-term commitment to the AFP and the men and women who deliver on its mission.



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