

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s29 application for hearing of an industrial dispute

Health Services Union of Australia, Tasmania No1 Branch
(T13706 of 2010)

and

Minister administering the State Service Act 2000/Department of Health and Human Services

DEPUTY PRESIDENT TIM ABEY

HOBART, 6 January 2012

Industrial dispute - translation review – finance administrative officer - general stream, of the health and human services award – use of proprietary software - elements of complexity associated with role - skill set required for position not equivalent to that required for a base level trade qualification - best fit - band 2 confirmed

REASONS FOR DECISION

[1] The applicant seeks a review of the classification of *Finance Administrative Officer* – Diana Ashlin – Royal Hobart Hospital - consistent with the decisions in T13411 of 2009 relating to the Classification Resolution Process.

[2] The *Finance Administrative Officer* is classified at Band 2 (B2) General Stream, of the *Health and Human Services (Tasmanian State Service) Award* (the Award). The applicant contends that the position should be classified at Band 3 (B3).

[3] At the time of the initial translation the position was titled *Administrative Assistant*. Ms Ashlin lodged an appeal with the Office of the State Service Commissioner (OSSC), based on an assertion that the Statement of Duties (SoD) did not accurately reflect the roles undertaken by the position. The matter was the subject of a conference at OSSC on 13 July 2010. Subsequently a revised SoD was agreed which included a change in title to Finance Administrative Officer.

[4] The revised SoD was subject to an internal review which confirmed B2 as the appropriate classification level.

Statement of Duties

[5] *Focus of Duties*, which previously read:

"Provide clerical support and assistance associated to all administrative functions with food services"

Was changed to now read:

"Undertake a range of finance and administrative services to support the business operation of the Food Services Department."

[6] The *Duties* list was changed to highlight the accounts aspect of the role over the clerical. An additional task was added involving “*reconciliation of the purchasing of individual and bulk goods in an efficient and timely manner.*”

[7] The item dealing with *liaison* has been altered to include the provision of “*procedural advice in relation to food services operational processes.*”

[8] No changes were made to *Scope of Work Performed, Pre-employment Conditions* or *Selection Criteria*.

[9] The applicant submitted that the change in focus is substantial, highlighting the significance of the finance activities. This aspect is underlined by the change in title. Further, whilst the SoD provides some guidance as to the activities that may be required to be undertaken, the assessment should be undertaken with reference to actual work performed.

[10] In summary the applicant contends:

- The position requires a specialist skill set associated with the food services department finance system (*Kitchen Hand*).
- The incumbent requires a significant knowledge base of product costs and sources of supply.
- The operating requirements in a rapidly moving and fluctuating food services environment can be contrasted with the general nature of purchasing and finance activities in a broader hospital environment.
- The position requires significant customer relationship skills.
- Whilst some tasks do sit at the B2 level, they are not significant in the totality of the position.
- There is a wide diversity of activities including maintenance and manipulation of the intranet site, undertaking sick leave audits, collation of menus and providing assistance in report and correspondence writing.

[11] The employer submitted that the SoD for the role does not demonstrate that it meets the requirements for B3, either in whole or in part. The tasks are not complex, or require specialist skills. Whilst some tasks require an intricate attention to detail, there is no requirement for the exercise of judgment beyond determining choice of work methods, and prioritisation and management of allocated tasks.

Classification Descriptors

[12] The following is a summary of the parties’ contentions concerning the requirements of the position as tested against the Award classification descriptors.

Focus

[13] The applicant contends that invoicing within *Kitchen Hand* is not a conventional hospital practice. Food Services have a unique system whereby data is downloaded off an internal data base (*Kitchen Hand*), collated and transferred to *Finance One* for processing. This system for processing invoices receivable and payable is unique to the Food Services Department. It is a process which requires a specialist skill set beyond that which is required at B2. Further, supervision is not a mandated requirement of B3.

[14] The applicant maintains that the position undertakes and provides “*specialised administrative and clerical skills for the application and adjustment of conventional practices, methods and standards according to established guidelines, systems and processes.*” An extensive list of duties was provided which the applicant contends satisfies the criteria.

[15] The incumbent of the position is required to be the primary person for the validation, distribution and follow up of invoices, monitoring and validating goods and product costs which requires considerable liaison with purchasers and suppliers. This in turn requires the incumbent to retain a significant knowledge base of product costs and sources of supply.

[16] The employer submitted that *Finance One* is a prolific Australian finance system utilised by many Commonwealth, State and Local government agencies, universities and GBEs. By contrast, *Kitchen Hand* can be characterised as ‘proprietary’ software, designed for a specific use. The agency has many positions which use *Finance One* (from B2 to B8) and likewise positions (B2 to B5) which use *Kitchen Hand*. The employer contends that there is nothing intrinsically specialised about this software above any other office software that is used. An analogy could be drawn with the range of operations (from beginner to expert) associated with Microsoft Excel.

[17] The employer submits that *Kitchen Hand* does not require specialised training or certification in its use. It is not the act of using a system which warrants the label *specialised*, but how it is used and for what purpose. In this context the process undertaken follows a usual convention, with tasks carried out in a prescribed manner, which do not typically require ‘adjustment’ or the use of qualified trade/technical or specialised administrative skills. The processes, whilst high volume, are duplicated over and over again with little requirement for adjustment.

[18] The employer further submits that the role does not have a specific responsibility for the training of others other than normal team interaction in day to day operations.

Context and Framework

[19] The applicant contends that detailed instructions are not provided on all tasks, including:

- Updating of intranet
- Follow up of invoice discrepancies
- Report and statistic generation
- Creating, developing and maintaining an internal system for uniform ordering
- Minute taking

[20] It is submitted that interpretation, modification or adjustment of accepted practices, methods or standards are required to achieve specified outcomes on a regular basis. Work practices are constantly modified to meet the changing demands of the Food Services Department, which may include modification to standing orders and invoicing practices. This in turn leads to the incumbent of the position modifying its own procedure Manual.

[21] The employer contends that the B2 descriptor states that “*initially detailed instructions are provided.*” This is the case with a new employee. Nothing in the descriptor implies that an employee who has been performing the role for several years still requires detailed instruction to remain at B2. Tasks at B2 level can be reasonably described in detail because they are predominately procedural, as is the case with this

matter. B3 tasks are relatively complex and cannot be as readily described in detail because of the inherent level of complexity and more opportunities for deviation from the norm.

Expertise

[22] The applicant contends that the position is required to gain understanding of relevant systems and procedures through interpretation and application of Departmental policy and procedure, not via repetitive practice. The incumbent holds a certificate 111 qualification in Business, noting that B3 recognises qualifications at Cert 111 & 1V.

[23] The role requires specialist subject matter knowledge and expertise in applying precise, intricate and unrelated practices and methods to resolve operational issues, particularly for the effective operation of *Kitchen Hand* database and understanding how this interacts with *Finance One*.

[24] The employer contends that there is no essential requirement for any qualification. Notwithstanding, Cert 111 is recognised at both B2 and B3. Whilst the role works within established legislative parameters, any requirement to construe meaning [interpret] rests with the Manager.

[25] The role does not require specialist knowledge and experience. The role is learnt 'on the job' after a relatively short period. Relief staff can pick up and perform a significant portion of the role with minimal hand over and the use of a detailed user manual written by the applicant.

[26] The employer agrees that the role deals with precise and intricate data which requires strong attention to detail, and concentration. However the practices are established and repetitive, with minimal variables that might require the use of unrelated practices. This is consistent with B2.

Interpersonal Skills

[27] The applicant contends that information relating to operational procedures is a day to day function of the position. This includes relaying information to internal and external clients relating to invoicing/ordering queries, discrepancies and procedures. An essential aspect of the position is to liaise and regularly problem solve with clients, stakeholders and members of the public.

[28] The applicant submits that assistance is constantly provided to higher level positions in relation to advice on new procedures and practices relating to the tasks performed within the SoD.

[29] The employer submits that offering occasional suggestions to a supervisor is consistent with the B2 descriptor "*Proposes alternative approaches in the work area*". It does not however meet the B3 requirement to "*propose and develop options to modify practices, methods and approach to meet specified needs while maintaining quality standards.*"

[30] The employer agrees that "*effective instruction, guidance and feedback are provided to less qualified or experienced staff*" is an inherent requirement in terms of daily dealings with internal and external stakeholders. This does not however extend to mutual assistance between team members, nor *buddy training* an employee to act as B2 relief, which is an inherent requirement for all employees including most B1 and B2 employees.

Judgment

[31] The applicant contends that the position is required to work largely as an autonomous role and is responsible for the daily management and planning of all associated work tasks. The position requires the exercise of independent judgement. Examples include acceptance or rejection of invoices based on interpretation of Agency policy, determining relevance of client inquiries, appointments and priority-direction to appropriate personnel. The position is expected to work independently when determining layout and presentation of surveys, reports, manuals, procedures etc.

[32] Further, the position is required to exercise considerable judgment in respect of the resolution of competing management and client needs, customer inquiries and disputes, discrepancies in documentation, and privacy issues.

[33] The employer notes that B3 requires that *"the exercise of independent judgment"* is integral to the work. Many of the decisions made by this role could easily be represented by a simple flow chart. The variables do not require creativity and initiative to provide options and recommendations. Judgment is applied to determining the appropriate work method, and irrespective of which option is chosen, there is a set procedure in place to enact that decision.

[34] The employer does not accept that the position operates autonomously. As per the SoD, the position is *"under the general direction of the Food Services Manager."* The role also has access to the Business Support Officer (B5) who provides day to day supervision.

[35] The applicant has been in the role for many years and therefore the need to refer situations upwards is likely to be less than for someone with far less experience. The personal qualities of the incumbent needs to be distinguished from the level of independence in decision making required of the role. The role fits with the B2 descriptor of *"Increasingly required to exercise judgment in the choice of work methods, in prioritising tasks and in the application of skill in selecting the appropriate course of action."*

Influence on Outcomes

[36] The applicant submits that the position requires specialised skills and experience which are utilised to develop and modify work practices and methods, including training and development of other food service staff.

[37] The position constantly modifies work practices to meet the changing demands of the Food Services department; this may include modification to standing orders and invoicing processes and in turn the procedure manual. These procedures are in turn used to provide guidance to other employees who fulfill the role on a relief basis.

[38] The position is the 'front line' of finance activities for the Department and operates in the environment of a full commercial kitchen. This requires ongoing and regular communication between suppliers and internal stakeholders to meet both supply and demand expectations.

[39] The employer contends that it is not a focus or function of the role to assess or modify work practices. The occupants may alter the way they organise and manage their own workload, but this is consistent with the B2 descriptor; *Maintains established standards, systems and procedures and proposes improvements to practices, methods and processes.'*

[40] The employer acknowledges that, whilst prescriptive, there may be some unique characteristics depending on the client, or the order. However this does not constitute a complex matter as the solutions are prescriptive and any matter that falls outside of that span is escalated to higher supervision.

Responsibility for Outcomes

[41] The applicant contends that whilst some complex matters may be resolved through consultation with a more senior employee, generally they are resolved by the incumbents of the position. The position is accountable for ensuring the accuracy and integrity of transactions and for providing appropriate information and instruction in respect of finance operations to internal stakeholders and external consumers and suppliers.

[42] The employer maintains that the position undertakes a number of diverse, non complex duties according to established guidelines.

Overall Ranking of Position

[43] The applicant contends that the position requires unique and complex skills and is required to interpret policies, procedures and legislation in achieving desired outcomes. Further, the incumbent is required to gain the acceptance of others in implementing policy, procedures and legislation, both internally and externally.

[44] On balance, the skills 'best fit' B3, particularly given that positions requiring the same level of skills have been classified at B3. In particular, the position of *Catering Business Support Officer* at the LGH is, in all material respects, identical to the instant role. The applicant submits that in addition, the positions of *Finance Services Officer*, *Accounts Payable clerk*, and *Administrative Officer*, all of which are classified at B3, are similar to the Finance Administrative Officer.

[45] The employer submits that the role does not meet the requirements of B3, either in part or in full. The tasks are not complex or require specialised skills. Whilst some tasks require an intricate attention to detail, there is no requirement to exercise judgment beyond determining choice of work methods, and prioritisation and management of allocated tasks.

[46] It is impractical to make a comparative assessment of two positions based on some commonality of wording without an understanding of the context of those positions. The Department has undertaken a comprehensive assessment of each review application arising from the translation process, and a consistent approach has been applied to the classification of positions against the Award Descriptors. An example is a comparison of the anomaly investigation process between the instant position and the *Finance Service Officer* (B3). In the case of the *Finance Administration Officer*, the level of investigation is reasonably straight forward and is process driven. This can be contrasted with the *Finance Service Officer*, which requires specialised knowledge and understanding of medical terminology and the various treatments within the hospital.

Inspections

[47] Initially the parties agreed to process this application via written submissions. However at the request of the Commission, on-site inspections of the work took place on 13 December 2011. This provided a valuable insight into the requirements of the position.

Findings

[48] Clause 3(b) and (c) of Part 111 describes B2 and B3 work in the following terms:

"Band 2 undertakes multiple and diverse tasks which require some independent judgment in how they are performed. Performance is assessed by the satisfactory completion of tasks consistent with an increasing degree of independent management of work."

"Band 3 tasks are complex and involve intricate and unrelated techniques that may require qualified and specialised skills. The exercise of independent judgment is integral to the work and non-standard requirements require considerable creativity and initiative. Assistance is provided to a supervisor."

[49] At the heart of this position is the use of the proprietary software *Kitchen Hand*. It is clear that the position requires close attention to detail and accuracy. The consequences of errors and/or omissions, particularly with end of period reports, are often irretrievable.

[50] The position is responsible for following up on invoice/order discrepancies. It would seem however that for the most part, (but not always) the discrepancies are identified by others and the follow up process involves clear procedures and guidelines. Some discretion is allowed to the incumbent in finalising matters (up to \$10 may be written off if circumstances justify). However, anything beyond the guidelines is referred to supervision.

[51] Ms Ashlin said that with her limited prior computer experience it took about four months to become familiar with *Kitchen Hand*. An individual with a stronger computer background would likely take two to three months to become proficient.

[52] Mr Pockett, Business Support Officer and supervisor of the position, maintains the role requires the exercise of specialist skills and that the software is complex in nature. He ranked the complexity as equivalent to a 6 or 7 (scale of 1-10) for an Excel software use. This assertion was not contested by the employer.

[53] I accept that there are elements of complexity associated with the role, particularly the breadth and intricate nature of the tasks. In one sense *Kitchen Hand* might be considered as requiring *specialized administrative /clerical skills* in that it is proprietary with application limited to the hospital commercial kitchen environment. This however would, in my view, be an oversimplification.

[54] In the context of the classification descriptors, the notion of *"specialised administrative and clerical skills"* is coupled as the alternative to *"qualified trade/technical skills."* It is therefore reasonable to conclude that there is an intention that they be reasonably comparable in terms of training rigor. It is common ground that approximately two to three months on the job training is required to achieve operational competence. The certificate 111 qualification held by the applicant, whilst not a prerequisite, is in any event common to B2 and B3, and by itself, would not justify classification at the B3 level. Further, I consider it likely (but not necessarily mandatory) that reference to *'specialised administrative and clerical'* skills is a reference to a skill set which is portable or transferrable to other roles, as a trade qualification invariably is.

[55] On balance I am unable to accept that the skill set required for this role is equivalent to that required for a base level trade qualification.

[56] I accept that a level of judgment and discretion is exercised in this role. However on the evidence, this invariably involves exercising a choice of work methods, and once having exercised that choice, following well defined procedures. When it comes to interpretation and modification of accepted practices, it would seem that more often than not the decision is referred to higher supervision.

[57] I note the applicant's reliance on other SoDs considered comparable and Mr Pockett's concerns in respect of relativity with other operating (supervisory) roles within the Department. Whilst other roles and internal relativities may be a relevant consideration in a classification assessment, there is insufficient material before the Commission to reach a reasoned conclusion on this aspect.

[58] There are aspects of the *Finance Administrative Officer* role which touch on the B3 descriptors, particularly the complexity of *Kitchen Hand* software. However on a *best fit* basis, I am satisfied that the role is appropriately classified at the B2 level.

[59] Accordingly the application for classification at the B3 level is refused.

I so order.

Tim Abey
DEPUTY PRESIDENT

Date and place of hearing:
2011
December 13 (Workplace inspection)]
Hobart