

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

T No. 5355 of 1995

**IN THE MATTER OF** an application by the  
Minister for Public Sector Management to  
vary the Tasmanian Ambulance Service  
Award

re definitions and salaries

COMMISSIONER GOZZI

HOBART, 30 March 1995  
continued from 24/2/95

**TRANSCRIPT OF PROCEEDINGS**

Unedited

COMMISSIONER GOZZI: Are there any changes in appearances this morning?

5 **MR J.BONE:** Mr Commissioner, I don't think we actually put our appearances in the first hearing - I'm not quite sure - so if the commission please, JAMIE BONE, appearing for the Minister for Public Sector Management and with me is **MR GORDON TAYLOR** and **MR NOEL DALWELL**.

COMMISSIONER GOZZI: Thank you, Mr Bone.

**MR P NIELSEN:** Mr Commissioner, my name is NIELSEN, initials P, and I appear on behalf of the Health Services Union of Australia, Tasmania No.1 Branch - Ambulance Employees Sub-branch.

10 COMMISSIONER GOZZI: Thank you, Mr Nielsen. Now Mr Bone.

MR BONE: Mr Commissioner, if I could just bring your attention to the - to the original application and I'd like to mention just a couple of amendments to the application please.

15 In the application in 1. - Coordinator clinical education and research - in the second paragraph it mentions: Appointment to the position will be made from persons holding the appropriate qualification of advanced life support. We would actually like to change that to: Appointment to this position will be made from persons holding advanced life support qualifications.

20 COMMISSIONER GOZZI: Yes, alright. Well, Mr Bone, just before you go through that document, what I'll do is give you leave to amend your application, because you're asking - that's what you're asking for - and I anticipate there's no objection to that, Mr Nielsen?

MR NIELSEN: No, Mr Commissioner, we're happy with that.

25 COMMISSIONER GOZZI: Okay, well leave to amend the application is granted and the document I've got before me I'll put: Amended application - dated 30/3/95. And what I'll do, Mr Bone, is the attachment to your original application which was January '95, I'll put a line through page 2 of that and I'll head it: Replaced by amendment dated 30th March 1995. So that will become part of your application.

MR BONE: Thank you, Mr Commissioner.

30 COMMISSIONER GOZZI: Right. And that application is going to be further amended now by - in the manner you've suggested in respect of coordinator. What else is there?

35 MR BONE: In 2, where it mentions in the second paragraph - (2) - Appointments to this position will be made from persons holding the appropriate qualifications in advanced life support - we would like to change that - or amend that, saying: holding the advanced life support qualifications.

COMMISSIONER GOZZI: Right.

MR BONE: On the second page under Salaries, under the Ambulance Educator's position we would like to put the rate 38,747.

COMMISSIONER GOZZI: Mm.

40 MR BONE: The Coordinator, Clinical Education and Research - the salary rate at 41,756. The Fleet Manager's position at 34,853 and the Executive Officer, Human Resources, 1st year of service, at 33,496, the 2nd year of service at 34,101, and the

3rd year of service at 34,853. And we would also like to delete the comments made at the end of page 2 in regards to the 4% state service wage arrangements.

COMMISSIONER GOZZI: Alright, Mr Bone. Mr Nielsen, any objection to those amendments?

5 MR NIELSEN: No, Mr Commissioner, no objection.

COMMISSIONER GOZZI: Well the application is amended in that way, Mr Bone.

MR BONE: Thank you, Mr Commissioner. Mr Commissioner, if I could briefly explain the reason for the variations sought to the Tasmanian Ambulance Services Award as outlined in our application, is for two reasons, and one of the reasons is a review that  
10 was recently submitted to the - well the Ambulance Service actually come under. The other is to finalise matters in regards to T.No.5034 of 1994.

COMMISSIONER GOZZI: 5034?

MR BONE: Mm.

COMMISSIONER GOZZI: Thank you.

15 MR BONE: Mr Commissioner, as you would be aware, in recent times the Tasmanian Ambulance Service has been the focal point of public and media criticism in regard to some of the areas of service delivery.

In response to these allegations, the Minister for Community and Health Services appointed an independent team of experts to review all aspects of the Ambulance  
20 Service and to prepare a comprehensive in relation to these allegations.

This particular review team received submissions from all sections of the service associated with the operational side of the health and emergency services. The review came to the conclusion that while there may be problems associated with the operational side of the ambulance service, the patient care aspect is, and has been,  
25 maintained at very high standards.

The review panel also identified specific areas and made further recommendations improving the overall efficiencies of the service. These recommendations were as a direct result from interviewing different categories of employees on a statewide basis in regards to various issues affecting service deliveries of the Tasmanian Ambulance  
30 Service.

The senior manager - management of both the Ambulance Service and the Department of Community and Health Services acknowledged the key issues arising from the report and the need to implement those recommendations in regards to the key issues. This included investigating current operations in relation to future training  
35 requirements, development of relevant quality assurance programs, and improved practices in the human and financial resources area.

To assist in achieving the desired outcomes of this review, management of the Ambulance Service entered into negotiations with the Ambulance Employees Union with a consolidated view of resolving many of these issues.

40 The application before you today is basically a result of those negotiations associated with the review and with the expected requirement of the Ambulance Service to provide the most effective and efficient service to the public of this state. Therefore, the Department of Community and Health Services in consultation with the Ambulance Service have developed new positions and redesigned some current positions. We also

firmly believe this will help us to provide for future needs in regard to education, training and human resource management required by the categories of staff employed with the Ambulance Service.

5 Mr Commissioner, if I can just tender the first exhibit in relation to the position titled 'Coordinator - Clinical Education and Research.

COMMISSIONER GOZZI: Exhibit B.1.

10 MR BONE: Mr Commissioner, this position will be attached to the Clinical Practice and Education Unit. The position has a combined education, research and administrative role. The position supervises ambulance educator positions and has supervisory responsibilities for the clinical instructors on a statewide basis.

15 The position receives limited supervision from the Clinical Practice and Education Unit superintendent. The education role of the position involves conducting training needs analysis, curriculum development and education as well as performance review and evaluation of ambulance practitioners and volunteers. The position also involves the managing and supervision of the delivery of education and training programs together with the responsibility for the audit and improvement of educational programs.

The research role involves managing and coordinating research into clinical pre hospital care together with developing a clinical pre hospital care data base and evaluating and reporting on outcomes of pre hospital care cases.

20 The administrative role involves providing administrative support to the clinical council and assisting the superintendent with the management and development of educational, clinical and quality assurance programs.

Mr Commissioner, the Tasmanian Ambulance Award does not provide a classification for this position to be attached to.

25 To maintain internal relativities, the position needs to fall between the position of Superintendent - Clinical Practices Unit, which has a salary rate of 47,200 - sorry \$47,523 per annum, and Ambulance Educator with a salary range of \$38,747 per annum. These rates are per the award and do not have the 4% increase.

30 An external comparison was difficult for this position as there is no equivalent position to form the basis for comparison, therefore the department compared various functions of other positions that have similar functions and responsibilities in the agency to determine a relativity-based work standard. Positions with statewide research management role in the agency are currently classified as Class XII under the Clerical Officers Award. For example, if we can go to - you'll find some yellow tabs on the exhibits -

35 COMMISSIONER GOZZI: Right.

40 MR BONE: - commissioner. Tab No.1 is actually an Information Systems Officer and you'll notice that in the primary tasks of this Information Systems Officer's position it does actually have developing appropriate audit mechanisms and to ensure quality control in stages .... stages and includes the provision of training in educational programs and also the collection coding and analysis of data. This is actually in line with the research role of the new Coordinator - Clinical Education and Research position.

45 That position is actually classified as a Class XII too, Mr Commissioner. The Information Systems Officer.

COMMISSIONER GOZZI: And what's a Class XII worth?

MR BONE: A Class XII is worth -

COMMISSIONER GOZZI: Less the 4%.

5 MR BONE: - less the 4% ranges between \$40,931 for the first year and \$41,756 for the second year.

In the second tag, the case mix position of -

COMMISSIONER GOZZI: Mr - yes -

MR BONE: Of B.1?

COMMISSIONER GOZZI: Yes, yes - I've seen it.

10 MR BONE: In primary tasks it's on point 2, it's got: Formulate, coordinate, evaluate and provide support for projects funded by the Commonwealth Casemix Development Program. It also mentions in primary tasks - 7 - that this position actually provides support and direction to case - or to this particular committees, particularly the clinical advisory committee and casemix steering committee.

15 The Coordinators - Clinical Education and Research position actually provides administrative support to the clinical council. That position is also classed as a Grade 12 under the Clerical Officers Award.

The third position in B.1 under primary tasks -

COMMISSIONER GOZZI: Yes - just before you get there -

20 MR BONE: It's actually a Senior Executive Officer's position for the region, the Southern Region in the Department of Community and Health Services. This position virtually outlines a number of primary tasks, functions and responsibilities to do with the administrative and clerical side of the coordinator, clinical education and research position.

25 The coordinator, clinical education and research position has an essential qualification requirement that be a recognised qualified ambulance officer with current accreditation in advanced life support and therefore it is not applicable to place this position under the new salary point or under any salary point in the admin. and clerical scale of the Ambulance Award.

30 The department's recommendation is based on classifying this position on the highest level function of the position and therefore it is the department's recommendation that this position be at the rate equivalent for a Class XII Clerical Officer's award. This is based on work level standards comparisons in accordance with the old classification standards of the Clerical Officers Award.

35 The salary rate at Class XII in the Clerical Officers Award is the rates as mentioned. To maintain consistency with the Tasmanian Ambulance Award, the department requests that one salary point be used for this position as it is more appropriate given the relativities between subordinate staff and the immediate supervisors. The rate the department recommends for this position is Class XII second year of service, at the  
40 rate of \$41,756 per annum.

COMMISSIONER GOZZI: That puts it between which positions, did you say?

MR BONE: That puts it between the position of the Course Coordinator Instructor in Certificate of Applied Science and Course Coordinator Instructor of Advanced Life Support. But that's the one we actually - I referred to that later on in the application. We actually want that as another position of Ambulance Educator. That's between  
5 them classifications and the classification of Superintendent.

COMMISSIONER GOZZI: Superintendent is in the award at \$47,000.

MR BONE: That's correct.

COMMISSIONER GOZZI: Five two three. And the Clinical Instructor, do you say?

MR BONE: The highest rate is \$38,747, Mr Commissioner, for the Clinical Instructor  
10 - sorry, Course Coordinator Instructor in Advanced Life Support.

COMMISSIONER GOZZI: \$38,747.

MR BONE: Yes.

COMMISSIONER GOZZI: Yes. And so you pitched it at \$41,756, having regard to  
what you've just said.

15 MR BONE: Yes. Mr Commissioner -

COMMISSIONER GOZZI: Why would the clerical employees classification structure -  
classification standards, rather, be appropriate as opposed to, say, the technical  
officers standards?

MR BONE: I think it may be - I'm not familiar with the technical officers standards,  
20 commissioner, so I probably couldn't answer that question.

COMMISSIONER GOZZI: See, one of the things that stood out - and I'm aware we've  
had some off-the-record discussions in saying this, but one of the things that stands  
out when you show me these comparisons that you made is that the essential  
qualifications criteria in respect to the Class XII are not there. There's no essential  
25 criteria, no essential requirement - qualification requirement. And of course you've got  
an essential qualification requirement -

MR BONE: For the ambulance officers, yes.

COMMISSIONER GOZZI: Yes. Does that figure in your reckoning at all?

MR BONE: Well I suppose basically because the position of - the new position will  
30 require a high level percentage of a management function to deal with the admin. and  
clerical.

COMMISSIONER GOZZI: I mean, the function of coordinating research in clinical  
and pre-hospital care and assisting the superintendent with the management and  
development of education and clinical quality assurance programs, that means that  
35 the person obviously needs to be competent in respect of those programs.

MR BONE: That's correct, commissioner.

COMMISSIONER GOZZI: Hence the need to hold an appropriate qualification. In this  
case the qualification of advance life support.

MR BONE: This position also will be providing a lot of administrative support in  
40 relation to all the training requirements of the service.

COMMISSIONER GOZZI: I suppose the question that needs to be asked is, how much, in your consideration, was the need to maintain some relativity in the award, an influencing factor compared to what might be a pure work-value assessment? To put it simply, how much of your consideration was coloured by those factors?

5 MR BONE: Well, Mr Taylor probably could answer that, being the co-author of the position description.

MR TAYLOR: Mr Commissioner, certainly there was a lot of influence from the need to maintain internal relativities. As you've mentioned, the fact that this person, as with the course coordinators, has to have that technical expertise but that is not the only  
10 task that they will undertake. They assume a large management executive support function. We sought - we needed to blend the internal relativities with the external relativities based on - and we tried to break it up into the three areas of education, research and administration management.

For the administration management we looked externally and for the education focus,  
15 which is the effectual ambulance industry focus, we looked internally.

So, certainly the internal relativities were taken into account because, as you have mentioned the person does have to have the advanced life support qualification, however, it is also desirable that they have a degree or an equivalent level qualification appropriate to this position, as in Exhibit B.1 on page 3, or appropriate tertiary  
20 qualifications in education and research, which is separate to the ambulance advanced life support qualification.

COMMISSIONER GOZZI: Yes, and I guess what I am trying to get to is, having regard for those criteria that you have mentioned and the absolute criteria of having to have an advanced life support qualification, what work-value considerations were  
25 brought to bear on determining a rate for this, as opposed to being concerned with the relativity question?

MR TAYLOR: Yes. Certainly the first thing undertaken was the work-value considerations, which is why we couldn't really go internally because there is no similar qualification or position within the Ambulance Service.

30 So we undertook the work-value process using external relativities and arrived at Class XII, and we then took into consideration the internal relativity and the need to maintain that advanced life support qualification, and the findings were consistent with using the two processes with the Class XII qualification.

We found it quite difficult internally to classify. So that is why it was broken up into  
35 the three areas and done separately and then brought together.

COMMISSIONER GOZZI: Did you give any weight to the fact that it did require an advanced life support qualification?

MR TAYLOR: We certainly did, Mr Commissioner. That came secondary, but of no less importance, to the external relativity determination.

40 And the finding of Class XII is consistent with the requirement to have the advanced life support qualification if you look at the course coordinator salary of 38747 and then take into account the extra responsibilities of this position, which brings it to the salary of 41756.

45 So we believe the internal relativity is still appropriate and consistent with having to have that technical qualification.

COMMISSIONER GOZZI: Thank you.

MR TAYLOR: Thank you, Mr Commissioner.

MR BONE: If I may, we actually tried to get mainland comparisons on this position and found this position to be a unique position throughout Australia.

5 MR BONE: Mr Commissioner, if I can go to the second position of executive officer (human resource).

COMMISSIONER GOZZI: Mark that Exhibit B.2.

10 MR BONE: Mr Commissioner, the Ambulance Service requires this position to be responsible for the overall administration of the human resource function on a state-wide basis.

This position will have limited supervision and be responsible to the director of the Ambulance Service and the superintendent of the directorate.

The position will include a strategic planning function for the development of current and future human resource policies and procedures.

15 It will also be required to coordinate recruitment and advertising procedures, and arrange for selection panels, and participate in the interviews and prepare associate reports and documents.

This position will also be required to provide advice to senior staff on conditions of service and human resource related matters.

20 The position will also include a component in staff counselling and a referral service, and the position will require the occupant to be able to use high level initiative and to carry out duties associated with the position on a state-wide basis.

Mr Commissioner, there are some identical positions elsewhere in the agency classified at Classes VI or VII under the Clerical Officers Award.

25 These positions have regional responsibility only.

The positions that will perhaps equate to the executive officer's position would be in the employee relations branch corporate office.

30 This position is actually titled Employee Relations Consultant, but they have much the same sort of responsibility and function but it is done on a state-wide basis rather than opposed to the regional.

In B.2 if we look at Tab No. 1 that actually was entitled as an industrial officer position, but this position is based at the Royal Hobart Hospital and it was renamed to be Human Resource Officer.

35 The main functions of the position there is in relation to personnel and hospital operations and to look after approximately 2000 people, and there are a number of these positions at the Royal Hobart Hospital - six in total - and the position is actually a Class VI of the old clerical scale.

COMMISSIONER GOZZI: What is it now?

40 MR BONE: That is now, under workplace reform, is a new level 5 under the classification standards of the commission.



COMMISSIONER GOZZI: And what does that do for the salary?

MR BONE: That actually pushes the salary into a broadbanded classification of the old Class VI and VII.

5 COMMISSIONER GOZZI: So that the job actually is now equivalent to a Class VI and VII?

MR BONE: It's paid higher, yes. It has got the potential to go to the top of an old Class VII in the Clerical Officers Award.

COMMISSIONER GOZZI: Essentially on the same job description?

10 MR BONE: Well, it is basically that this position does actually have - is responsible to a human resource consultant, and that position is a class -

COMMISSIONER GOZZI: So what is a new level 5 worth in dollar terms?

MR BONE: The new level 5 ranges between 1st year of service, \$31808.

COMMISSIONER GOZZI: Right.

MR BONE: The second year is \$32397.

15 COMMISSIONER GOZZI: 323?

MR BONE: 99. And the third year of service is \$32985 per annum.

COMMISSIONER GOZZI: Right.

MR BONE: The second Tab in B.2 actually mentions the employee relations consultant.

20 Now this position actually has a state-wide responsibility and provides advice to senior management throughout the agency.

This -

COMMISSIONER GOZZI: What is a level 6 worth?

MR BONE: This is actually a Class VII.

25 COMMISSIONER GOZZI: Yes, it is a new level 6, though, isn't it?

MR BONE: A new level 6, yes. The range for that is \$34164.

COMMISSIONER GOZZI: 34?

30 MR BONE: \$164 for the first year of service. The second year of service \$34753 and third year of service is \$35342. That's the new level 6. That actually doesn't have a broadbanded classification. That is actually the old Class VIII.

COMMISSIONER GOZZI: So you are saying that the Executive Officer (Human Resources), the one that you're proposing, should be at a lower value than the one that you are showing me the comparative position?

MR BONE: Well, basically not. However -

COMMISSIONER GOZZI: Well, the rate - it is lower - the rates are different.

MR BONE: Yes, it is lower, but that is based on the Clerical Officers Award and not under the new Admin. and Clerical scale of the new Community and Health Services Award, commissioner.

5 COMMISSIONER GOZZI: Yes, but the job hasn't changed.

MR BONE: The job hasn't changed, no.

COMMISSIONER GOZZI: And it is a discrete band, not broadbanded.

MR BONE: No, that level hasn't been broadbanded, no.

10 COMMISSIONER GOZZI: And at the top it is getting about 500 bucks more, isn't it. Well, sorry, yes, about \$500 more.

MR BONE: That's correct.

COMMISSIONER GOZZI: And at the bottom about \$700 more, is it? Yes. And if you are using it as a comparison, as a stand-alone job, how does that make sense?

15 MR BONE: Basically because we actually based - because the admin. and clerical scale in the Ambulance Award is based under the old clerical rates of pay. We have actually classified this position under that same system.

COMMISSIONER GOZZI: Yes, look, I know you want to further down the track implement new standards - these ones here -

MR BONE: That's correct.

20 COMMISSIONER GOZZI: - but don't you run into a problem where you have put in a discrete level 6 with a job in fact that you are showing me now hasn't changed, and you are comparing it with what you have got here, so how are you going to argue on the basis of no change in a few months time, or whatever, that the job should go up by whatever? It seems to me that would create some difficulties for you.

25 MR BONE: It possibly will, commissioner.

COMMISSIONER GOZZI: You see, you have got a mix and match situation here between the old and the new.

MR BONE: That's right.

30 COMMISSIONER GOZZI: And whilst that might be convenient right now, I am not sure how you, even if you wanted to, justify increases where there is absolutely no change.

35 MR BONE: Yes. Mr Commissioner, the new classification standards and salaries in the Community and Health Services Award actually underwent the workplace reform process, which is a long process. The Ambulance Service in that particular area hasn't gone through that type of process. In the future we would actually like to do some sort of workplace reform process in that area in the admin. and clerical area. Therefore, I base my submissions today on the old Clerical Officers Award.

40 COMMISSIONER GOZZI: Yes, but you see if I look at the functions of the work involved, and if we did it that way and said, okay, we really are doing a comparative wage justice exercise which is prescribed under the wage fixing principles, anyway, but

let's put that to one side for the moment; and if you looked at what you are saying to me the relative worth of the work, and you have used this position as one of the underlying reasons why this rate ought to apply in this award, well then, why shouldn't I use the same rates?

- 5 I mean, why should I value this job lower to a job that you are saying it equates to? Doesn't that create a problem? I mean, why should I discount it?

MR BONE: I suppose that would be up to you to determine, Mr Commissioner.

- 10 COMMISSIONER GOZZI: Yes, well - I mean, here you have got a job that's paying \$34164 through to \$35352 higher on all accounts than what you are proposing to me in the Ambulance Award, and when you look at the functions it provides an advisory consultancy service on a regional basis.

And you're equating that to a job with state-wide responsibilities. I mean, prima facie, notwithstanding what may appear to be consent between the parties, prima facie it has some problems with it.

- 15 MR BONE: I probably should point out, Mr Commissioner, that the employee relations consultant position does look after a number of programs, not just the one program of ambulance. They actually look after the seven other programs associated with the Department of Community and Health Services, whereas the executive officer (human resources) position will only be looking after the program of ambulance  
20 services.

COMMISSIONER GOZZI: Well, I wouldn't say 'only'.

MR BONE: Well, yes, I didn't mean it to sound like that.

COMMISSIONER GOZZI: No. Have you got the classification standards available?

MR BONE: I have, commissioner.

- 25 COMMISSIONER GOZZI: And you say it sits comfortably with - what you are proposing sits comfortably with the classification standards that you have got?

MR BONE: It would, yes.

COMMISSIONER GOZZI: Well, anything else on that one?

MR BONE: I think that's about all, Mr Commissioner.

- 30 The next position, Mr Commissioner, is the position of fleet manager.

COMMISSIONER GOZZI: Exhibit B.3. Just one other question I have got before you get on to B.3. Going back to that level 6 position, the rates you gave me, are they inclusive or exclusive of the 4%?

MR BONE: They are exclusive of the 4%, Mr Commissioner. They are from the -

- 35 COMMISSIONER GOZZI: So, in that context, I am comparing like with like?

MR BONE: Yes.

COMMISSIONER GOZZI: The rates that you put in the proposals are exclusive of the 4% -

MR BONE: That's correct.

COMMISSIONER GOZZI: - and the exhibit is exclusive of 4%

MR BONE: That's correct.

5 COMMISSIONER GOZZI: So the marginal differences would, in fact, be greater than what I have said?

MR BONE: Yes.

COMMISSIONER GOZZI: Yes. Exhibit B.3.

10 MR BONE: Mr Commissioner, I understand this position is actually a leave reserved position arising from the 1988 work-value case, as mentioned on page 7 of the Tasmanian Ambulance Award.

Because of the new duties and responsibilities associated with this position it is proposed to retitle the position to that of Fleet Manager. This position has assumed the functions of the fleet manager and has state-wide focus.

15 Prior to the restructure of the ambulance service in 1990/91 the position was a full-time position in addition to the mechanics position. A sound level of specialist knowledge is required due to the complexity of today's ambulances.

The fleet manager will often have to work in a time-critical environment to ensure ambulances are available for road use.

20 As previously mentioned, the fleet manager has to oversee fleet management on a state-wide basis, including the purchasing and disposal of vehicles, and to assist the superintendent in the development and implementation of fleet maintenance policies and procedures.

25 Mr Commissioner, this position has an operation budget of around \$666,000 and a capital work budget of \$1 million, and the occupant of the position has delegated responsibility of that budget.

The position also requires the occupant to provide a reporting function to the operational managers and supervisors regarding all aspects of the ambulance vehicles relevant to them, and in conjunction with the superintendent (support services) develop and implement a fleet strategic plan.

30 The fleet manager is required to liaise with repairers and suppliers on a state-wide basis to ensure an efficient and effective service is maintained throughout the ambulance service.

The fleet manager's position is also required to ensure that management objectives are met with the allocated budget assigned to him or her - in this case it is a 'he'.

35 Mr Commissioner, the department has made a comparison to positions within the agency and another state service area.

The first Tab is a position of transport manager in the northern region. This position is actually classified as a Class V Clerical Officer.

COMMISSIONER GOZZI: What's the new one?

MR BONE: The new rate is level 4 of the new Community and Health Services Award. This actually has five increments, Mr Commissioner.

COMMISSIONER GOZZI: What's the bottom and the top?

5 MR BONE: The first year of service is \$28273 and the fifth year of service is \$30620, excluding the 4% state service wage agreement.

COMMISSIONER GOZZI: Right.

MR BONE: In comparison to the transport manager of the northern region this position does have - the fleet manager's position - does have the responsibility for that budget as mentioned.

10 The vehicles that the transport manager in the northern region are not as complex as what the fleet manager's position is required to look after, and also the transport manager in the northern region has responsibility for that region only and not on a state-wide basis.

15 Mr Commissioner, in Tab 2 the regional transport manager in the northern region is actually classified as an VIII which would be level 6 in the new classification standards, and would you like the rates for that, Mr Commissioner?

COMMISSIONER GOZZI: You have given them to me already. It's 34,164 through to 35,342.

20 MR BONE: This position has a far greater responsibility than the one in the northern region, due to the fact that this person actually looks after the west coast of Tasmania as well as - I think it's King Island.

COMMISSIONER GOZZI: Oh, but in terms of vehicles, does that compare?

MR BONE: Well probably not. But the actual region is far harder to manage than what it would be in the northern region because of the isolated areas.

25 COMMISSIONER GOZZI: Where's he based?

MR BONE: In Burnie. The basis of the primary tasks, levels of responsibility and direction and supervision received would equate to the fleet manager's position for the Ambulance Service.

30 I must also mention that the northern region position is actually under review at this stage too, Mr Commissioner.

COMMISSIONER GOZZI: The northern region, tag 1, is it?

MR BONE: Tag 1, yes, that is currently under review.

COMMISSIONER GOZZI: What are you going to do with that position?

MR BONE: I beg your pardon?

35 COMMISSIONER GOZZI: What are you going to do with that position?

MR BONE: We think that that will be translated indicatively to a level 6 of the new stream, which would equate to the Class VIII of the old Clerical Officers Award.

COMMISSIONER GOZZI: So if you translate that to level 6, that effectively will put that person at the top year at 35,342.

MR BONE: Yes.

5 COMMISSIONER GOZZI: And so you're saying that the northern regional function should exceed the one - the fleet manager's function.

MR BONE: That's if it's actually translated to the level 6. We're not sure - we know it's going to go to either level 5 or level 6 of the new award, but we haven't come up with the -

COMMISSIONER GOZZI: And what would that mean then for the north west region?

10 MR BONE: The north west region actually went to a level 6.

COMMISSIONER GOZZI: So are you saying that the northern and north western region would then equate. Both would be at level 6.

MR BONE: Basically, yes.

COMMISSIONER GOZZI: Yes. The northern region isn't that remote, is it?

15 MR BONE: Well not really.

COMMISSIONER GOZZI: No. All right.

MR BONE: I wouldn't tell them that though, Mr Commissioner.

20 COMMISSIONER GOZZI: Yes. So what's your rationale for putting that the fleet manager's role in the way that it's been described on the job description, is of a lesser work value than -

MR BONE: I wouldn't say it was a lesser work value, I would say it would equate to these positions.

COMMISSIONER GOZZI: But the pay doesn't equate.

MR BONE: No.

25 COMMISSIONER GOZZI: See, you keep presenting me with these difficulties, aren't you? I mean, you say it equates but you don't want to put the same rate of pay in.

MR BONE: How about if I say the duties and responsibilities of the positions equate but the salaries don't?

30 COMMISSIONER GOZZI: Well if it applied to you, Mr Bone, you'd be saying: Well what's so reasonable about all that?

MR BONE: I most likely would.

COMMISSIONER GOZZI: I mean, anyone sitting here would say that.

MR .... : Hear, hear.

35 COMMISSIONER GOZZI: I mean, you do create some difficulties for me by saying that the duties and responsibilities equate, but you want to pay it at a bit less money.

MR BONE: Once again, I have to say that's based on the process that the department has actually gone through or has gone through.

5 COMMISSIONER GOZZI: See, I mean, fundamentally my job is to work value these positions and for you to satisfy me that the work value considerations are as you say. Now Freddy the blind miner would have a difficulty if you say to me that the jobs equate but you want to pay something different. I mean, it's the same as me saying: Look, one associate gets 'X' amount of dollars and the other associate gets so much dollars for some obscure reason. I mean, it's the work that dictates the classification, surely, and if the work is the same, well shouldn't the rate of pay be the same? If the  
10 duties and responsibilities and everything is on foot is the same. I mean, I really have a difficulty in endorsing something which fundamentally doesn't stack up on the basis of the worth of the work. I mean, I don't know what you can say to me about that.

MR BONE: Yes, once again I can only say that the Community and Health Services Department has been through a process and the Ambulance Service -

15 COMMISSIONER GOZZI: But that process won't impinge one iota on that job, will it?

MR BONE: Probably not. It probably will have to remain to be seen, Mr Commissioner.

COMMISSIONER GOZZI: So it's a matter - the increase is brought about as a consequence of translation from the old to the new.

20 MR BONE: Yes.

COMMISSIONER GOZZI: Right.

MR BONE: The third position, Mr Commissioner, the Regional Transport Manager - I'm sorry, the third tag which is the State Purchasing and Sales Fleet Controller. This position was originally a Class VIII but however I was advised by the human resource  
25 manager from that area that the position actually went to a Class X for the fact that the fleet controller had supervision of all the ministerial drivers. He also informed me that not long ago that primary task was actually taken away from this position description. However the position went to a Class X from a Class VIII - however - because the occupant - there's a current occupant in the position that's going to stay  
30 as a X until such time as salary maintenance finishes. And then the position will go back down to a Class VIII.

COMMISSIONER GOZZI: Yes, I was going to say there's no supervisory duties in terms of staff that's apparent in the job description.

MR BONE: I think -

35 COMMISSIONER GOZZI: You said it went to a Class X because he had to supervise other people.

MR BONE: Yes, that's right.

COMMISSIONER GOZZI: Now I'm saying I can't see anything in the job description that shows that he does supervise other people.

40 MR BONE: No, because it's -

MR TAYLOR: In the function, Mr Commissioner.

COMMISSIONER GOZZI: In the function.

MR TAYLOR: It says: Supervise drivers.

COMMISSIONER GOZZI: It doesn't say 'supervise'. Manage, .... and control the government car pool and drivers.

MR TAYLOR: Manage, supervise - and drivers.

5 COMMISSIONER GOZZI: All right, thank you. I missed that. So now he doesn't do that.

MR BONE: No, because the current occupant has actually been - when the position was classified as a X, the occupant went for the position, was successful and therefore we have to pay a salary maintenance of the Class X. However when the occupant  
10 leaves that position will be reclassified or looked at and possibly an VIII return to that position.

COMMISSIONER GOZZI: What's a Class X worth?

MR BONE: Sorry, commissioner, I haven't got that figure. I should know it. In the classification standards of the new - it actually ranges between 36,520 and 38,876,  
15 that's the equivalent of a level 7 in the new Community and Health Services salary rates.

COMMISSIONER GOZZI: Well what's it under the Clerical Employees?

MR BONE: I'm afraid I haven't got that figure, sorry, Mr Commissioner.

COMMISSIONER GOZZI: Right. It would be higher though than what you've got.

20 MR BONE: It certainly would be.

COMMISSIONER GOZZI: Yes, Class VIII - well it's a Class VIII that you're proposing for the fleet manager.

MR BONE: Mm.

COMMISSIONER GOZZI: Yes, okay.

25 MR BONE: Taking into consideration the complexity of the ambulance vehicles today - in the state today, and the function that the fleet manager has, the department's recommendation is that the salary be within the range of a Class VIII, that is the ranges that I've given you as per the executive officer's position. However to keep in  
30 line with the existing relativities in the Ambulance Award, we'd pursue that this be paid on the one increment of third year of that Class VIII, which is \$34,853.

Reference to the last matter of the application, the department's request that the positions of the Course Coordinator, Advanced Life Support Course and Course  
35 Coordinator, Certificate of Applied Science, be deleted from the award and to be replaced with a position of Ambulance Educator. This will be a combination of the coordinators' positions with a salary to reflect the higher rate of the two positions. That is mentioned in the award rate of 38,747.

Mr Commissioner, if I could possibly call on Mr Dalwood, who might explain - or explain the reasoning behind why we require or request to do this.

COMMISSIONER GOZZI: Yes, thank you. Mr Dalwood?



- MR DALWOOD: Historically, the Course Coordinator for the Certificate of Applied Science has also had the responsibilities for the driver education program and for patient extrication program. In the last 12 months we have taken on two additional programs, one in the coordination and teaching of ambulance technicians and communications officers. Because we are not in a position to be able to employ any additional course coordinators, then the Course Coordinator for Advanced Life Support will be required to take on those two additional programs. And so consequently we're applying for the same level of salary as for the Coordinator for Certificate of Applied Science.
- 10 COMMISSIONER GOZZI: Thank you, Mr Dalwood.
- MR BONE: Mr Commissioner, as per the application, we would like the - bear with me just a moment. We would also like to delete the mention of 'Chief Superintendent' in the definitions of the Tasmanian Ambulance Award.
- COMMISSIONER GOZZI: Is that in the application, is it?
- 15 MR BONE: It is in the application.
- COMMISSIONER GOZZI: Whereabouts is that one?
- MR BONE: Page 26 of the application.
- COMMISSIONER GOZZI: Page 26.
- MR NIELSEN: At the top of the page. Mr Commissioner.
- 20 COMMISSIONER GOZZI: Oh, yes, thank you. Right.
- MR BONE: And also - well the reasons for that is there's no longer a chief superintendent for the Ambulance Service.
- COMMISSIONER GOZZI: It's effectively now the director, is it?
- MR BONE: Yes, Mr Commissioner.
- 25 COMMISSIONER GOZZI: Yes.
- MR BONE: And also we would like to insert next to the executive officer's position that is currently in there, the Class VII position - we would like to actually insert in brackets '(finance)', to distinguish the two executive officers' positions.
- COMMISSIONER GOZZI: Right. Now it's the existing one.
- 30 MR BONE: It's a Class VII, yes.
- COMMISSIONER GOZZI: Yes. Right.
- MR BONE: In conclusion, Mr Commissioner, having regard to the application before you today, I believe that the application is not in conflict with the public interest in accordance with section 36 of the Industrial Relations Act 1984. If the commission
- 35 pleases.
- COMMISSIONER GOZZI: Mr Bone, in our discussion on the way through, I raised a number of matters. Now can you tell me what you have in mind in respect of reviewing the award in the context of what might be termed the new classification structure that's now in the Community and Health Services Award?

MR BONE: It's the - the department actually desires to hopefully adopt the Admin. and Clerical stream into the Tasmanian Ambulance Award. We believe there's a lot of work to be done before we can actually make application to do that. But it is the department's desire to have the Admin. and Clerical stream adopted into the Tasmanian Ambulance Award.

COMMISSIONER GOZZI: What about other streams?

MR BONE: At this stage we thought it's probably inappropriate to put other classifications, or the other streams into the award.

COMMISSIONER GOZZI: Where would you say, if you had a mind to put the other streams in, ambulance officers fitting? Into which stream?

MR BONE: Right, we actually discussed this some time ago and we looked at professional, but the criteria for the professional stream and the technical stream we still are unsure where we can actually place ambulance officers. But we are looking at that. But at this stage we haven't come up with any firm - we haven't had any firm discussions on the matter.

COMMISSIONER GOZZI: Yes, you see the reason I ask you is, I can see in the future that you might look at the clerical positions in the award in the context of the clerical stream.

MR BONE: That's correct, yes.

COMMISSIONER GOZZI: I am not so sure, prima facie, and I don't want to get too far down the track, but I am not so sure that the clerical stream in the new award would in fact apply to ambulance officers. I would be more inclined to think it might be in fact technical or professional.

MR BONE: Yes, like I said, Mr Commissioner, we -

COMMISSIONER GOZZI: And I think there are some problems there with the professional stream, given the qualification aspects of the professional stream.

Now you have taken some trouble to point out to me that further down the track you want to review the award in the context of the streams, but you are now saying to me that that really extends at this stage to the clerical stream only.

Now, don't you think that in putting up to me work-value comparisons targeted at the clerical stream only - because you have given me clerical stream classifications to compare - that that has the potential, if I adopt that without regarding anything else, of putting in place something that might not be appropriate as far as the long term is concerned? And how do you plan to overcome it, and how am I going to justify the rates that you have put in if I had a mind to say, okay, I will do that now, adopt it as an interim position because you want to go down the track of examining the streams, when you tell me now that there is nothing really afoot to look at the technical or professional stream?

MR BONE: I did mention, Mr Commissioner, that we still need to speak with the ambulance - the senior manager of the ambulance service. We have had one discussion and we were talking about, you know, types of enterprise bargaining and we did mention, you know, that we have got other streams that we will possibly look at, but at this stage they are only very, very initial talks.

COMMISSIONER GOZZI: Yes, and the point I am making is, everybody wants to get rid of this matter, get it cleaned up, and I certainly support that, but if you can't be

definitive in terms of where you want to head, then I have a real difficulty in putting in this award rates of pay where you say they stack up one to the other in terms of the comparisons you have made, but given them a lower value with no agenda about how you are going to get there in the longer term; and you are saying to me quite specifically that in any event you are going to adopt the clerical stream but no word about examining the other aspects, which potentially could leave these particular classifications we are talking about in a disproportionate position to the jobs that you compare them to.

Do you follow what I am saying?

MR BONE: I can understand what you are saying, Mr Commissioner, yes.

MR TAYLOR: Mr Commissioner, if I could -

COMMISSIONER GOZZI: Yes, certainly.

MR TAYLOR: We certainly haven't neglected the other areas of the Ambulance Award and, in fact, we have started preliminary negotiations with the ambulance employees' sub-branch with regard to looking at the award in its entirety.

As you have correctly identified, this is part of a process to wrap up a dispute which started in June last year and at that time the new award, the Community and Health Services Award, wasn't finalised then.

What we have done here is attempt to fix a couple of issues and we have based them on the old award which is the old Clerical Officers Award, because the positions themselves didn't go through the workplace reform process, which the new positions have done under Community and Health Services Award.

I think our general intention is to, as Mr Bone has indicated, is to incorporate the new Community and Health Services clerical structure within the Ambulance Service Award, but concomitantly we would undertake a workplace reform process so that any efficiencies or trade-offs would be reflected in the new salaries when we did come up with the new translation process.

COMMISSIONER GOZZI: Look, I know what you are saying, Mr Cooper, and we don't want to get into a fruit salad discussion. I know what you are saying, but the award has gone through a review process and the real difficulty here - I mean, offsets and so on have already been provided for in respect of the 2.1/2% and whatever else has happened.

MR TAYLOR: But those offsets were more aimed at the ambulance officers themselves rather than the admin. and clerical people in the structural efficiencies.

COMMISSIONER GOZZI: Yes, but we are not talking about admin. and clerical people now. I mean, the point I am making is I can pick up what you are saying in respect of admin. and clerical and that you are going to further look at that in the context of the streams, but the issue arises in respect to certain ambulance officer qualifications in the context here.

MR TAYLOR: Which one in particular are you -

COMMISSIONER GOZZI: Well, you are looking here at the coordinator and clinical - coordinator clinical, education and research where you have given me a rate of pay. Now, presumably, nothing further is going to happen in respect to that rate of pay until such time as you might come to a conclusion about what stream might be appropriate.

MR TAYLOR: Yes, that's correct, or whether we in fact -

COMMISSIONER GOZZI: And, at which time there will be obviously a translation to whatever that new stream might be, but it mightn't happen, according to what Mr Bone is saying, because all you are looking at, according to him, is the clerical stream.

5 MR TAYLOR: At this stage -

MR BONE: At this stage, Mr Commissioner.

MR TAYLOR: - we are looking at the clerical stream, because at the moment with people working in the same department but in different programs, in the clerical stream there is a vast inconsistency.

10 So we have a mandate to have a look at the clerical officer's stream first.

The ambulance officers' stream was looked at not so long ago in the work value case of '88-89 and it presents as being a more difficult thing to tackle, and is linked in with an enterprise agreement we would hope in the future. We only have 12 admin. and clerical people within the Ambulance Service and currently their salary situation is inconsistent with the rest of the department. So that's why we're targeting them first. We certainly will - have entered into negotiations with the union to look at the award in its entirety.

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20 COMMISSIONER GOZZI: So if I read through all of that, that you want at the end of the day an enterprise agreement which may possible encompass the streams out of the Community and Health Services Award.

MR TAYLOR: Yes, it may do. The problem we have with the Ambulance Officers Award at the moment and trying to incorporate a technical/professional stream is the ambulance officer qualification varies from student ambulance technician through to clinical instructor - paramedic/rescue, from \$20,000 to \$60,000. So you could say there is some overlap of the streams, and that's one problem we have to address, whether it is technical or professional or both. And whether those streams are the most appropriate for the ambulance industry.

25  
30 COMMISSIONER GOZZI: And what sort of, you know, broad view have you got about the sort of reforms that you'd be looking at? Is it appropriate to say now or do you prefer not to?

MR TAYLOR: Well, I mean, we have had some very, very preliminary discussions with the union and also with the employee relations section on directions and the framework in which we go about that. I think there are a number of options which we can take and we're not quite clear yet on which direction we need to travel on, apart from the fact that some reform process is necessary, certainly under the State Service Wages Agreement anyway.

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COMMISSIONER GOZZI: All right. Well Mr Bone or Mr Cooper, how long will it be before you're going to be back here to look at the clerical employees stream?

MR BONE: We'd still have to discuss that, Mr Commissioner.

40 MR TAYLOR: We hope to wrap up all the leave matters reserved and bring that before the commission as soon as we possibly can because it already is creating industrial disharmony with our clerical employees because they are seeing inconsistencies now that this translation -

5 COMMISSIONER GOZZI: Yes, and you see the difficulties I'm having where you can give me two - talking now about the clerical employees, where you're giving me job descriptions which you say equate to the value of the work that you want me to put in the award. The only difference is that the ones that you're giving me to compare attract a higher rate of pay.

MR TAYLOR: I think Mr Bone gave you about three position descriptions to look at and they were just used to give an indication and they're the three we use -

10 COMMISSIONER GOZZI: But from my point of view, just going through it, I can tell you that some of them might in fact arguably be at a lower level than what you're proposing on the basis of the regional responsibilities compared to the statewide responsibilities. And on consideration, which I still have to make, of course, whether the north west and northern regions ought to in fact be higher than a centrally based position with statewide responsibilities.

MR TAYLOR: I understand, Mr Commissioner.

15 COMMISSIONER GOZZI: And I'm just sort of saying to you, well look, if I were to ... with what you're asking me to do, and that is to tidy this matter up and put in place a platform for you to do all these other things, to look at the clerical stream and so on, you're not giving me any comfort at all with respect to time frames, how long, whatever. And effectively what you're asking me to do then is to put in the award rates of pay for these particular clerical employees which prima facie are in some cases quite 20 a few hundred dollars below the classifications you're trotting up to me where there's been no change in the functions of the jobs at all.

MR TAYLOR: Well the rates we derived, Mr Commissioner, were based on relativities within our existing award and -

25 COMMISSIONER GOZZI: Yes, but relativity aspect really isn't a work value. What I'm concerned about is to establish the appropriate work value level, and obviously in doing that I will take into account the relativities. I mean, you've put the relativity where you think it comfortably sits, but within the scope of the relativities that you put forward to me, there's ample scope between the 38,000 and the 47,000 - there's 30 ample scope to take into account the relativity issue. I mean, you've decided to put it at 41 for the particular classification -

MR TAYLOR: Yes.

35 COMMISSIONER GOZZI: - of - sorry, at 33,496 Class VIII for the Executive Officer, and you put it at 34,853 for the Fleet Manager. Now, you know, it's bad enough looking at the fleet manager in the context of that versus what else you've put there, and the clerical standards that might apply because presumably you could also argue that maybe some other classification standard ought to apply, not the clerical.

40 MR BONE: Could I just mention, Mr Commissioner, that the process that the Department of Community and Health Services has gone through, a lot of these positions no-one has actually been translated to the new award yet. We're still in the process of translating people to the new award. A number of these positions have actually gone to an internal review process so they were just virtually basically indicatively translated on to the new -

45 COMMISSIONER GOZZI: Yes, I've got no problem with that, Mr Bone. The fact is the job's been done there and you've given me those work value bands, as what those jobs are. And the fact is what you're proposing for this award is considerably less and with no indication to me as to when that might be reviewed and undertaken. So on the one hand you're asking me: Look, put these in because something is going to happen, and

if I did that I've got nothing before me as to when it might be rectified. And so prima facie I've got the problem of one job description attracting so many dollars, which are ahead of what you're asking me to do here with no program to look at that in the context of the work process reform or whatever. And if the - you know, on the basis of equity and merit, there are some real problems there.

MR BONE: I understand what you're saying, Mr Commissioner.

COMMISSIONER GOZZI: And I would say some real problems for you internally as far as employees in the various sections are concerned.

MR TAYLOR: With regard to a time frame, finally, Mr Commissioner, certainly the process has started, but it has been delayed because of the workload required for the grade - the bigger department with the Health and Community Services Award. Now that that process is finished the Ambulance Award will certainly be looked at as soon as possible. And as I mentioned, we have undertaken preliminary meetings with regard to doing that.

COMMISSIONER GOZZI: Yes, all right. Thank you.

MR TAYLOR: Thank you.

COMMISSIONER GOZZI: Mr Nielsen?

MR NIELSEN: Well, Mr Commissioner, as you're aware we've had negotiations with our management and with the minister's advocate. These proceedings were adjourned previously here last month to allow us to go through our own executive, which has been done. And we've raised the issue and I've already spoken with the minister's advocate, who I understand will address the position of our current incumbents that hold these positions, and the fact that they be assured that they will continue to do that. And he advises me he will address that before the conclusion of this hearing.

But it is disconcerting to hear your comments, Mr Commissioner, in regards to the application that's been put to you this morning. And the fact that these other - the Community and Health Services Award has now been finalised, and as the minister's advocate's been saying to you earlier that these proceedings have come about as to try to finalise the settlement of a dispute which was very heated, as you realise, last year. And ultimately also to try to finalise those outstanding leave matters.

It is factual that the management and ourselves, the union, have had very preliminary discussions. And I understand by your questions - whilst we want to say that we're in agreement with this application, that was our position, we're very mindful that we don't desire to be at a disadvantage because ultimately that will develop future. But I think what you're asking from the parties is an undertaking that we address this matter that's now developed in regards to the relativities of the Community Health Services and those finalisations as soon as possible. Because I somewhat suspect there would be some reactions amongst our clerical employees - or our staff employees and we desire to stabilise that as best as we can, Mr Commissioner.

COMMISSIONER GOZZI: Yes, all right. Thank you, Mr Nielsen. Mr Bone, anything further?

MR BONE: Yes, just to reiterate on Mr Nielsen's comments of the current occupants of the positions that the application - in regard to the application before you today. I've been advised that these employees will not be disadvantaged in any way in regards to losing their positions. If the commission pleases.

COMMISSIONER GOZZI: You mean, they won't have to apply for them.

MR BONE: No.

COMMISSIONER GOZZI: They'll just get the benefit of whatever comes out. All right.

MR BONE: Thank you, commissioner.

COMMISSIONER GOZZI: Thank you. We'll just go off the record for a minute.

5 **OFF THE RECORD**

COMMISSIONER GOZZI: Well I've attempted to just briefly canvass some of the issues off the record. I will be addressing what I've said in my decision, which will be reserved. Thank you.

**HEARING CONCLUDED**