



STATE SERVICE COMMISSIONER  
Annual Report 2003-04

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## Commissioner's Introduction

The last twelve months have seen significant change in the way that the statutory functions of the State Service Commissioner are delivered.

Upon taking up the role of State Service Commissioner in February 2004, I became concerned that there was potential for a degree of conflict between some of the roles and functions assigned to the position. Most particularly, I was concerned about the possibility that a perceived or actual conflict of interest might arise were I or the staff of my Office to provide advice to Agencies on matters that I might subsequently be asked to review or determine.

Accordingly, a decision was made to separate the employment policy functions from the statutory functions of the State Service Commissioner. The employment policy functions relating to the administration and management of the State Service were delegated to the Secretary of the Department of Premier and Cabinet, and a new Division of Industrial Relations and State Service Management was created to carry out the delegated functions.

Full details of the delegations are to be found later in this report.

I have retained a range of evaluation, review and determination functions that most appropriately reflect the independent statutory role of the Office. A major focus of my role into the future will be the evaluation of employment practices, procedures and standards to ensure that Agencies uphold, promote and adhere to the State Service Principles.

This is an area that previous Commissioner Greg Vines and Acting Commissioner Chris Smyth had begun to focus on, and it is an area that I believe to be vitally important.

The first plank in the evaluation function is the *Tasmanian State Service Agency Survey*, which is now in its third year. The Survey gathers information about Agency procedures, practices and standards, and seeks to identify the strategies and actions that have been put in place to uphold, promote and ensure adherence to the State Service Principles.

Results of the 2004 Survey indicate that, although most Agencies have developed and implemented workplace diversity programs, internal grievance resolution procedures and performance management systems, some have not yet done so.

This is of some concern to me because it is my belief that, if Agency practices and procedures comply with and effectively promote the State Service Principles, this Office will be required to undertake fewer reviews of State Service actions, and will be asked to make fewer determinations in relation to whether employees have breached the State Service Code of Conduct or are able to effectively and efficiently carry out their duties.

At present, conducting reviews of State Service actions and making determinations in relation to alleged breaches of the Code of Conduct and alleged inability comprise a significant part of the work of the Office. Last year the Office dealt with 45 requests for review of selection decisions (five of which were upheld) and 45 requests for review of other State Service actions (84% of which were resolved through a consultation process or withdrawn prior to determination). The Office also dealt with nine alleged breaches of the State Service Code of Conduct and, in relation to five of those cases, found that the Code had been breached.

Whilst conducting reviews and making determinations will remain one of my key statutory functions, I am looking forward to refining and developing the evaluation framework over the next 12 months.

The *Tasmanian State Service Agency Survey* is useful in identifying the actions that Agencies have taken to implement the Principles. However, it provides limited information about the *effectiveness* of those actions, and no information at all about how employees within the State Service perceive and experience the culture and practices of their workplace. For this reason, the next step in the evaluation process will be to conduct a survey of State Service employees to ascertain their views about the extent to which the culture and practices in their workplace reflect a commitment to the Principles.

The inaugural survey of State Service employees will take place over the next twelve to eighteen months (commencing with a pilot program) and the results will be used in conjunction with the results of the annual *Tasmanian State Service Agency Survey* to build a more complete understanding of State Service workplace culture and inform the future work of this Office.

In closing, I would take this opportunity to express my appreciation for the work undertaken by Chris Smyth during the time that he acted in the role of State Service Commissioner. Chris left the State in June 2004 to take up a position in Victoria and I wish him every success in his endeavours there.

I would also like to thank my staff, and the staff of the Division of Industrial Relations and State Service Management, for their efforts during what has been a year of great change. Finally, I would like to record my appreciation for the continued assistance and support received from the Department of Premier and Cabinet.

Robert J. Watling

**State Service Commissioner**

October 2004

## Commissioner's Role and Functions

Section 17 of the *State Service Act 2000* states that there is to be a State Service Commissioner. The Commissioner is an independent statutory officer whose powers and functions are set out in part 5 of the *State Service Act 2000* (the Act).

In order to separate the Commissioner's statutory functions from those relating to employment policy, those functions that relate to the management and administration of the State Service were, in February 2004, delegated to the Secretary, Department of Premier and Cabinet. Functions under section 18 of the Act that have been retained by the State Service Commissioner are:

- 18(1)(a) to take such steps as the Commissioner considers necessary to uphold, promote and ensure adherence to the State Service Principles;
- 18(1)(b) to evaluate the application within Agencies of practices, procedures and standards in relation to management of, and employment in, the State Service;
- 18(1)(e) to evaluate the adequacy of systems and procedures in Agencies for ensuring compliance with the Code of Conduct;
- 18(1)(f) to investigate alleged breaches of the Code of Conduct by Heads of Agencies and to report to the Premier on the results of such investigations;
- 18(1)(g) to undertake reviews applied for under section 50 of the Act;
- 18(1)(l) to determine requirements, including qualifications, for the employment of employees or groups of employees in the State Service;
- 18(1)(n) to determine the period within which action arising under this Act may be taken by the Commissioner, an officer or an employee;
- 18(1)(o) other functions as are imposed by or under the Act; and
- 18(4) to keep a record of all employees showing such details as are prescribed.

Functions that have been delegated to the Secretary, Department of Premier and Cabinet are:

- 18(1)(b) to determine practices, procedures and standards within Agencies in relation to management of, and employment in, the State Service;
- 18(1)(c) to provide advice to the Minister on any matter relating to the State Service;
- 18(1)(d) to consult with, and provide assistance to, Heads of Agencies in relation to the implementation of the State Service Principles and the Code of Conduct;
- 18(1)(h) to develop principles and standards to assist Heads of Agencies in evaluating the performance of employees and provide assistance to Heads of Agencies in the application of those principles and standards;
- 18(1)(i) to develop and coordinate training, education and development programs for the State Service;
- 18(1)(j) to develop and implement recruitment programs for the State Service;
- 18(1)(k) to develop classification standards and, where appropriate, procedures to enable Heads of Agencies to classify duties to be performed within the State Service and, where no classification standards have been developed, to approve the assignment of classifications to duties; and
- 18(1)(m) to determine duties to be of a senior executive nature or equivalent specialist nature.

The newly formed Division of Industrial Relations and State Service Management is responsible for the administration of delegated functions.

## Legislative Framework

The *State Service Act 2000* (the Act) is enabling legislation that is supplemented by the *State Service Regulations 2001* (the Regulations), Commissioner's Directions, and Ministerial Directions and Determinations.

### *Commissioner's Directions*

The Commissioner may issue legally binding Directions in relation to any matter relating to the Commissioner's statutory functions.

Currently there are 13 Commissioner's Directions covering:

- Employment in the State Service
- State Service Principles
- Workplace Diversity
- Performance Management
- Breaches of the Code of Conduct
- Inability to Perform Duties
- Review of State Service Actions
- Suspension
- Pre-employment Checks
- Redeployment
- Retirement Benefits Fund Board Exemptions
- No Paid Smoking Breaks
- Gifts and Benefits

Commissioner's Directions pertaining to *Employment in the State Service* and *Review of State Service Actions* are currently being reviewed to reflect the Commissioner's focus on statutory functions. Other Commissioner's Directions will be reviewed in the coming year.

Delegated functions that relate to the administration and management of the State Service will become the responsibility of the Director, Industrial Relations and State Service Management.

The Commissioner's Directions can be found at [www.osscc.tas.gov.au](http://www.osscc.tas.gov.au)

### *Ministerial Directions*

Ministerial Directions relate to the administration of the State Service. They can be amended, issued or revoked by the Minister administering the *State Service Act 2000* (currently the Premier). During the period 1 July 2003 to 30 June 2004, the following Ministerial Directions were released:

- Indemnity Against Legal Process
- Internet and Email Use by State Service Officers and Employees
- Leave and Related Arrangements for Emergency Service Volunteers

### *Ministerial Determinations*

Section 38(1) of the Act provides that an employee's terms and conditions of employment are to be those specified in the award under which they are employed. In the event that no such award is in force, the Minister may determine the terms and conditions of employment. The Minister may also make determinations in relation to matters not covered by an award.

No new Ministerial Determinations were issued in the reporting period.

Following the delegation to the Department of Premier and Cabinet of functions relating to the management and administration of the State Service, the Division of Industrial Relations and State Service Management now provides advice and assistance to the Minister on a range of employment policy issues including the development of Ministerial Directions and Determinations.

Ministerial Directions and Determinations can be found at [www.osscc.tas.gov.au](http://www.osscc.tas.gov.au)

### ***Public Interest Disclosures Act 2002***

The *Public Interest Disclosures Act 2002* commenced on 1 January 2004. The purpose of the Act is to encourage and facilitate the disclosure of improper conduct (or detrimental action) by public officers and public bodies. The legislation provides protection from reprisals for persons making disclosures (and others) and provides for the proper investigation of matters proposed.

Section 7(1)(c) of that Act provides that, where a complaint is about a member, employee or officer of a public body that is a State Service Agency, a complaint may be made to the State Service Commissioner.

The Commissioner may either deal with the matter under the Code of Conduct provisions of the *State Service Act 2000* or refer the matter to the Ombudsman or the relevant Agency for action.

The Commissioner did not receive any complaints under the provisions of this legislation during the reporting period.

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## **Support for the Commissioner**

### ***Staffing***

The Act provides for the Commissioner to make arrangements with the Secretary of the Department of Premier and Cabinet for State Service officers and employees to be made available to the Commissioner.

Until February 2004, the Secretary of the Department provided 16 staff to enable the Commissioner to fulfil the statutory requirements of the Office.

Following the delegation of some functions to the Department of Premier and Cabinet, the number of employees provided to the State Service Commissioner was reduced to six. For administrative purposes, these staff remain employees of the Department of Premier and Cabinet.

The remaining staff, together with staff from the former Office of Industrial Relations (Department of Justice and Industrial Relations) are now located in the Division of Industrial Relations and State Service Management (Department of Premier and Cabinet).

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## State Service Principles and Code of Conduct

The State Service Principles are the cornerstone of the *State Service Act 2000*. The Principles provide a statement as to both the way that employment is managed in the State Service, and the standards expected of those who work within it.

All employees are required to comply with and uphold the Principles, and Heads of Agency are also required to promote the Principles.

The Principles incorporate a number of inter-related themes:

- merit and opportunity;
- equity and diversity;
- performance management;
- leadership and development;
- ethics and accountability, including fair and impartial service to the community; and
- a fair, flexible, safe and rewarding workplace.

The State Service Code of Conduct (which is contained in section 9 of the Act) reinforces and upholds the Principles by establishing standards of behaviour and conduct that apply to all employees and officers, including Heads of Agency.

### *Promoting the State Service Principles and Code of Conduct*

The results of the *Tasmanian State Service Agency Survey 2004* indicate that most Agencies have strategies in place to ensure that all employees are familiar with the State Service Principles and the Code of Conduct.

Most Agencies incorporate the Principles and Code of Conduct in Statements of Duty and provide information to new employees as part of the induction process.

The Department of Treasury and Finance requires new employees to formally agree to act in accordance with the Code of Conduct, and reminds existing employees about the requirements of the Code as part of performance management discussions that take place twice a year.

Most Agencies publicise the Principles and Code on their Agency intranet site and some, such as the Department of Health and Human Services, Department of Justice and TAFE, also published articles about the Principles and Code in Agency newsletters.

During the reporting period the Departments of Health and Human Services; Infrastructure, Energy and Resources; Justice; Primary Industries, Water and Environment; and Police and Public Safety also ran awareness/education/information sessions for employees, supervisors and managers about the requirements of the State Service Principles and the Code of Conduct. In the case of the Department of Police and Public Safety, information about the Principles and Code comprises a component of the development courses provided at the Police Academy.

All Agencies that conducted activities to promote the Principles and Code felt that they were successful to some extent in ensuring understanding of the issues covered.

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## Merit and Opportunity

The Principles state that the State Service is a public service:

- in which employment decisions are based on merit;
- that utilises the diversity of the community it serves;
- that promotes equity in employment; and
- where members of the community are provided with reasonable opportunity to apply for State Service employment.

Employment decisions must be based on merit and made in accordance with the legislative requirements and Commissioner's Directions. Section 7(2) of the Act provides that a decision relating to employment is based on merit if:

- an assessment is made of the relative suitability of the candidates for the duties;
- the assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required for the duties;
- the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the duties; and
- the assessment is the primary consideration in making the decision.

### *Promoting the merit principle*

Agencies responding to the *Tasmanian State Service Agency Survey 2004* described a range of activities that they undertake to ensure that all employees are familiar with the merit principle. These include:

- providing electronic or hard-copy information on the merit principle to selection panel members;
- provision of guidelines for selection panel members;
- providing training for panel members on the merit principle, or encouraging them to attend the The Training Consortium's *Finding Merit in the Selection Process* course; and
- raising employees' general awareness of the merit principle through the provision of information (on Agency intranets and in newsletters, etc.) on the topic and holding information sessions.

### *Advertisement of State Service vacancies at www.jobs.tas.gov.au*

The jobs.tas.gov.au employment portal supports the State Service Commissioner's merit protection role by facilitating broad access to up-to-date information about jobs in the State Service, thus helping to provide a reasonable opportunity for members of the community to apply for State Service employment.

The site also contributes to the achievement of Tasmania *Together* Goal 16, which aims to increase job opportunities and meaningful work in Tasmania.

**Table 1. Vacancies advertised at www.jobs.tas.gov.au**

AGENCY	2001-02	2002-03	2003-04
Dept. of Economic Development	-	24	77
Dept. of Education	363	339	329
Dept. of Health and Human Services	1119	1206	1388
Dept. of Infrastructure, Energy and Resources	140	152	145
Dept. of Justice	83	94	117
Dept. of Police and Public Safety	63	57	54
Dept. of Premier and Cabinet	64	39	43
Dept. of Primary Industries, Water and Environment	279	242	215
Dept. of State Development	116	-	-
Dept. of Tourism, Parks, Heritage and the Arts	-	98	98
Dept. of Treasury and Finance	88	81	90
Port Arthur Historic Site Management Authority	8	9	28
Statutory Office Holders	-	-	2
Tasmanian Audit Office	10	5	5
TAFE Tasmania	117	119	123
Tasmanian Grain Elevators Board	0	0	-
The Public Trustee	7	12	14
<b>TOTALS</b>	<b>2457</b>	<b>2477</b>	<b>2728</b>

The number of vacancies advertised at www.jobs.tas.gov.au increased significantly during the reporting period. The site averaged 39,400 visits each month, which correlates to about 340,000 pages being viewed monthly.

The site features integrated distinctive branding and intuitive design, and is one of the most popular websites within the State Service.

The jobs portal is managed by the Division of Industrial Relations and State Service Management.

### *Advertisement of senior executive vacancies*

The *Tasmanian State Service Agency Survey 2004* indicates that during the reporting period 35 senior executive positions were advertised across 10 Agencies.

Seven senior executive vacancies were advertised only in the Tasmanian Government Gazette and on the job-site. Thirty-eight applications were received, 11 of which were from people working within the Agency advertising the vacancy, six from persons outside the Agency but within the State Service, and 21 from people outside the State Service. All the vacancies were filled by people working within the Agency that advertised the vacancy.



Nine vacancies were advertised in the Tasmanian Government Gazette, on the job-site and in the Tasmanian press. 121 applications were received, 24 of which were from employees working within the Agency advertising the vacancy, 14 from State Service employees working in other State Service Agencies, and 83 from persons outside the State Service. Three vacancies were filled from within the Agency advertising the vacancy, one was filled by a State Service employee employed in another Agency, and two were filled by persons from outside the State Service. Two of the advertised vacancies had not been filled at the time Agencies responded to the Survey.

19 senior executive vacancies were advertised in the national or international press. 375 applications were received, 45 of which were from inside the Agency advertising the vacancy, 39 from State Service employees working outside the Agency that advertised the vacancy, and 291 from people outside the State Service. Seven vacancies were filled from inside the Agency, one by another State Service employee, and six by persons from outside the State Service. Five of the advertised vacancies had not been filled at the time Agencies responded to the Survey.

### *Promotion without advertising*

It is the fundamental position of the Office of the State Service Commissioner that, in order to uphold the merit principle, permanent vacancies should normally be publicly notified and filled on the basis of merit. It is recognised, however, that special circumstances may exist that warrant the promotion of a permanent employee without advertising.

Accordingly, section 40 of the Act allows a Head of Agency to seek the approval of the Commissioner to promote an employee without advertising the duties. The Commissioner may grant the request if he is satisfied that:

- special circumstances exist that warrant promotion without advertising; and
- not advertising the duties is consistent with the merit principle.

**Table 2. Promotions without advertising - 1 July 2003 – 30 June 2004**

AGENCY	B/F <sup>1</sup>	Received	Approved	Not Approved	C/F <sup>2</sup>
Dept. of Health and Human Services	-	31	31	-	-
Dept. of Education	-	1	1	-	-
Dept. of Justice	-	2	2	-	-
Dept. of Primary Industries, Water and Environment	-	1	1	-	-
Dept. of Tourism, Parks, Heritage and the Arts	-	10	6	4	-
TAFE Tasmania	-	3	3	-	-
<b>TOTALS</b>	-	<b>48</b>	<b>44</b>	<b>4</b>	-

The application of a strict test as to the existence of special circumstances sufficient to warrant promotion without advertising has resulted in a significant decrease in approvals since the commencement of the Act, as reflected in the following statistics:

- 2000/2001 748 approvals
- 2001/2002 118 approvals
- 2002/2003 41 approvals
- 2003/2004 44 approvals

### *Conversion of fixed-term employees to permanent status*

Section 37(4) of the Act authorises the Minister, on the recommendation of the Commissioner, to change an employee's status from fixed-term to permanent.

Requests for conversion must be submitted through the relevant Head of Agency.

The process for conversions is set down in Commissioner's Direction No.1 of 2001.

<sup>1</sup> Brought Forward

<sup>2</sup> Carried Forward

**Table 3. Conversions – fixed-term to permanent - 1 July 2003 – 30 June 2004**

AGENCY	B/F	Received	Approved	Not Approved	C/F
Audit Office		1	1	-	-
Dept. of Economic Development		2	1	1	-
Dept. of Health and Human Services	8	55	57	6	-
Dept. of Infrastructure, Energy and Resources		1	1	-	-
Dept. of Education	5	65	37	25	8
Dept. of Justice		39	39	-	-
Dept. of Premier and Cabinet		2	2	-	-
Dept. of Primary Industries, Water and Environment		4	3	1	-
Dept. of Tourism, Parks, Heritage and the Arts	8	19	24	3	-
Port Arthur Historic Site Management Authority		6	6	-	-
Dept. of Police and Public Safety	4	9	13	-	-
TAFE Tasmania		2	1	1	-
<b>TOTALS</b>	<b>25</b>	<b>205</b>	<b>185</b>	<b>37</b>	<b>8</b>

The reason that requests for conversion were not approved was that they did not satisfy the criteria for conversion provided in Commissioner's Direction No.1 of 2001 and were therefore not supported by their Agency.

As indicated below, the number of applications dealt with this year is significantly less than in the previous two reporting periods:

- 2001-2002 - 749 applications received (87% of which were approved);
- 2002-2003 - 613 applications dealt with (79% of which were approved); and
- 2003-2004 - 230 applications dealt with (80% of which were approved).

The reason for the reduction in conversions during this reporting period is that, in 2001/2002 and 2002/2003, the Department of Education and the Department of Health and Human Services undertook specific strategies to convert long-standing, fixed-term employees to permanent status. These programs did not continue at the same level during the last reporting period.

### *Fixed-term employment registers*

A significant number of fixed-term employment registers have been established or re-established during the year. The registers provide opportunity for members of the community to gain access to fixed-term employment; facilitate merit-based selection of fixed-term employees; and are administratively efficient for Agencies. Employment registers operating during the reporting period cover the following areas:

- teachers, guidance officers, speech pathologists and social workers;
- tutors, technical employees, operational employees, child-care workers, examination supervisors, computer services officers, support services workers;
- nurses, physiotherapists, medical practitioners, scientists, pharmacists, podiatrists, diagnostic radiographers, occupational therapists, orthotists, radiation therapists, dieticians and youth workers;
- transcription typists, judges' attendants and security officers;
- administrative trainees, assistants and voice communications officers;
- Aboriginal employment;
- scientific disciplines, including: Agricultural Science, Applied Science, Aquaculture, Biology, Botany, Engineering, Entomology, Environmental Science, Environmental Management, Environmental Studies, Marine Ecology, Marine Science, Medical Laboratory Science, Microbiology, Natural Resource Management, Plant Pathology, Plant Science, Soil Science, Veterinary Science and Zoology;
- track workers, field assistants; and
- Project Hahn instructors, gallery assistants, familiarisation coordinators and travel consultants.

### *Priority Placement Register*

During the reporting period a Priority Placement Register (the Register) was maintained by the State Service Commissioner, comprising names of permanent employees who have been made available for redeployment by a Head of Agency.

An employee can be listed on the Register for a period of up to 12 months. If the Commissioner considers the employee capable and competent to perform the duties of any vacant position that a Head of Agency is seeking to fill, the Commissioner may transfer the employee to that position. Employees who are considered to be potentially surplus to the requirements of an Agency can also be placed on the Register. The 12-month time limit does not, however, apply to employees who are potentially surplus, and therefore priority is given to redeploying employees who have been formally made available for redeployment.

If, at the expiration of 12 months from the date of placement on the Register, an employee has not been transferred, or otherwise had their name removed from the Register, the Act requires that the Commissioner advise the Head of Agency. The Head of Agency may then call on the employee to resign or retire from the State Service or request the Minister to terminate the employment of the employee in accordance with the requirements of the Act.

During the reporting period, there were four potentially surplus employees listed on the Priority Placement Register for redeployment to vacancies in the State Service. Two employees were subsequently removed from the Register following their resignation to pursue employment options outside the State Service. One employee has been redeployed this year.

## Equity and Diversity

The State Service Principles demand a workplace that is free from discrimination and recognises and utilises the diversity of the community it serves.

Section 34(1)(h) of the Act requires all Heads of Agency to develop a workplace diversity program, and Commissioner's Direction 3/2002 sets out the essential requisites with which Agency workplace diversity programs must comply.

At a minimum, Agencies' workplace diversity programs must support officers and employees in balancing their work and family responsibilities, and address employment-related disadvantage on the basis of gender, race, disability, sexuality, age, linguistic or cultural background, or being an indigenous Australian.

In addition to the requirements of the Act and the Commissioner's Direction, Tasmania *Together* Goal 15, Indicator 1.1 establishes goals for the employment of people under 29 years of age, whilst Goal 10, Indicator 2.2 establishes goals for the number of Aboriginal people employed in the Tasmanian State Service.

### *Development of Agency diversity programs*

Responses to the *Tasmanian State Service Agency Survey 2004* indicate that 11 out of the 15 Agencies surveyed have developed a workplace diversity program, and that nine of those 11 Agencies reviewed or evaluated their program during the reporting period.

Three of the Agencies surveyed are yet to develop a diversity program, and a fourth Agency has indicated that it is in the process of finalising its program.

State Service Agencies introduced a range of diversity initiatives during the reporting period including:

- providing a range of family-friendly and flexible workplace practices (as detailed later in the report);
- conducting awareness-raising seminars and workshops in relation to discrimination, harassment and diversity issues;
- providing e-based and hard-copy promotional information about the value of workplace diversity;
- ensuring that all departmental programs and policies reflect a commitment to valuing diversity;
- providing work-experience placements for people from diverse cultural and linguistic backgrounds and people with a disability;
- providing workshops for managers about how to build managing for diversity into the business planning process;
- delivering activities to raise awareness about the value of cultural diversity;
- providing training, information and support to harassment and Discrimination and Harassment Contact Officers;
- providing Aboriginal traineeships; and
- providing traineeships, cadetships and graduate recruit employment opportunities for young people.

### *Whole of Government diversity initiatives*

The Division of Industrial Relations and State Service Management has a role in ensuring that the State Service is free from discrimination and harassment, and in assisting Agencies to develop workplace diversity programs that meet business needs and comply with Commissioner's Direction No.3 of 2002.

A number of programs and strategies have been put in place by Government to meet these obligations.

### ***Recruitment of young people***

Agencies are encouraged to recruit and develop young people by utilising traineeships, apprenticeships and cadetships or the Graduate Recruitment/Administrative Trainee classification. Employment at the Graduate Recruit/Administrative Trainee level is supported by a structured training and development program offered through the The Training Consortium.

During the period 1 July 2003 to 30 June 2004, 1145 young people under 29 years of age were recruited into the State Service<sup>3</sup>.

### ***Employment of Aboriginal people***

Section 18(1)(l) of the Act provides that the Commissioner may determine requirements for the employment of employees or groups of employees.

Where a Head of Agency wishes to specify essential requirements other than those specified in an award, including requirements relating to Aboriginal-identified positions, they must first obtain the approval of the Commissioner, in accordance with Commissioner's Direction No.1 of 2001.

The Aboriginal Employment Policy Guidelines create two types of essential requirements:

- **Identified positions.** These are positions in which the Aboriginal community is the major client group. The positions involve working with Aboriginal clients; providing a service to Aboriginal clients; and/or developing policy or programs that have an impact on the Aboriginal community. Aboriginality is an essential requirement for these positions.
- **Tagged positions.** Part of the work of these positions involves working with Aboriginal clients; providing a service to Aboriginal clients; and/or developing policy and programs that have an impact on the Aboriginal community. An essential requirement for 'tagged positions' is "An ability to communicate effectively and sensitively with Aboriginal and Torres Strait Islander peoples and a knowledge and understanding of contemporary Aboriginal culture and society". Aboriginality is not an essential requirement for 'tagged positions'.

The Division of Industrial Relations and State Service Management has responsibility for the *Aboriginal Employment Policy Guidelines*. The Guidelines are currently under review.

In the last reporting period, the State Service Commissioner approved 8 additional identified positions under this program.

### ***Work Placement Program – people from diverse cultural and linguistic backgrounds***

The State Service *Work Placement Program* was launched in June 2003. The Program, administered by the Division of Industrial Relations and State Service Management in conjunction with Multicultural Tasmania, is designed to promote cultural awareness and diversity within State Service Agencies and to provide useful work-experience opportunities within the State Service for identified groups in the Tasmanian community.

Following the success of the 2003 program, two further programs were successfully completed in 2004. The first program was held in February 2004 and placed twelve participants (primarily University students from the Sudan and Sierra Leone) in a number of State Service Agencies. The June program, which ran from 28 June to 9 July, successfully placed thirteen humanitarian entrants from a range of backgrounds. Participating Agencies included the Department of Premier and Cabinet, the Department of Police and Public Safety, the Department of Education, TAFE Tasmania, the Department of Economic Development and the Department of Health and Human Services.

The 2004 programs incorporated an information session held at the Division of Industrial Relations and State Service Management, where participants heard presentations from the Anti-Discrimination Commission and Multicultural Tasmania, as well as information on applying for employment in the State Service. The June program also included a mock application and interview process to assist participants with their job application skills. Participants will receive a formal certificate of participation at a function to be held late in 2004.

The feedback received from participants and Agencies has been extremely positive regarding the value of the program, and it is intended that the work placement be extended to involve local government in 2005.

<sup>3</sup> Statistics are now collected for young people under 29 years of age in line with the benchmark requirements of Tasmania Together. Previously, statistics were collected in relation to the recruitment of people under 25 years of age.

***People with a disability***

The Division of Industrial Relations and State Service Management is currently developing a trial program focusing on the employment of persons with disabilities.

The objectives of the trial include:

- increasing State Service employees' awareness of the skills and capabilities of people with disabilities;
- dispelling a range of myths regarding the employment of people with disabilities;
- increasing the potential for people with disabilities to obtain ongoing employment in the State Service; and
- the identification of any systematic challenges for people with disabilities to gain employment in the State Service (eg the selection process).

***Women in senior management positions***

Women comprise 66.6% of employees in the State Service. However, they remain under-represented in senior management roles, including Heads of Agency and senior executives.

**Table 4. State Service officers<sup>4</sup> – by gender 2001-2004**

YEAR ENDING	Male	Female	Total	% Female
30 June 2001	151	49	200	24.5%
30 June 2002	151	50	201	24.9%
30 June 2003	167	55	222	24.7%
30 June 2004	173	54	227	23.8%

State Service Agencies have introduced a range of initiatives designed to assist men and women balance work and caring responsibilities, and these are outlined later in the report.

A range of leadership development programs are provided by The Training Consortium and State Service Agencies (see following sections for details).

**Performance Management**

The State Service Principles incorporate a focus on managing performance and achieving results.

Section 34(1)(g) of the Act requires Heads of Agencies to develop and implement systems to evaluate the performance of employees, and Commissioner's Direction No.4 of 2002 establishes the minimum standard for such systems.

***Performance management systems within Agencies***

The *Tasmanian State Service Agency Survey 2004* indicates that, whilst most Agencies have developed performance management systems, the extent to which the systems have been implemented varies greatly.

The Department of Treasury and Finance, the Department of Police and Public Safety and the Retirement Benefits Fund Board report that all of their employees underwent a formal performance evaluation process in 2003/2004.

Survey responses indicate that between 2.2% and 94% of staff from the Departments of Economic Development; Education; Infrastructure, Energy and Resources; Premier and Cabinet; Primary Industries, Water and Environment; Health and Human Services; and Justice; and TAFE; the Port Arthur Historic Site Management Authority; and the Tasmanian Audit Office participated in formal performance evaluation during the reporting period.

The Public Trustee and the Department of Tourism, Parks, Heritage and the Arts each developed a performance management system during the reporting period.

When surveyed, the Departments of Justice; Economic Development; and Infrastructure, Energy and Resources were in the process of developing whole-of-Agency performance management systems.

Most Agencies provided employees with training or information pertaining to their performance management systems. Activities undertaken included:

- information provided as part of the induction process (Department of Education, Port Arthur Historic Site Management Authority, Department of Treasury and Finance); and
- formal training and development or awareness sessions (Department of Infrastructure, Energy and Resources; Department of Primary Industries, Water and Environment; Department of Tourism, Parks, Heritage and the Arts; Department of Premier and Cabinet; Department of Police and Public Safety; The Public Trustee; and the Retirement Benefits Fund Board).

All Agencies except two indicated that they were in the process of reviewing or evaluating their performance management system.

<sup>4</sup> State Service officers include Heads of Agency & senior executives

## Leadership and Development

The State Service Principles include a commitment to developing leadership of the highest quality.

Tasmania *Together* Goal 15, Indicator 3.2 aims to improve the standard of government strategic planning processes at all levels of government by providing a range of leadership development opportunities.

### *Agency leadership and development initiatives*

The results of the *Tasmanian State Service Agency Survey 2004* indicate that all of the 15 Agencies surveyed provide leadership development programs for employees.

Leadership and development initiatives that have taken place within Agencies during the reporting period include:

- providing access to structured training (through TAFE Tasmania, universities, The Training Consortium and other providers), conferences and seminars;
- coaching and mentoring;
- secondments and transfers; and
- training for senior managers and potential senior managers.

Nine Agencies reviewed or evaluated their leadership development program during the reporting period. In several cases, the review process has resulted in the development of a more structured leadership development framework.

210 employees participated in secondments to external organisations or voluntary transfers between State Service Agencies during the reporting period. 12 employees were seconded into the State Service from external organisations.

Survey responses indicate that seven Agencies have a structured training and development program in place, and that six Agencies have undertaken a process for identifying training needs.

### *State Service Graduate Training and Development Program*

The *Tasmanian State Service Agency Survey 2004* indicates that 8 Agencies appointed Administrative Trainees (Graduate Recruits) during the reporting period, and that a total of 21 Graduate Recruits<sup>5</sup> were appointed across the State Service.

### *The Training Consortium*

The Training Consortium (TTC) is part of the Division of Industrial Relations and State Service Management. TTC brokers a wide range of training and development services on a contract management basis, to provide learning and development programs and events throughout Tasmania for its member organisations. The Consortium was established in 1998 and has grown from 4 member organisations to 23, including Agencies from the Tasmanian State Service, the Australian Public Service, local government, Government Business Enterprises, private organisations and the University of Tasmania.

Tasmania *Together* Goal 15, indicator 3.2 aims to improve the standard of government strategic planning processes at all levels of government by providing a range of leadership development opportunities. TTC has a role in achieving this benchmark through the number and variety of programs it offers member organisations.

TTC provides a diverse program of leadership programs, courses, workshops, information seminars and forums using local, national and international presenters. The program content is continually reviewed to ensure that the latest developments and best-practice standards are included.

TTC has established a number of working relationships in order to enhance the range and quality of training activities offered to its member organisations. A Memorandum of Understanding has also been signed with the Australian Public Service Commission, which will further enhance the variety and scope of both leadership and general training opportunities coordinated by TTC.

Statistical information about TTC's performance for the period 1 July 2003 to 30 June 2004 is provided below.

**Table 5. The Training Consortium - Programs 2003/2004**

Events Offered	Registrations Received	Training Days
198	2671	166

<sup>5</sup> It should be noted, however, that many other recent graduates were appointed to vacancies that were not classified as Administrative Trainee (Graduate Recruit) vacancies. Graduates are, for example, often employed in base-grade Professional Employee roles.

### ***Leadership programs***

Speakers for TTC's popular "Leadership in Action" series over the past year have included Professor Danny Samson, Andrew Podger, David Parkin, Moira Rayner, Tex Harris, Don Russell, Michael Jacobs, John Menadue and Professor Geoffrey Blainey.

The University of Tasmania's School of Government offers a Graduate Public Policy Program. This program, culminating in a Master of Public Policy is promoted by TTC as a key element of its overall leadership package.

### ***Public Sector Management Program***

TTC co-ordinates the Public Sector Management Program (PSMP) in Tasmania. The PSMP is a joint Commonwealth/State/Territory venture accredited at Postgraduate Certificate level through four universities. It is targeted at middle managers in State, Commonwealth and local government sectors and takes some 18 months to complete. Sixteen participants graduated in July 2003 and a new Program commenced in October 2003 with 27 participants. A graduation ceremony was held in July 2004, at which 25 program participants graduated.

### ***State Service Graduate Training and Development Program***

TCC co-ordinates a Graduate Training and Development Program designed to equip graduate recruits with relevant concepts and experience to allow them to operate effectively in the public sector environment.

The Program offers a comprehensive and challenging range of workshops and information sessions and is open to participants from across the State Sector to maximise networking opportunities for graduates and other new employees. 164 people participated in 13 events, but it is difficult to determine how many of the attendees were Graduate Recruits.

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## **Ethics and Accountability**

The State Service is a public service that:

- is apolitical, performing its functions in an impartial, ethical and professional manner;
- is accountable for its actions and performance, within the framework of Ministerial responsibility, to the Government, the Parliament and the community;
- is responsive to Government in providing honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programs; and
- delivers services fairly and impartially to the community.

### ***Agency Customer Service Charters and customer service strategies***

The *Tasmanian State Service Agency Survey 2004* indicates that 10 of the 15 Agencies surveyed have a Customer Service Charter, and that employees in those Agencies are aware of their responsibilities under the Charter.

With one exception, Agency Customer Service Charters encourage the public to give feedback on the services provided.

Mechanisms employed to facilitate consultation and communication with the community and feedback on services provided include:

- the creation of working parties, advisory groups, consumer networks and reference groups to have input into the way that services are provided;
- encouraging feedback on services via web pages and hard-copy comment forms;
- industry surveys and customer surveys; and
- customer focus groups.

### ***Partnership between State Government and the community***

The Division of Industrial Relations and State Service Management is a participant in a range of Partnership Agreements that have been forged between the State Government and local councils, and between the State Government and the Local Government Association of Tasmania (LGAT). These Agreements facilitate liaison, engagement and transfer of skills between different levels of Government.

The Division is also a participant in the State Government's Partnership Agreement with the University of Tasmania, which focuses on skills development, training and staff exchanges.

The Partnership Agreements with the LGAT and the University of Tasmania are currently under review.

## Providing a Fair, Flexible, Safe and Rewarding Workplace

The Principles foster a State Service that:

- establishes workplace practices that encourage communication, consultation, cooperation and input from employees on matters that affect their work and workplace; and
- provides a fair, flexible, safe and rewarding workplace.

Tasmania *Together* Goal 16 focuses on increasing job opportunities and meaningful work in Tasmania, and one of the benchmarks pertaining to this Goal is the proportion of employees with flexible leave options.

### *Flexible working arrangements*

Results of the *Tasmanian State Service Agency Survey 2004* indicate that all Agencies have flexible working arrangements in place, and that around half of the Agencies surveyed reviewed or evaluated their practices in relation to flexible work arrangements during the reporting period.

Six Agencies introduced new, flexible working arrangements for employees returning to work following maternity leave, and four Agencies reviewed their part-time work policies or guidelines.

Examples of new initiatives undertaken by State Service Agencies during the reporting period include:

- Reviewing 'Work and Family', 'Flexible Working Arrangements' and 'Maternity Leave' policies, and offering employees the opportunity to request a decrease or increase in the number of hours they work (Dept. of Education).
- Developing new 'Part-time Work Guidelines' and 'Balancing Work and Caring Information and Guidelines', and incorporating a 'Reasonable Hours of Work' clause in the 'Hours of Work Guidelines' (Dept. of Primary Industries, Water and Environment).
- Developing an 'Hours of Work' policy (incorporating the use of flexitime) to facilitate flexible working arrangements (Dept. of Tourism, Parks, Heritage and the Arts).
- Developing 'Guidelines on Flexitime and Time Off in Lieu' (Dept. of Economic Development).
- Redrafting 'Work and Family (including Work and Breastfeeding)' Guidelines, and surveying employees in identified work areas to ascertain work/life balance needs. Incorporating a range of provisions including a review of rostering practices, a reasonable hours of work clause and family-friendly working arrangements into Industrial Agreements drafted during the reporting period (Dept. of Health and Human Services).
- Developing a 'Maintaining Contact Program' aimed at employees on long-term leave (Dept. of Police and Public Safety).
- Promoting greater flexibility in the way that positions are advertised – indicating that full-time or part-time employment would be considered for some positions (TAFE Tasmania and Dept. of Primary Industries, Water and Environment).
- Trialling a job-sharing arrangement (Port Arthur Historic Site Management Authority).
- Providing graduated return to work (including working from home) for employees returning after maternity leave (Dept. of Infrastructure, Energy and Resources).

The Department of Justice has a Flexible Work Practices Policy in place, and the Department of Police and Public Safety has a well-established Flexible Employment Working Group.

The availability and uptake of flexible work options appear to be increasing across the State Service.

**Table 6. Utilisation of flexible work options**

FLEXIBLE WORK OPTION	2001/2002	2002/2003	2003/2004
Employees who reduced their hours of work from full-time to part-time.	384	422	406
Employees who participated in the State Service Accumulated Leave Scheme (SSALS) <sup>6</sup>	53	59	77
New applications to participate in SSALS	23	26	38
Employees who took paid maternity leave	430	441	484
Employees who took paid or unpaid adoption leave	1	7	5
Employees using salary sacrifice arrangements	-	-	1648

<sup>6</sup> The SSALS scheme allows employees to in effect 'buy' extra leave over an agreed period of time by working their normal hours at a reduced rate. This allows employees to 'bank' or 'buy' extra days of leave which are then taken at an agreed time.



### *Internal grievance resolution processes*

Section 34(1)(j) of the Act requires Heads of Agencies to develop and implement an internal grievance resolution system for their Agency<sup>7</sup>.

The *Tasmanian State Service Agency Survey 2004* indicates that 14 out of 15 Agencies surveyed have internal grievance resolution procedures in place, and that approximately half of these Agencies reviewed or evaluated their procedures during the reporting period.

One Agency is yet to develop an internal grievance resolution system.

Survey responses indicate that information about internal grievance resolution procedures is commonly provided to new employees as part of the induction process for new employees. Most Agencies' intranet sites also provide information about internal grievance resolution procedures.

During the reporting period, some Agencies (including the Dept of Health and Human Services; Dept of Justice; and Dept of Primary Industries, Water and Environment) also raised awareness of their grievance resolution procedures via information and education sessions. Agencies such as TAFE Tasmania and the Dept of Justice published information about their procedures in their Departmental newsletters and bulletins.

Agencies reported that 60 employees had utilised internal grievance resolution procedures during the reporting period, down from 109 in 2002/2003 and 84 in 2001/2002. It should be noted, however, that the Department of Health and Human Services (DHHS) was unable to provide an indication of how many employees had utilised its internal grievance resolution system during the reporting period. DHHS indicates that it is currently putting in place a system for capturing this information.

Self-reporting by other Agencies indicates that allegations of bullying, harassment and discrimination give rise to the greatest number of grievances.

**Table 7. Types and number of issues addressed through Agencies' internal grievance resolution procedures\***

TYPE OF GRIEVANCE	Number
Recruitment/selection/appointment	3
Performance management	10
Alleged harassment/bullying/discrimination	28
Higher duties/fixed-term appointments	1
Re-assignments/transfers	2
Management decisions	12
Other	4
<b>TOTAL</b>	<b>60</b>

\*DHHS does not maintain a record of the number or nature of internal grievances.

Self-reporting by Agencies indicates a steady increase in the proportion of matters satisfactorily resolved by internal grievance resolution procedures.

**Table 8. Resolution of grievances within Agencies\***

OUTCOME	2001/2002		2002/2003		2003/2004	
	Number	% total	Number	% total	Number	% total
Satisfactorily resolved	46	55%	65	60%	37	62%
Withdrawn	15	18%	23	21%	1	2%
Still pending	23	27%	19	17%	17	28%
Not resolved	-	-	2	2%	5	8%
<b>TOTALS</b>	<b>84</b>		<b>109</b>		<b>60</b>	

\*DHHS does not maintain a record of the number or nature of internal grievances.

<sup>7</sup> It should be noted that there is no capacity for Agencies to conduct internal reviews of decisions made in relation to the selection of a person to fill a permanent vacancy in the State Service. These reviews are conducted by the State Service Commissioner under section 50(1)(a) of the Act.

## Commissioner's Reviews

### Reviews of selection decisions and other State Service actions

Under section 50(1)(a) and (b) of the *Act*, an employee is entitled to request the State Service Commissioner to review:

- 50(1)(a) The selection of a person or an employee to perform duties other than duties to be performed for a specified term or for the duration of a specified task; or
- 50(1)(b) Any other State Service action (excluding termination of employment) that relates to his or her employment in the State Service.

An employee is not entitled to make an application for a review under subsection (1)(a) unless that employee was an applicant for the duties to which the appointment or promotion relates.

The Commissioner may:

- refuse to grant the application for a review and direct the Head of Agency to take such action as the Commissioner considers appropriate; or
- in the case of an application for a review of a selection decision (section 50(1)(a)), grant the application and direct the Head of Agency to undertake the selection process again in accordance with the provisions of section 39 of the Act, and undertake such other requirements as are imposed by the Commissioner; or
- in the case of an application for a review of another State Service action (section 50(1)(b)), grant the application and recommend or direct the Minister or the Head of Agency, or any person to whom the powers of the Minister or Head of Agencies have been delegated to take such action as the Commissioner considers appropriate.

**Table 9. Selection reviews (section 50(1)(a)) for the period 1 July 2003 – 30 June 2004**

AGENCY	B/F	Applications Received	Granted	Not Granted	Resolved	W'drawn	C/F
Dept. of Health and Human Services	1	18	2	7	4	3	3
Dept. of Education	-	11	2	3	5	1	-
Dept. of Primary Industries, Water and Environment	-	6	1	1	2	1	1
Dept. of Tourism, Parks, Heritage and the Arts	-	4	-	2	-	1	1
Dept. of Police and Public Safety	-	1	-	-	1	-	-
The Public Trustee	-	2	-	1	1	-	-
TAFE Tasmania	-	2	-	1	1	-	-
<b>TOTALS</b>	<b>1</b>	<b>44</b>	<b>5</b>	<b>15</b>	<b>14</b>	<b>6</b>	<b>5</b>

44% of the matters brought before the Commissioner for review under section 50(1)(a) were resolved through a consultation process or withdrawn prior to determination. In 11% of the cases that proceeded to determination, the Commissioner found in favour of the party that requested the review.

**Table 10. Reviews of other State Service actions (section 50(1)(b)) for the period 1 July 2003 – 30 June 2004**

AGENCY	B/F	Applications Received	Granted	Not Granted	Resolved	W'drawn	C/F
Dept. of Health and Human Services	3	24	1	-	23	1	2
Dept. of Infrastructure, Energy and Resources	-	1	-	-	-	-	1
Dept. of Education	2	4	-	1	5	-	-
Dept. of Justice	-	2	-	-	2	-	-
Dept. of Primary Industries, Water and Environment	3	2	-	-	4	-	1
Dept. of Tourism, Parks, Heritage and the Arts	-	1	-	-	-	-	1
Tasmania Fire Service	-	3	-	-	3	-	-
<b>TOTALS</b>	<b>8</b>	<b>37</b>	<b>1</b>	<b>1</b>	<b>37</b>	<b>1</b>	<b>5</b>

84% of the reviews brought before the Commissioner under section 50(1)(b) were resolved through a consultation process or withdrawn prior to determination.

## Commissioner's Determinations

### *Alleged breaches of the State Service Code of Conduct*

The State Service Code of Conduct reinforces the State Service Principles by establishing the conduct required of all State Service employees, officers and Heads of Agency. The Code of Conduct (the Code) is found in section 9 of the Act.

Commissioner's Direction No.5 of 2002, *Procedures for Investigation and Determination of Whether an Employee has Breached the Code of Conduct*, establishes the process for investigating whether an employee (including a senior executive) may have breached the Code. The Direction requires that, where following an investigation by the Agency a Head of Agency is of the view that an employee may have breached the Code, the matter may be referred to the Commissioner for determination.

Commissioner's Direction No.5 of 2002 also sets out the process that the Commissioner is to follow in determining whether a breach of the Code has occurred.

If it is determined that an employee or senior executive has breached the Code, the Minister (or his or her delegate) may impose one or more of the sanctions outlined in section 10 of the Act.

Commissioner's Direction No.5 of 2002 does not apply in respect of alleged breaches of the Code by Heads of Agencies. Section 18(1)(f) of the Act provides that the Commissioner is to investigate alleged breaches of the Code by Heads of Agencies and to report to the Premier on the results of such investigations.

Unsatisfactory employee performance, including minor deviations from the standards of behaviour and conduct set down in the Code may be managed within Agencies without the need for formal investigation and determination processes as set out above.

**Table 11. Determinations in relation to alleged breaches of the State Service Code of Conduct, 1 July 2003 – 30 June 2004**

AGENCY	B/F	Referrals Received	Breach	No Breach	Resolved	C/F
Dept. of Health and Human Services	1	1	1	-	-	1
Dept. of Education	1	2	2	-	1	-
Dept. of Justice	-	1	-	-	1	-
Dept. of Primary Industries, Water and Environment	-	2	1	-	1	-
Dept. of Tourism, Parks, Heritage and the Arts	-	1	1	-	-	-
<b>TOTALS</b>	<b>2</b>	<b>7</b>	<b>5</b>	<b>-</b>	<b>3</b>	<b>1</b>

Over the three years since the commencement of the *State Service Act 2000*, there has been a downward trend in the number of matters referred to the Commissioner for determination under the Code of Conduct provisions.

However, there has been an increase in the proportion of cases where the Commissioner has determined that a breach of the Code has occurred. In 2001/2002, the Commissioner determined that a breach had occurred in 25% of the cases referred to him. In 2002/2003, the Commissioner found that a breach had occurred in relation to 42% of matters referred to him. In 2003/2004, a breach was determined in 55% of cases referred for determination.

### *Alleged inability to perform duties*

Section 48 of the Act provides a range of actions that can be taken by the Minister (or his delegate) if it is determined that an employee is unable to efficiently and effectively perform their duties.

Commissioner's Direction No.6 of 2002, *Procedures for Investigation and Determination of Whether an Employee is Able to Efficiently and Effectively Perform their Duties* sets out the procedure for the investigation and determination of alleged inability.

The Commissioner did not deal with any inability cases during the reporting period.

### **Termination of Employment**

The Act gives the Minister the power to terminate the employment of permanent employees (section 44) and fixed-term employees (section 45). The employment of a permanent employee may be terminated:

- if they are found to have breached the Code of Conduct;
- if they are found to be unable to efficiently and effectively perform their duties;
- if they are surplus to the requirements of their Agency and no alternative duties can be found for them within a 12-month period;
- on any other grounds prescribed in the Regulations.

Regulation 36 provides for the termination of a permanent employee who has abandoned their employment. An employee who is absent from duty for a period of 14 days without notifying his or her Head of Agency is taken to have abandoned his or her employment.

Regulation 36 also provides for the termination of a permanent employee during probation.

Fixed-term employment may be terminated in accordance with the terms and conditions under which the employee is appointed.

The Minister has delegated the power to terminate both permanent and fixed-term employees to Heads of Agencies. Heads of Agencies are required to consult with the Division of Industrial Relations and State Service Management before exercising the delegation.

During the reporting period 9 permanent employees were terminated from the State Service for the following reasons:

- Termination of probationary employment (1 employee).
- Abandonment of employment (5 employees).
- Breach of the Code of Conduct (2 employees).
- Unable (within a 12-month period) to assign duties to an employee deemed surplus to Agency requirements (1 employee).

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## Other State Service Initiatives

### *Workforce Analysis Comparative Application (WACA)*

Workforce planning and profiling is a priority strategic issue for the State Service.

Tasmania continues to progressively move to join Queensland, Victoria, South Australia and New South Wales in utilising the Workforce Analysis Comparative Application (WACA), a web-based interjurisdictional data system jointly developed by Queensland and Victoria.

WACA will provide:

- reliable, whole-of-government human resource information on an as-required basis;
- a solid basis from which to perform data integration projects and develop performance measurement models;
- a national standard platform of consistent business rules and definitions on which to base whole-of-government reporting, which will assist in the successful delivery of business outcomes;
- a better understanding and more detailed picture of the Tasmanian State Service profile;
- benchmarking between State Service Agencies and other jurisdictions in Australia with regard to human resource management issues;
- a medium to perform workforce management and capability exercises; and
- a solid human resource profile, based on national standards, which can be integrated with other data sets.

There has been wide consultation undertaken with key stakeholders regarding the proposed direction for workforce profiling and planning in Tasmania. These discussions have indicated that, across the State Service, there is a significant level of support for the proposal. Testing of the application is currently under way and it is envisaged that Tasmania will “go live” on the WACA by December 2004.

### *Aurora payroll deductions*

The Premier approved the introduction of Aurora payroll deductions in early 2004. This system allows State Service employees to contribute a specific amount each fortnight to their next Aurora Energy electricity account. The regular deductions enable employees to plan their personal budgets more effectively.

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## Overview

Fifteen Agencies and Authorities have produced the following statistics on State Service Employment for the period ending 30 June 2004. The information was prepared by TMD (Department of Premier and Cabinet) from standard electronic data returns provided by the following Agencies and Authorities.

- Department of Health and Human Services (including the Tasmanian Fire Service)
- Department of Education
- Department of Primary Industries, Water and Environment
- Department of Justice
- Department of Police and Public Safety
- Department of Premier and Cabinet
- Department of Treasury and Finance
- Department of Infrastructure Energy and Resources, (including Private Forests)
- Department of Economic Development
- Department of Tourism, Parks, Heritage and the Arts
- Tasmanian Audit Office
- Port Arthur Historic Site Management Authority
- Retirement Benefits Fund Board
- TAFE Tasmania
- The Public Trustee

During the reporting period, the Tasmanian Grain Elevators Board (TGEB) ceased to be a Government Business Enterprise, and therefore employment statistics for the TGEB are not provided for the 2004 reporting period.

As at 30 June 2004 there were 24,820 people employed under the *State Service Act 2000*. The number of full time equivalent employees represented by this figure is 20,646.18.

At the end of the June 2004 quarter, the number of paid casual employees was 2,911.

## Definitions

The following definitions apply to subsequent Figures and Tables:

- *Officers* are appointed under Part 6 of the *State Service Act 2000* and include Heads of Agencies, Prescribed Office Holders and Senior Executives.
- *Permanent Employees* are appointed under Part 7 of the *State Service Act 2000*. Permanent employment is the usual form of employment in the State Service.
- *Fixed Term Employees* are appointed under Part 7 of the *State Service Act 2000* for a specified term or for the duration of a specified task.
- *Casual Employees* are included as fixed term employees and work on an “as and when required basis” and are paid a loaded rate in lieu of receiving leave entitlements.
- *Full Time Equivalents* provides a measure of the proportional number of employments where the hours engaged is expressed as a percentage of normal award full time hours.
- Headcount provides a measure of individual employments recorded at a specified date regardless of the hours employed.

## State Service Numbers

**Table 12. Headcount by Agency 30 June 2004**

Agency	Part 6	Permanent	Fixed Term	Total
Department of Economic Development	24	120	67	211
Department of Education	24	7471	2150	9645
Department of Health and Human Services (including Tasmania Fire Service)	58	7315	1751	9124
Department of Infrastructure, Energy & Resources (including Private Forests)	18	658	72	748
Department of Justice	12	647	133	792
Department of Police and Public Safety	3	390	59	452
Department of Premier and Cabinet	26	275	25	326
Department of Primary Industries, Water and Environment	18	1023	183	1224
Department of Tourism, Parks, Heritage and the Arts	15	490	195	700
Department of Treasury and Finance	18	263	42	323
Port Arthur Historic Site Management Authority	2	82	27	111
Retirement Benefits Fund Board	0	23	0	23
TAFE Tasmania	6	927	127	1060
Tasmanian Audit Office	2	32	0	34
The Public Trustee	1	41	5	47
<b>TOTALS</b>	<b>227</b>	<b>19757</b>	<b>4836</b>	<b>24820</b>



**Table 13. Headcount by Agency and Gender 30 June 2004**

Agency	Part 6		Permanent		Fixed Term		Gender Total		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Department of Economic Development	17	7	48	72	41	26	106	105	211
Department of Education	14	10	2014	5457	503	1647	2531	7114	9645
Department of Health and Human Services (including Tasmania Fire Service)	41	17	1988	5327	669	1082	2698	6426	9124
Department of Infrastructure, Energy and Resources (including Private Forests)	17	1	367	291	36	36	420	328	748
Department of Justice.	9	3	362	285	40	93	411	381	792
Department of Police and Public Safety	3	0	163	227	19	40	185	267	452
Department of Premier and Cabinet	19	7	115	160	9	16	143	183	326
Department of Primary Industries, Water and Environment	16	2	601	422	88	95	705	519	1224
Department of Tourism, Parks, Heritage and the Arts	13	2	244	246	73	122	330	370	700
Department of Treasury and Finance	14	4	130	133	14	28	158	165	323
Port Arthur Historic Site Management Authority	2	0	38	44	10	17	50	61	111
Retirement Benefits Fund Board	0	0	11	12	0	0	11	12	23
TAFE Tasmania	5	1	449	478	43	84	497	563	1060
Tasmanian Audit Office	2	0	21	11	0	0	23	11	34
The Public Trustee	1	0	21	20	3	2	25	22	47
<b>TOTALS</b>	<b>173</b>	<b>54</b>	<b>6572</b>	<b>13185</b>	<b>1548</b>	<b>3288</b>	<b>8293</b>	<b>16527</b>	<b>24820</b>

**Table 14. Full Time Equivalents by Agency 30 June 2004**

Agency	Part 6	Permanent	Fixed Term	Total
Department of Economic Development	24	116.06	65.5	205.56
Department of Education	24	6370.38	1384.83	7779.21
Department of Health and Human Services (including Tasmania Fire Service)	54.2	6030.44	1247.09	7331.73
Department of Infrastructure, Energy and Resources (including Private Forests)	18	582.26	66.37	666.63
Department of Justice	12	622.52	111	745.52
Department of Police and Public Safety	3	367.56	47.92	418.48
Department of Premier and Cabinet	25.8	259.32	22.53	307.65
Department of Primary Industries, Water and Environment	17.25	932.89	156.18	1106.32
Department of Tourism, Parks, Heritage and the Arts	15	438.68	172.56	626.24
Department of Treasury and Finance	17.88	252.57	40.25	310.7
Port Arthur Historic Site Management Authority	2	68.67	16.36	87.03
Retirement Benefits Fund Board	0	21.43	0	21.429
TAFE Tasmania	6	854.46	100.37	960.83
Tasmanian Audit Office	2	32	0	34
The Public Trustee	1	40.21	3.64	44.85
<b>TOTALS</b>	<b>222.13</b>	<b>16989.45</b>	<b>3434.6</b>	<b>20646.18</b>

**Table 15. Comparative Head Counts by Agency June 2003-June 2004**

Agency	Part 6		Permanent		Fixed Term		Total		Variation	
	Jun 03	Jun 04	Jun 03	Jun 04	Jun 03	Jun 04	Jun 03	Jun 04	Count	%
Department of Economic Development	22	24	103	120	91	67	216	211	-5	-2.31%
Department of Education	24	24	7407	7471	2058	2150	9489	9645	156	1.64%
Department of Health and Human Services (including Tasmania Fire Service)	53	58	7039	7315	1680	1751	8772	9124	352	4.01%
Department of Infrastructure, Energy and Resources (including Private Forests)	18	18	645	658	77	72	740	748	8	1.08%
Department of Justice	13	12	588	647	153	133	754	792	38	5.04%
Department of Police and Public Safety	3	3	383	390	44	59	430	452	22	5.12%
Department of Premier and Cabinet	23	26	270	275	18	25	311	326	15	4.82%
Department of Primary Industries, Water & Environment	16	18	1013	1023	162	183	1191	1224	33	2.77%
Department of Tourism, Parks, Heritage and the Arts	17	15	460	490	141	195	618	700	82	13.27%
Department of Treasury and Finance	17	18	262	263	35	42	314	323	9	2.87%
Port Arthur Historic Site Management Authority	2	2	84	82	18	27	104	111	7	6.73%
Retirement Benefits Fund Board	0	0	23	23	0	0	23	23	0	0.00%
TAFE Tasmania	5	6	930	927	106	127	1041	1060	19	1.83%
Tasmanian Audit Office	2	2	36	32	0	0	38	34	-4	-10.53%
Tasmanian Grain Elevators Board <sup>1</sup>	1	-	7	-	1	-	9	-	-9	-100%
The Public Trustee	1	1	42	41	5	5	48	47	-1	-2.08%
<b>TOTALS</b>	<b>217</b>	<b>227</b>	<b>19292</b>	<b>19757</b>	<b>4589</b>	<b>4836</b>	<b>24098</b>	<b>24820</b>	<b>722</b>	<b>3.00%</b>

<sup>1</sup> The Tasmanian Grain Elevators Board does not appear in the 2004 statistics because it ceased to be a Government Business Enterprise during the reporting period.

**Table 16. Comparison of Total Full-Time Equivalents by Agency June 2003–June 2004**

<b>Agency</b>	<b>Total FTEs 30/06/2003<sup>2</sup></b>	<b>Total FTEs 30/06/2004</b>	<b>Variation FTE</b>
Department of Economic Development	209.91	205.56	-4.35
Department of Education	7705.04	7779.21	74.17
Department of Health and Human Services (including Tasmania Fire Service) <sup>3</sup>	7103.20	7331.73	228.53
Department of Infrastructure, Energy and Resources (including Private Forests)	655.27	666.63	11.36
Department of Justice	712.34	745.52	33.18
Department of Police and Public Safety	399.53	418.48	18.95
Department of Premier and Cabinet	296.84	307.65	10.81
Department of Primary Industries, Water and Environment	1094.50	1106.32	11.82
Department of Tourism, Parks, Heritage and the Arts	561.55	626.24	64.69
Department of Treasury and Finance	303.14	310.7	7.56
Port Arthur Historic Site Management Authority	85.75	87.03	1.28
Retirement Benefits Fund Board	21.63	21.429	-0.20
TAFE Tasmania	948.87	960.83	11.96
Tasmanian Audit Office	38.00	34	-4.00
Tasmanian Grain Elevators Board	9.00	0	-9.00
The Public Trustee	46.61	44.85	-1.76
<b>GRAND TOTAL</b>	<b>20191.18</b>	<b>20646.18</b>	<b>455</b>

The increase in FTEs across the State Service during the reporting period can be attributed mainly to the following factors:

- An increase in administrative and teaching aide staff in schools during the reporting period, together with some organisational change and the changing profile of special projects within the Department of Education.
- An increase in TAFE Tasmania teachers across the State, and a small increase in the number of employees working in the TAFE Tasmania Call Centre in the North-west Region.
- Within the Department of Health and Human Services:
  - An increase (of 64.94 FTEs) in the number of nurses employed, (reflecting a focus on recruitment and retention of nurses and an increased commitment to placing graduate nurses).
  - An increase (of 20.45 FTEs) in the number of medical practitioners employed, (including an additional Interventional Cardiologist position; the creation of 3 new medical positions within the Pathology Department at the Royal Hobart Hospital (RHH); an increase in the number of staff specialists in the Departments of Emergency Medicine; and the introduction of an Air Retrieval Service at the RHH).
  - An increase in the number of health professionals as a consequence of initiatives such as the transfer of the community Rehabilitation Unit from Calvary Hospital, and the creation of additional case assessment and case management positions within the Children and Family Services Division.
  - An increase in the number of Operational Employees as a result of the creation of new Dental Attendant positions; the creation of Therapy Assistant positions (as part of the Community Rehabilitation Unit transfer); the employment of Service Providers within the Children and Families Division; and the creation of a number of positions within Disability Services (North West).
  - Increased employment within the administrative and clerical area associated with the implementation of a number of projects, some of which are Commonwealth funded. The projects include the Community Client Health Profile project (CCHP); Housing Tasmania's Affordable Housing Strategy; the Strategic Asset Management (SAM) Program; the Housing Information System project; Correctional Health's Secure Mental Health Facility project; the Supported Accommodation Assistance Program; and the Hospital Information System Project. In addition, there has been an increase in the number of administrative positions at Ashley Youth Detention Centre; additional Case Aide positions have been created within the Children and Families Division; and additional positions have been created as a result of the Healthconnect Trial.

<sup>2</sup> Figures provided by TMD on 15 September 2004.

<sup>3</sup> The figures cited here for the Department of Health and Human Services (DHHS) may differ slightly from those reported in the DHHS Annual Report. This is because DHHS report against figures for the last pay in the reporting period, whereas TMD cites FTE and Headcount figures as at 30 June each year.

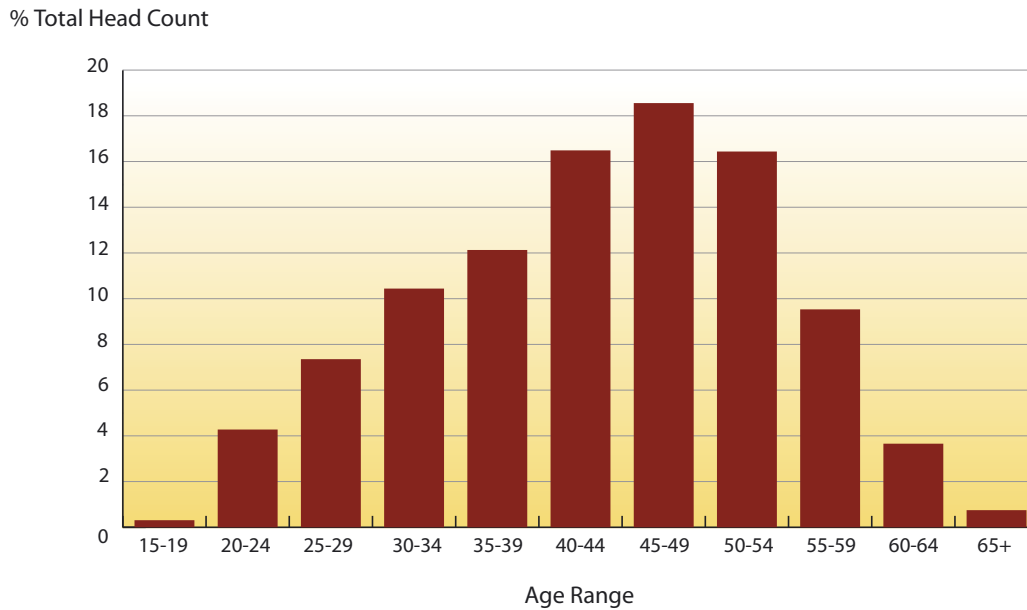
- Within the Department of Justice, there has been:
  - An increase in staffing within the Fines Enforcement Unit (as required by the Monetary Penalties Enforcement Project).
  - Provision of additional staff to support the Ombudsman's Office in relation to the victims of child abuse review.
  - A new intake of custodial staff at the Risdon Prison.
  - Provision of additional staff to support the development of the 'Safe at Home' Project including specially designed perpetrator programs for Family Violence Offenders.
  - The conclusion of a hiring process for various parts of the Agency including the Legal Aid commission, Anti-discrimination Commissioner and Corporate Services.
- The Department of Primary Industries, Water and Environment employed 5 staff formerly employed within the Tasmanian Grain Elevators Board (TGEB); engaged extra staff to manage the Hobart Waterfront Project; employed additional staff for the Devil Facial Tumour Project and the Commonwealth funded Non-Forest Vegetation Project; and filled some long-term vacant positions in the Water Resources Division.
- The Department of Tourism, Parks, Heritage and the Arts:
  - Appointed 31 Trainees within the Parks and Wildlife Service.
  - Employed additional staff within the Distribution Branch of Tourism Tasmania to deal with the additional workload brought about by the introduction of a third Spirit of Tasmania.
  - Converted the employment status of a number of employees within the Parks and Wildlife Service, Tourism Tasmania and the Tasmanian Museum and Art Gallery from casual to part-time.
  - Filled a number of visitor services and support positions within the Parks and Wildlife Service, in response to increased visitor numbers.
- The Department of Infrastructure, Energy and Resources engaged some additional staff to undertake a Motor Registry Services Project.
- The Department of Treasury and Finance employed some additional staff to implement International Accounting Standards and to ensure the harmonisation of Generally Accepted Accounting Principles (GAAP) and Government Finance Statistics (GFS).
- Within the Department of Police and Public Safety, there has been an increase in clerical support staff employed in information management areas associated with ongoing projects such as criminal history tracking and in various traffic infringement processing areas. Additional fixed-term staff have also been employed to manage community safety projects.
- Within the Department of Premier and Cabinet, there was a small increase in staff numbers resulting from the transfer of staff from the Department of Justice; the need to address work demands in areas operating below establishment numbers; and to meet additional responsibilities such as the creation of the Tasmanian Government Office in Canberra and the provision of administrative assistance to the Cranswick enquiry. Also, three staff taken on to replace employees who were absent on extended (unpaid) leave have been included in the figures, together with the substantive occupants who remain part of the establishment figures.
- The Port Arthur Historic Site Management Authority had a slight increase in staffing as a result of increased visitor numbers.

## Age Profiles

**Figure 1. State Service Age Distribution**

The graph below illustrates that the State Service workforce is slowly ageing. Over 65 % of employees are 40 years of age or older and 30% are 50 years or older. Less than 12% of the workforce is less than 30 years of age. Although the proportion of employees aged over 50 years has increased over the past three years, the age profile of the State Service has otherwise remained fairly constant.

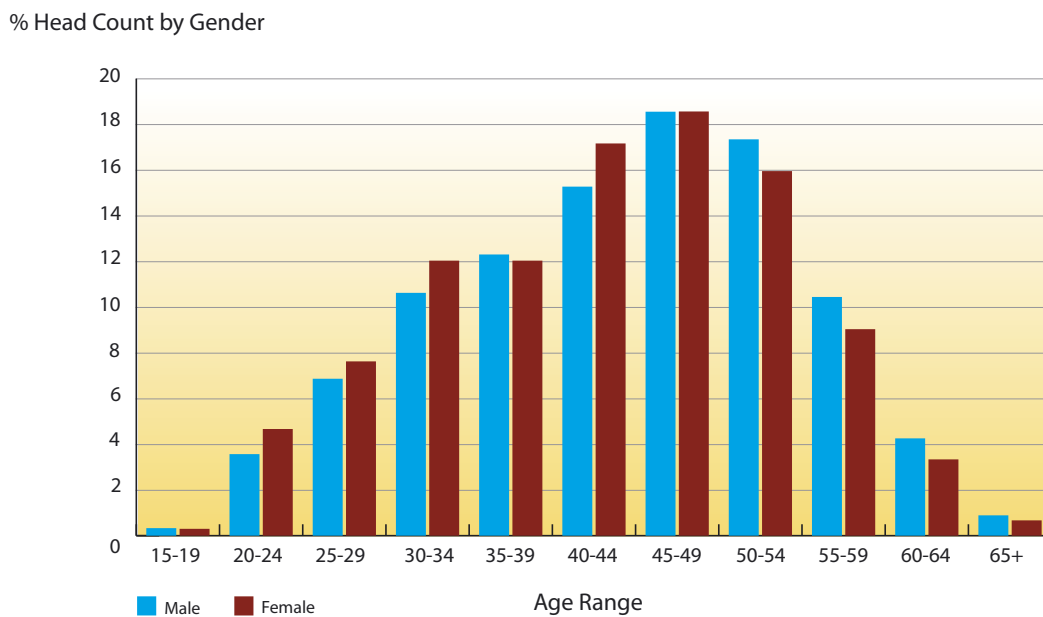
### Percentage of Total Head Count by Age



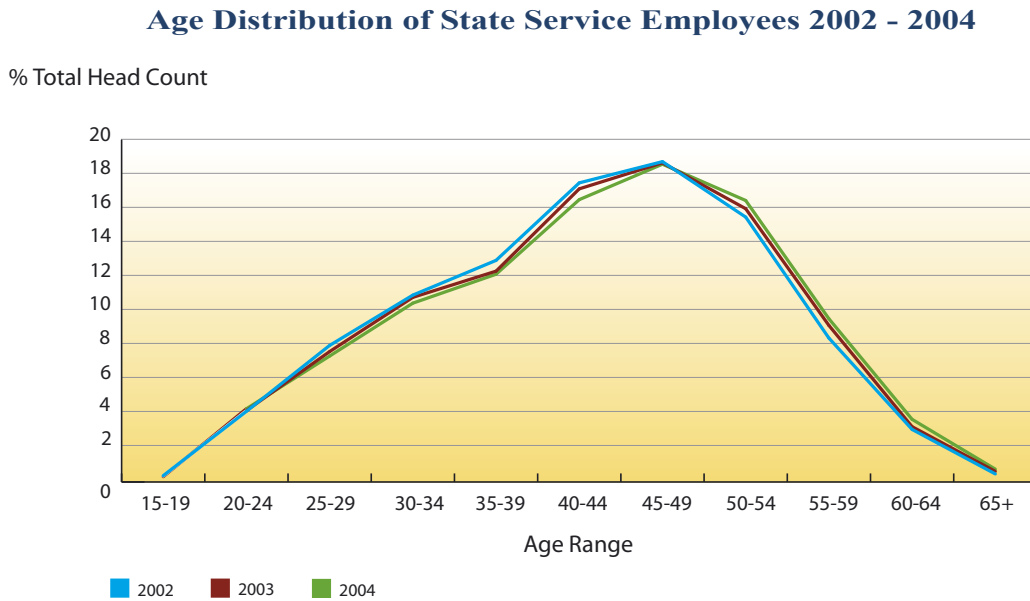
**Figure 2. State Service Age and Gender Distribution**

The age trends by gender type illustrates a higher proportion of females than males up to the age of 49 with the inverse applying among those over 50 years of age.

### Percentage Male & Female Head Count by Age



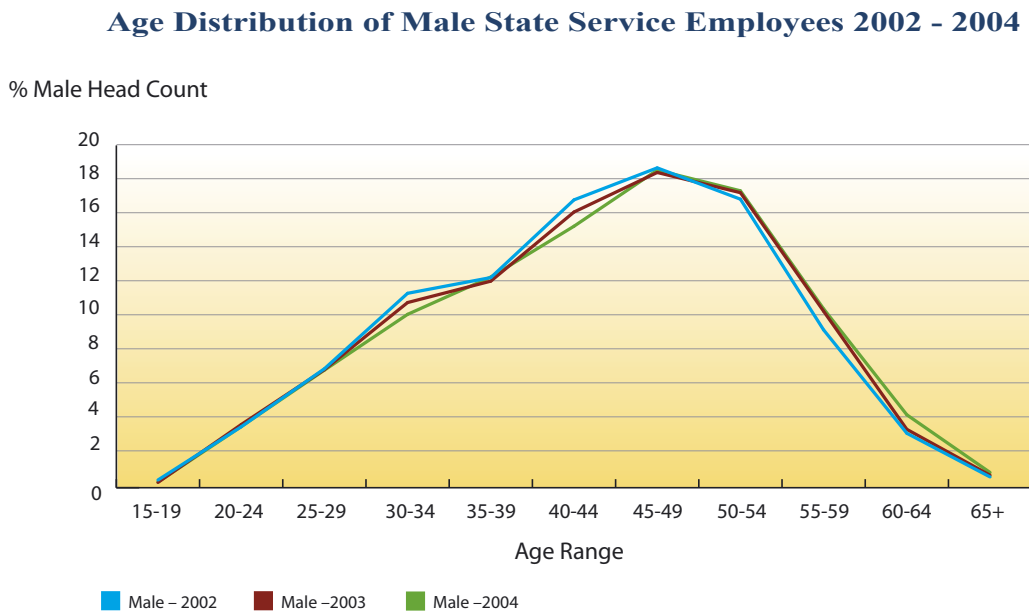
**Figure 3. Age Distribution of State Service Employees 2002-2004**



Comparison of age profiles for the past 3 years shows an ageing trend in the State Service workforce. This is consistent with trends in other State Service jurisdictions.

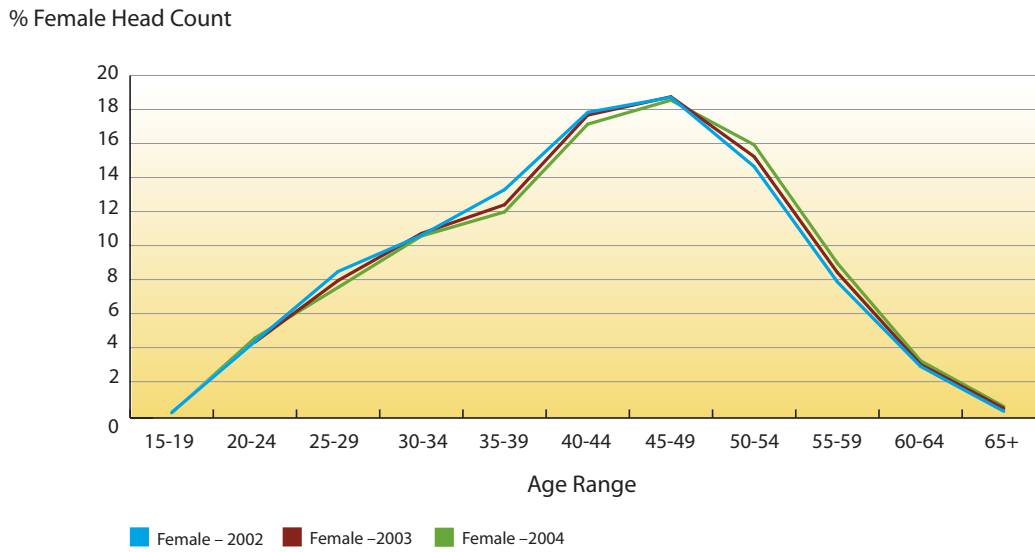
**Figure 4. Age Distribution of Male State Service Employees 2002-2004**

The percentage of males aged over 50 years of age has increased slightly over the past three years, whilst the percentage of younger males has declined slightly.



**Figure 5. Age Distribution of Female State Service Employees 2002-2004**

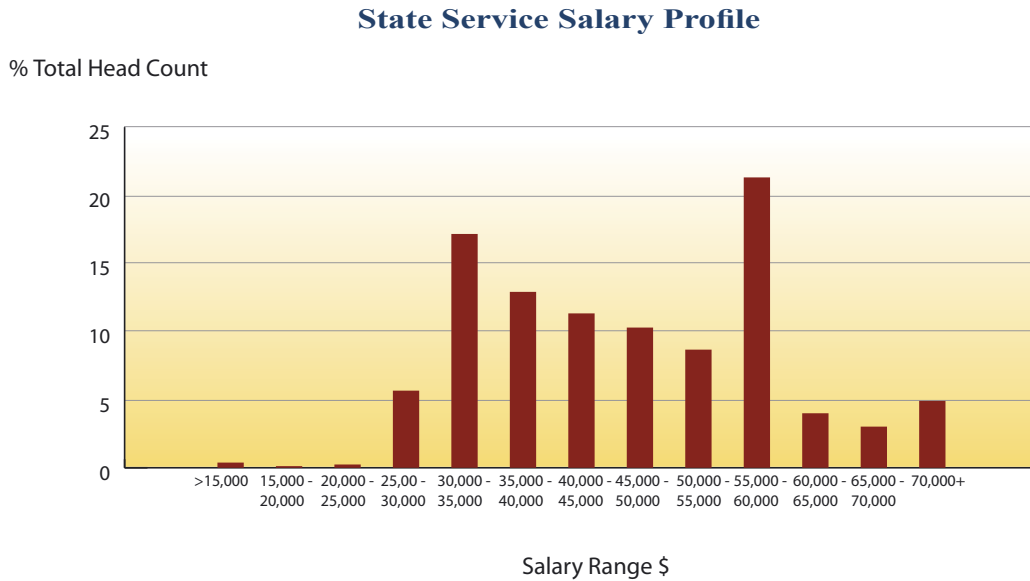
**Age Distribution of Female State Service Employees 2002 - 2004**



The percentage of females aged over 50 has increased over the past three years, whilst the percentage of females aged 25 – 45 years has decreased. The percentage of females under 25 years of age has remained steady.

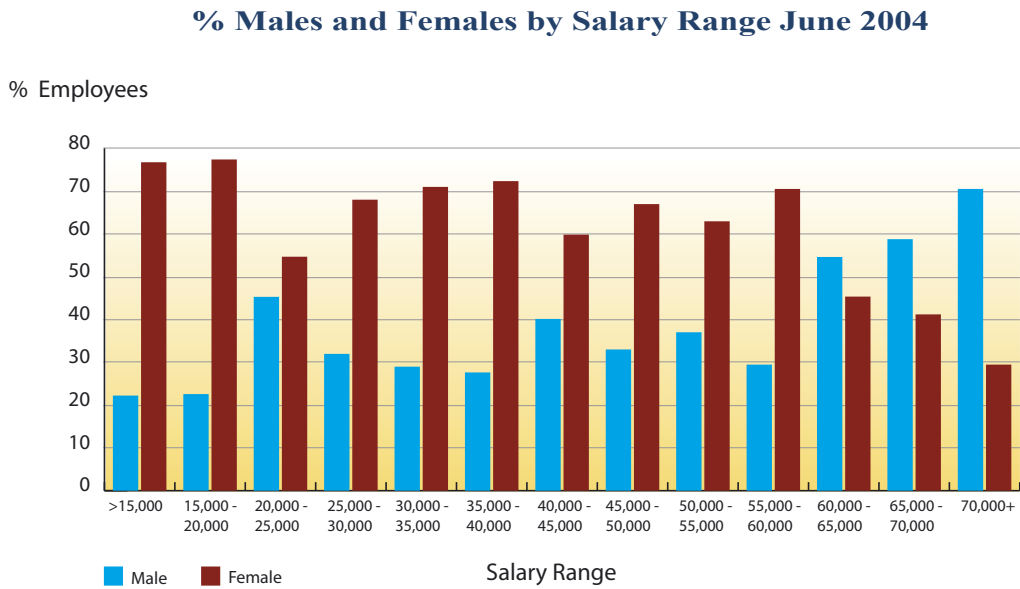
**Salary Profiles**

**Figure 6. State Service Salary Profile**



The majority of State Service employees' earnings fall within the \$30,000 - \$60,000 salary groupings<sup>4</sup>.

**Figure 7. Proportion of Males and Females by Salary Range**



A relatively high number of females are employed in the teaching and nursing professions and this, in part, explains the predominance of female employees in the salary ranges up to \$55,000. Anecdotal evidence suggests that women are more likely than men to be employed at the lower to middle levels of the Administrative and Clerical Employees Award stream, and this may also help to explain the predominance of female employees in the salary ranges between \$25,000 and \$40,000.

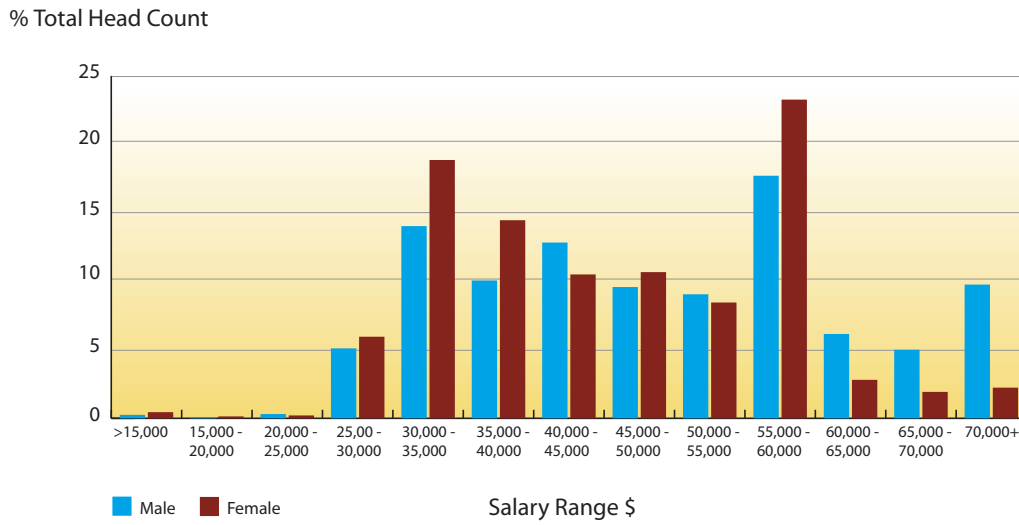
The high proportion of males among those earning more than \$60,000 is at least partially explained by the fact that 76% of senior managers are males.

<sup>4</sup> These figures are derived from figures provided to TMD by individual Agencies. In most cases, the earnings reflect full-time equivalent salaries of employees.



**Figure 8. Comparison of Salary by Gender**

**Salary Profile – Gender Comparison by Gender Grouping**

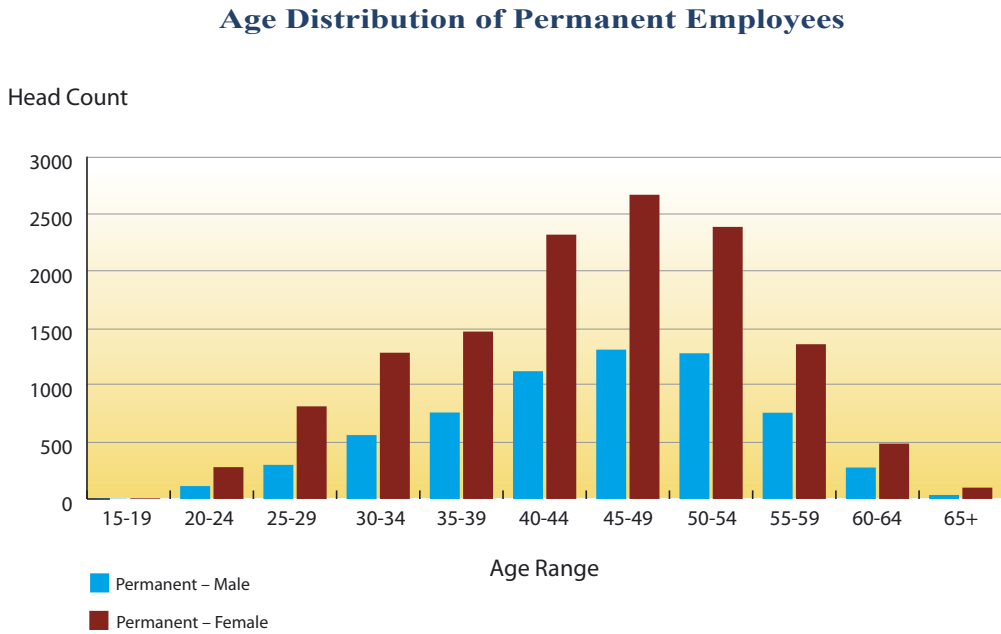


92.2% of female employees and 78.4% of male employees earn salaries of between \$25,000 and \$60,000.

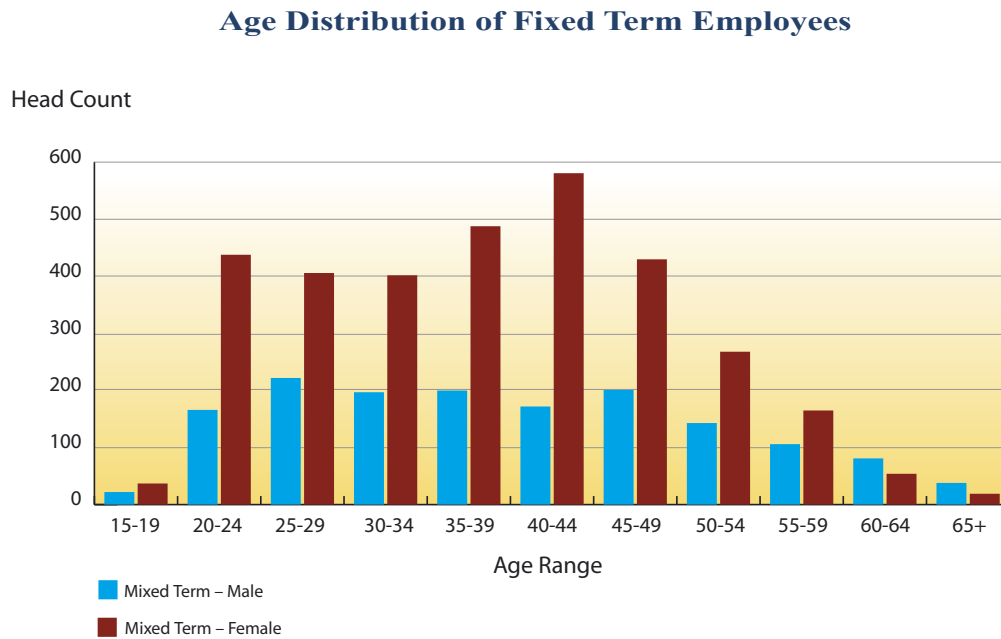
7% of female employees and 20.9% of male employees earn salaries over \$60,000.

**Employment Categories**

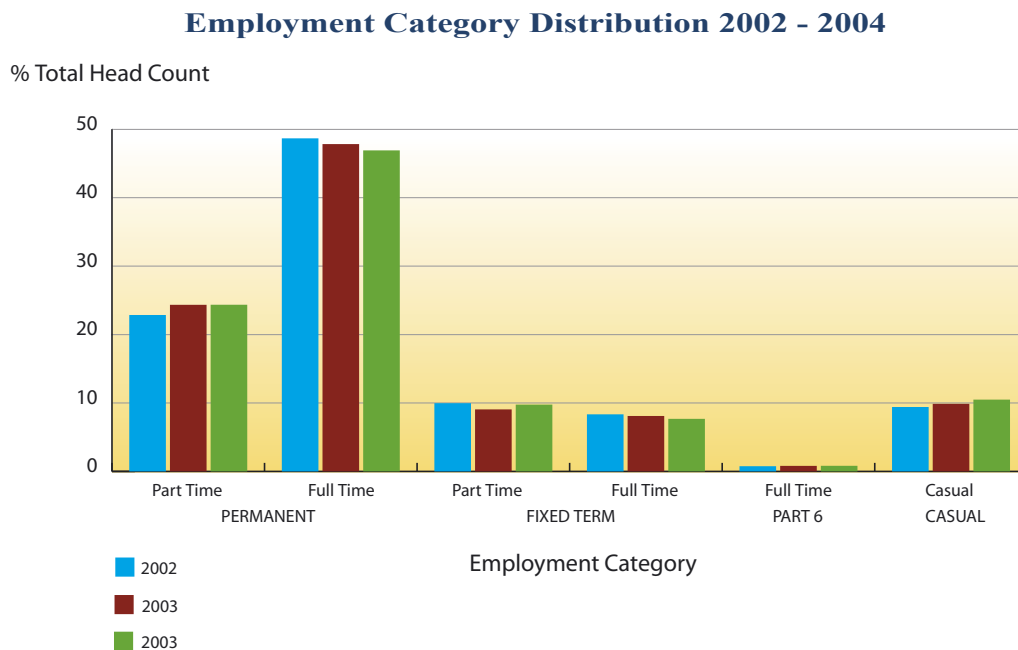
**Figure 9: Age Distribution of Permanent Employees**



**Figure 10. Age Distribution of Fixed Term Employees**



Taking Figures 9 and 10 together, it is apparent that fixed-term employees tend to reflect a younger demographic than permanent employees.

**Figure 11. Distribution of Employees by Employment Category 2002-2004**

The percentage of permanent employees has increased over the past 3 years due mainly to the conversion of fixed term employees to permanent status. There has been a corresponding reduction in the percentage of fixed term employees.

The percentage of casual employees has remained static for the past 3 years.

**Table 17. Part-Time Employees by Agency June 2004**

Agency	MALES WORKING PART-TIME		FEMALES WORKING PART-TIME	
	No. working part-time	As a % of total male employees	No. working part-time	As a % of total female employees
Department of Economic Development	1	0.9%	14	13.3%
Department of Education	572	22.6%	3768	53%
Department of Health and Human Services (including Tasmania Fire Service)	559	20.7%	3363	52.3%
Department of Infrastructure, Energy & Resources	22	5.2%	113	34.5%
Department of Justice	9	2.2%	97	25.5%
Department of Police and Public Safety	16	8.6%	59	22.1%
Department of Premier and Cabinet	4	2.8%	46	25.1%
Department of Primary Industries, Water & Environment	95	13.5%	202	38.9%
Department of Tourism, Parks, Heritage and the Arts	32	9.7%	133	35.9%
Department of Treasury and Finance	3	1.9%	29	17.6%
Port Arthur Historic Site Management Authority	21	42%	41	67.2%
Retirement Benefits Fund Board	0	0	6	50%
TAFE Tasmania	49	9.9%	201	35.7%
Tasmanian Audit Office	0	0	0	0
The Public Trustee	2	8%	2	9.1%
<b>TOTALS</b>	<b>1385</b>	<b>16.7%</b>	<b>8074</b>	<b>48.9%</b>

48.9% of women and 16.7% of men work part-time. The Department of Health and Human Services, Department of Education and the Port Arthur Historic Site Management Authority have a relatively high proportion of part-time employees, whereas the Tasmanian Audit Office, the Public Trustee and the Department of Economic Development have relatively low numbers of part-time employees.

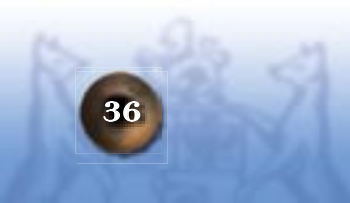
## Casual Employment

**Table 18. Casuals by Agency Paid in Last Pay Period June 2004**

Agency	Male	Female	Total
Department of Economic Development	6	2	8
Department of Education	221	771	992
Department of Health and Human Services (including Tasmania Fire Service)	247	948	1195
Department of Infrastructure, Energy and Resources (including Private Forests)	4	13	17
Department of Justice	21	25	46
Department of Police and Public Safety	4	5	9
Department of Premier and Cabinet	3	7	10
Department of Primary Industries, Water and Environment	8	10	18
Department of Tourism, Parks, Heritage and the Arts	9	15	24
Department of Treasury and Finance	0	1	1
Port Arthur Historic Site Management Authority	3	6	9
Retirement Benefits Fund Board	0	0	0
TAFE Tasmania	257	325	582
Tasmanian Audit Office	0	0	0
The Public Trustee	0	0	0
<b>TOTALS</b>	<b>783</b>	<b>2128</b>	<b>2911</b>

**Table 19. Average Number of Casuals Paid by Agency for June 2004 Quarter**

Agency	Male	Female	Total
Department of Economic Development	4.14	1.43	5.57
Department of Education	82.00	324.00	406.00
Department of Health and Human Services (including Tasmania Fire Service)	251.70	956.60	1208.30
Department of Infrastructure, Energy and Resources (including Private Forests)	3.17	13.17	16.34
Department of Justice	20.00	26.00	46.00
Department of Police and Public Safety	4.57	4.00	8.57
Department of Premier and Cabinet	3.00	8.00	11.00
Department of Primary Industries, Water and Environment	10.71	11.43	22.14
Department of Tourism, Parks, Heritage and the Arts	28.00	17.00	45.00
Department of Treasury and Finance	0.00	1.00	1.00
Port Arthur Historic Site Management Authority	4.80	7.50	12.30
Retirement Benefits Fund Board	0.00	0.00	0.00
TAFE Tasmania	280.00	368.14	648.14
Tasmanian Audit Office	0.00	0.00	0.00
The Public Trustee	0.00	0.00	0.00
<b>TOTALS</b>	<b>692.09</b>	<b>1738.27</b>	<b>2430.36</b>





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