



Pennsylvania Compensation Rating Bureau

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PENNSYLVANIA TEST AUDIT PROGRAM **BULLETIN # 45**

As per Bureau Circular No. 1285, the result of an insurance carrier appeal to the Audit Committee is presented to the membership for their information.

“J” Auto Body, Inc.

The insured operates a shop performing both body and mechanical repairs for automobiles. The carrier's appeal involved the classification of one employee. This employee works as a receptionist who talks to customers over the telephone, performs various secretarial and bookkeeping duties, greets walk-in customers, accepts payments and handles money but does not handle any parts. The carrier's position was that this employee was assignable to Code 953, Office, while the Bureau determined through its test audit that this employee was not eligible for Code 953 due to her job duties and the lack of physical separation of her work location.

The carrier cited Test Audit Bulletin No. 36 - Automobile Dealership Audits and its assignment of cashiers to Code 953 as a determining factor in their assignment of the employee in question. The carrier contended the counter in the insured's office was merely a large desk area to spread papers on and to serve as a segregation for customers from the employee's desk. The carrier noted there was no product such as tires, parts or other merchandise for sale on or around the insured's counter.

The Bureau field representative who conducted the audit indicated the employee works behind a counter at a desk. The employee's job duties included answering the telephone, transferring phone calls, writing up service order information, greeting walk-in customers, giving customers a finalized bill and accepting payment for repairs. These job duties were performed behind a counter.

In terms of employers assigned to Code 815, Automobile Service Center, Bureau staff contended the occupational circumstances presented by the employee in question were not especially unique. Bureau staff noted the prevailing rules of the Manual require the assignment of Code 815 to counter employees. The underwriting footnote for Code 815 in Section 2 of the Pennsylvania Manual specifically includes counter personnel. Further, Test Audit Bulletin # 37 entitled "Counter Personnel - Automobile Repair Facilities" defined job duties of counter personnel as waiting on customers, preparing job cost or sales estimates, writing up orders and

collecting payments for services rendered or merchandise purchased. Finally, Bureau staff noted the clerical definition in Section 1 of the Manual specifically precluded counter clerks. Bureau staff believed the aforementioned Manual references and Test Audit Bulletin were more relevant to this dispute than the classification procedure for auto dealerships.

In Executive Session the Committee reviewed at length the facts presented in this appeal. The Committee noted the disputed employee's job duties were not totally clerical in nature despite the fact she had no shop exposure. The employee waited on customers, wrote up service order information, gave customers a finalized bill and did accept payment for repairs. It was the consensus of the Committee the employee was a miscellaneous employee whose above noted job duties went beyond the restrictive definition of a clerical employee.

The Audit Committee voted to sustain the Bureau's test audit and deny the appeal by finding the disputed employee was a miscellaneous employee subject to assignment to the insured's basic classification, Code 815.