

MEMORANDUM

State of Alaska
Department of Administration
Division of Personnel

To: Dianne Corso
Director

Date: January 5, 2004

Thru: Lee Powelson
Classification Manager

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Subject: Revised Class Specification – Disability Hearing Officer

History:

Disability Hearing Officer was created on March 23, 1984. The job class described a position conducting evidentiary hearings for claimants whose social Security and/or Supplemental Security Income benefits have ended. The minimum qualifications were set at three years of experience reviewing and adjudicating disability claims of which one year was as a Vocational Rehabilitation Counselor I.

In June 1993 the adjudication option was separated from the Vocational Rehabilitation Counselor series and the Disability Adjudicator series created. The minimum qualifications of the Disability Hearing Officer were not addressed during that revision.

In February 2003 the Disability Hearing Officer position became vacant. When the department attempted to recruit for the vacancy the requirement for a year of experience as a Vocational Rehabilitation Counselor I was questioned. A maintenance request was submitted in August 2003 to revise the minimum qualifications. After discussion of the requested changes and evaluation of the Disability Adjudicator series the Classification Analyst determined the entire class specification was in need of revision and submitted a study request.

Scope:

This study covers a single position in the Division of Vocational Rehabilitation.

Study Method:

An updated position description for the Disability Hearing Officer position was received in July 2003. The updated duties were evaluated against the previous position description and the existing class specification. The duties and responsibilities of the class were discussed with DOP Management Services and the Chief, Vocational Rehabilitation. Revisions to the class specification were drafted to address current standards, provide a clearer definition and distinguishing characteristics, and provide valid minimum qualifications.

Class Analysis:

The Division of Vocational Rehabilitation has a single position responsible for conducting quasi-judicial administrative hearings for claimants whose benefits under the Social Security and/or Supplemental Security Income programs have ended. These hearings provide claimants and their legal advocates the opportunity to contest agency decisions and provide evidence and argument. This position evaluates evidence, considers legal, medical, and vocational criteria, and renders written decisions on claims. The authority and responsibility for conducting hearings indicates the position is not appropriately grouped with Disability Adjudicators. The required specialized knowledge of medical and vocational concepts and the application of Social Security and Supplement Security Income statutes and regulations indicates the position is not appropriately grouped in other Hearing Officer classes. A single position job class is appropriate to address the position's unique duties and responsibilities. The existing class title of Disability Hearing Officer is descriptive of the nature of work performed. The definition and distinguishing characteristics of the class are:

Definition:

Under general direction, the Disability Hearing Officer conducts quasi-judicial administrative hearings for claimants whose Social Security and/or Supplemental Security Income (SSI) benefits have ceased.

Distinguishing Characteristics:

Disability Hearing Officer is a single position job class responsible for independently conducting informal adversarial hearings relating to the claims for benefits under the provisions of Social Security and/or Supplemental Security Income laws and regulations. This is a professional level class which renders written decisions requiring the understanding and application of medical, legal, and vocational concepts to evaluate the impact of physical or mental impairments on an individual's ability to engage in an occupation.

The Disability Hearing Officer is distinguished from the Disability Adjudicator series by the Disability Adjudicators' responsibility for performing or supervising the examination and determination of eligibility of claims for disability benefits.

Disability Hearing Officer is distinguished from the Appeals Referee, Motor Vehicle Hearing Officer, and Workers' Compensation Hearing Officer job classes by the responsibility of these classes to conduct hearings specifically relating to unemployment insurance, motor vehicle licensing, titling, and registration actions, and Workers' Compensation claims, respectively.

Disability Hearing Officer is distinguished from the Hearing Officer job class by the Hearing Officer's responsibility for investigating alleged violations of state statutes and regulations. The Hearing Officer job class is responsible for conducting hearings regarding complaints, petitions, or alleged violations and issuing determinations on actions taken by personnel in all State of Alaska agencies and in those outside state government, but within its jurisdiction.

The Disability Hearing Officer has historically been placed in the Vocational Rehabilitation job Family (33XX) in the Education, Information, Libraries, and Museums job group. This family includes classes that advise on, administer, or supervise vocational rehabilitation programs or perform vocational rehabilitation counseling services. The class defining work of the Disability Hearing Officer indicates this family is not the most appropriate placement of the class. The nature of the work indicates placement in the Administrative Law Judges, Adjudicators, and Hearing Officers family (72XX) of the Legal, Judicial and Law Enforcement job group is the most appropriate.

Internal Alignment:

To ensure the salary range assigned the Disability Hearing Officer is still appropriate the scope of duties, level of authority, complicating characteristics of hearings, and consequences of error were compared to other classes responsible for conducting hearings including Appeals Referee I (P4662-17), Motor Vehicle Hearing Officer (P7210-18), Appeals Referee II (P4663-19), Appeals Referee III (P4663-21), Workers' Compensation Hearing Officer (P4697-21), and Hearing Officer (P1925-21). Analysis of the class characteristics for internal alignment indicates the Disability Hearing Officer class is appropriately assigned salary range 19.

Conclusions:

The Disability Hearing Officer is appropriately a single-position job class. The class is appropriately placed in the Administrative Law Judges, Adjudicators, and Hearing Officers job family and assigned class code P7220. The assignment of salary range 19 continues to be appropriate. The revisions to the Class Specification are effective January 5, 2004.

Position Analysis:

PCN 05-2133 is a mixed position. The primary purpose and basis for recruiting and filling the position is the responsibility for independently conducting hearings for claimant's whose benefits under Social Security or Supplemental Security Income have ceased. These duties are considered class controlling and define the Disability Hearing Officer job class. PCN 05-2133 continues to be appropriately allocated to the Disability Hearing Officer job class. The position remains in the General Government Bargaining Unit. The position meets the professional criteria for exemption under the Fair Labor Standards Act and is not eligible for overtime.

Attachment:

Final class specification

PCN 05-2133 - FLSA Exemption Short Test

cc: David Quisenberry, Director
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Management Services – General Government Group

Technical Services – General Government Group

Employee Records