



# Memorandum

To: Kate Sheehan  
Director

Thru: Keith Murry *KM*  
Classification Studies Supervisor

From: Kirk Thorsteinson *KT*  
Classification Studies Analyst

Date: December 1, 2015.

Subject: Occupational Licensing Examiner Job Class Study

**Introduction:**

A study request was made by the Department of Commerce, Community, and Economic Development to review the Occupational Licensing Examiner job class. The request was to determine if multiple levels were appropriate, if the class concepts accurately reflected the full range and complexity of work performed, to determine if Business Registration Examiners were conducting Occupational Licensing Examiner duties, to review and assess the qualifying education and experience, to revise the class specification as appropriate, and conduct a salary analysis and internal alignment.

**Study Scope:**

The study included the review of all positions in the Occupational Licensing Examiner job class. In addition, three Business Registration Examiners in the Division of Corporations, Business and Professional Licensing who were believed to be currently performing Occupational Licensing Examiner work were initially included and later it was decided to review all nine positions in the Department. Ultimately, the study included 37 positions as shown below:

	Occupational Licensing Examiner	Business Registration Examiner
Division of Banking and Securities	2	3
Division of Corporations, Business and Professional Licensing	25	3
Alcoholic Beverage Control Board	0	4

**Study Contacts:**

Sara Chambers (Division Operations Manager) and Julie Yancey (Human Resources, Department of Commerce).

**History of Job Class:**

The Occupational Licensing Examiner I job class was created on September 25, 1970, following a request from the Department of Commerce to audit all clerical support positions in the Division of Occupational Licensing with the desire to create a new class of positions reflecting specialized duties and responsibilities involving the licensing process. On October 1, 1970, six PCNs were allocated to the job class in the classified service and aligned at Salary Range 10. On October 23, 1970, the Occupational Licensing Examiner II job class was created to supervise the Division's licensing staff and aligned at Salary Range 12.

On June 1, 1975, the Occupational Licensing Examiner job class specification was reviewed by the Division of Personnel and revised to reflect changes to the definition; examples of duties; and knowledge, skills, and abilities.

On October 16, 1976, the Occupational Licensing Examiner II job class' Salary Range was increased from 12 to 14 following a job class study. On February 1, 1979, the Salary Range for the Occupational Licensing Examiner I was increased to Salary Range 12 at the beginning of a job class study per the Department of Commerce's request. The revised job class specification was effective January 1, 1984, and reflected the Salary Range increase and removed reference to being supervised by the Division Director in the definition.

On September 22, 1993, training and experience for the Occupational Licensing Examiner I and II were revised. On August 1, 1996, the Department of Commerce and Economic Development recommended the abolishment of the Occupational Licensing Examiner II job class; reclassification of the two Occupational Licensing Examiner II PCNs to the existing Records and Licensing Supervisor job class (Salary Range 16); and a classification study for the Occupational Licensing Examiner, Business Registration Examiner, and Records and Licensing Supervisor job classes. The Occupational Licensing Examiner II job class was abolished on August 16, 1996.

The Division of Personnel began studying the Occupational Licensing Examiner I job class in July of 2001. On November 6, 2001, and May 2, 2002, the Department strongly recommended not having two levels in the Occupational Licensing Examiner job class to the Division of Personnel who had recommended two levels based in part on the apparent differences in complexity of work assigned to licensing examiners assigned to a board with an executive administrator and licensing examiners assigned to a board without an executive administrator. Reasoning included that while work may differ between the programs, examiners were expected to be interchangeable and assist with licensing in any program as the workload required. On April 16, 2003, the Occupational Licensing Examiner I job class study was completed with the following results: the Salary Range increased from 12 to 13, the title changed to Occupational Licensing Examiner, and the job class specification was revised. It was determined the work performed had not significantly changed but the impact of decision making was given more weight in the Salary Range determination.

On September 17, 2004, Governor Murkowski signed Administrative Order (AO) 219 to streamline and centralize certain activities of the Department of Commerce, Community and Economic Development concerning the formation of corporations, limited liability companies, and other business entities in order to foster their development and to further a coordinated approach by the Department in these activities. The goal of the AO was to further, within one division of the Department, "one-stop shopping" for legally forming business entities, including corporations and limited liability companies; registering trademarks; obtaining necessary business licenses; and securing any required occupational licenses or certificates. Department staff assigned to the Corporations Section in the Division of Banking, Securities, and Corporations were transferred to the Division of Occupational Licensing; all functions assigned to the Corporations Section of the Division of Banking, Securities, and Corporations, except for duties related to the Alaska BIDCO Act under AS 10.13 and required statements of financial conditions of business entities, were transferred to the Division of Occupational Licensing; and the Division of Occupational Licensing was tasked to create a centralized database for registration of names of corporations and other business entities, and for names used by business entities to obtain business and occupational licensing by the Department. The centralized database was also to provide a systematic means of verifying whether business entities had secured the required business license from the Department and had paid required fees of the Department for these activities. Finally, consistent with law, the Department was to proceed with its plan to facilitate business formation, registration, licensing, and trademarking through use of the Internet, to encourage business development in Alaska.

**Class Analysis:**

Occupational Licensing Examiners in the Division of Corporations, Business and Professional Licensing are supervised by Records and Licensing Supervisors. Evaluation of the Records and Licensing Supervisor job class previously studied May 16, 2004, revealed the ten positions in the Division of Public Health; Division of Corporations, Business and Professional Licensing; and Division of Public Safety continued to perform duties consistent with the current job class specification. While the scope of this study did not include the Records and Licensing Supervisor job class, three positions in the Professional Licensing Section were interviewed in addition to the Program Coordinator I supervising the Business Licensing and Corporations Sections.

Evaluation of the Business Registration Examiner job class series previously studied April 16, 2004, revealed positions in the Division of Corporations, Business and Professional Licensing continued to perform work under Option 1: examine, evaluate, and process corporate documents allowing entities to conduct business as a corporate entity; positions in the Division of Banking and Securities continued to perform work under Option 2: examine license applications submitted for licensure to offer and sell securities; and positions in the Alcoholic Beverage Control Board continued to perform work under Option 3: examine license applications submitted for licensure or permit to manufacture, dispense, or sell alcoholic beverages. One Business Registration Examiner under Option 1 has lead-level authority in addition to performing the same duties which the current job classification specification allows for and states is not class controlling. A Maintenance Request will be conducted to update the distinguishing characteristics and minimum qualifications to reflect the current specification format used by the State of Alaska and modify both the appropriate job classes meeting the required experience and basic eligibility requirements.

Evaluation of the Occupational Licensing Examiner job class revealed positions in the Division of Banking and Securities performed duties related to mortgage lending, brokering, loan originating, and money services; and positions in the Division of Corporations, Business and Professional Licensing either performed duties related to professional or business licensing. Five main functional areas were identified: in the Professional Licensing Section: 1) Occupational Licensing Examiner responsible for a board not having an Executive Administrator, 2) Occupational Licensing Examiner responsible for a board/corporation having an Executive Administrator, 3) Occupational Licensing Examiner not responsible for a board/corporation; in the Business Licensing Section: 4) Occupational Licensing Examiner not responsible for a board/corporation; and in the Banking and Securities Section: 5) Occupational Licensing Examiner not responsible for a board/corporation.

Evaluation of other Division staff revealed a support structure of additional expertise and assistance available for Occupational Licensing Examiners to complete their duties. This support structure includes job classes including Executive Administrator, Nurse Consultant I, Program Coordinator I, Paralegal I/II, Project Assistant, Regulations Specialist II, Publications Specialist I, and Office Assistant I/II.

The State's classification plan provides for the grouping of positions into job classes when they are sufficiently similar with respect to duties and responsibilities, degree of supervision exercised and received, and entrance requirements so that: 1) the same title can be used to clearly identify each position; 2) the same minimum qualifications for initial appointment can be established for all positions; 3) the same rate of basic pay can be fairly applied to all positions; and 4) employees in a particular class are considered an appropriate group for purposes of layoff and recall. Job classes should be constructed as broadly as is feasible as long as the tests of similarity are met.

The position descriptions for the Occupational Licensing Examiner positions are essentially the same with primary differences being slight percentage differences in the duty statements and language explaining which of the five main functional areas the position serves in.

In its structure request the Department suggested a series including the following class titles: Licensing Specialist I (Journey level examiner), Licensing Specialist II (Advanced level examiner), Licensing Supervisor I (Business Registration Examiner Lead), and Licensing Supervisor II (existing Records and Licensing Supervisor).

The requested structure was considered, however the existing job class series were ultimately chosen. Positions in the Records and Licensing Supervisor and Business Registration Examiner job classes continue to perform work which fits within their current job class specifications and renaming all of them statewide or just a portion in the Department would not be appropriate. The requested structure would also deemphasize the performance of records maintenance and management.

Occupational Licensing Examiners continue to perform a spectrum of assignments necessary to receive, examine, recommend and/or approve applications for licensure to ensure only qualified individuals and businesses are able to offer their services to the public in the State of Alaska.

The job class specification was updated and modified to reflect the current specification format used by the State of Alaska; additions to the distinguishing characteristics provided a more thorough

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description of work performed and an inclusion of new job classes to distinguish from; the examples of duties and knowledge, skills, and abilities were fleshed out to reflect the full spectrum of duties performed and meet current specification standards; and the minimum qualifications were modified.

**Class Title:**

A class title should be the best descriptive title for the work. It is intended to concisely and accurately convey the kind and level of work performed and should be brief, easily recognized, gender neutral, and understood by potential applicants.

The Occupational Licensing Examiner class title continues to concisely and accurately reflect the level of work; therefore, the class title shall remain the same.

**Minimum Qualifications:**

The minimum qualifications established for a job class must relate to the knowledge, skills, and abilities needed to perform the work and must not create an artificial barrier to employment of individuals in protected classes. Required training should be limited to the basic formal training that customarily prepares individuals for work in the field. Experience requirements are intended to ensure new employees can successfully perform the work after a period of orientation or familiarization. Required experience should be directly related to the actual duties of positions in the class and should not be equivalent to the work to be performed. Minimum qualifications should not be confused with desired qualifications.

The required experience was broadened to add technical and paraprofessional experience in an administrative field or in permit or license application review. The existing years of clerical experience required was decreased and the level of experience increased to advanced level duties commensurate with the knowledge, skills, and abilities and examples of duties displayed in the job class. Secretarial or administrative support experience with an agency executive such as a deputy or assistant commissioner, division director, or executive director of a board of commission was also added to qualify. In addition to an explanation of the qualifying type of work performed at these levels an illustrative list of preparatory job classes was included for both experience options. The existing post-secondary education from an accredited college remained and may substitute for either technical/paraprofessional or clerical experience.

**Class Code:**

A Class Code is assigned based on the placement of the job class in the classification schematic of Occupational Groups and Job Families. Occupational Groups are made up of related Job Families and encompass relatively broad occupations, professions, or activities. Job Families are groups of job classes and class series that are related as to the nature of the work performed and typically have similar initial preparation for employment and career progression.

Upon review of current Occupational Groups and families it was determined the nature of the work performed by the Occupational Licensing Examiner has not significantly changed, does not fit into any other specialized areas available, and will appropriately remain in the Business Regulation and Compliance family (PC02) with the same Class Code (PC0203) and AKPAY Code (P2325).

**Fair Labor Standards Act:**

The positions in this study are covered by the minimum wage and maximum hour provisions of the Fair Labor Standards Act of 1938, as Amended (FLSA). While exemption from the provisions of the Act are determined based on the specific circumstances of an individual employee on a work-week basis, there are general aspects of the classes and their influence on the exemptions for employees in bona fide executive, professional, or administrative positions that can be addressed in general.

While employees in the Occupational Licensing Examiner job class are compensated on a salary basis exceeding \$455.00 per week, they:

do not meet the Executive Employees exemption because their primary duty is not management of a line function of the agency or supervision of employees;

do not meet the Administrative Employees exemption because their primary duty level of authority does not include the exercise of discretion and independent judgment with respect to matters of significance; and

do not meet the Professional Employees exemption because their primary duty does not require knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction.

**Salary Analysis:**

The State aligns the salary ranges of job classes internally and not to market. Under internal alignment, the salary range of a job class is determined based on internal consistency within the State's pay plans with the goal of providing fair and reasonable compensation for services rendered and maintaining the principle of like pay for like work. In evaluating internal consistency, the difficulty, responsibility, knowledge, skills, and other characteristics of a job are compared with job classes of a similar nature, kind, and level first in the same job family; then within other job families within the same occupational group. Comparisons with classes in job families outside the occupational group are made when similarities are sufficient to provide valid relationships, the comparisons within the occupational group are few, and/or when the class has particular characteristics that justify comparisons with another job family. The greater the similarity with the study class the more weight should be given. Comparisons within the job family are typically given greater weight than those outside of the job family.

The Occupational Licensing Examiner performs work that falls under the Business Regulation and Compliance Job Family, which includes classes of positions that administer, supervise or perform work related to the regulation, including financial regulation, of businesses and occupational licensing. Initial preparation for employment is typically through advanced education in the professional area regulated or experience with subsequent career progression based on progressively responsible experience.

The following table describes the job classes selected for alignment comparison and their class characteristics.

Range	Job Class/Job Family/Category	Description	Range Characteristics
12	Insurance Licensing Examiner I (PC02 - A)	The training level of the Insurance Licensing Examiner series. Positions are flexibly staffed. Incumbents learn and develop the knowledge, skills, and abilities to perform a full range of Insurance Licensing Examiner duties.	Comparable classes aligned to this range perform routine technical level duties under closer supervision in preparation for higher level job classes which perform the full range of duties. May require 6-12 months of advanced clerical experience, 24 months of journey clerical experience, or 24 months of post-secondary education.
Wage-Hour Technician (PC02 - A)	Incumbents provide assistance to Wage-Hour Investigators and perform technical work preparing cases of alleged violations of state labor laws.		
13	Business Registration Examiner (PC02 - A)	Incumbents examine applications and documents submitted by individuals and businesses registering with the State of Alaska to: conduct business as a corporate entity; offer and sell securities; or manufacture, dispense, or sell alcoholic beverages.	Comparable classes aligned to this range independently perform technical level duties with little supervisory review. Assignments are recurring and based on specific instructions or established statutes, regulations, and policies and procedures. Requires 12 months of advanced clerical experience or post-secondary education.
14	Insurance Licensing Examiner II (PC02 - A)	Incumbents perform or supervise highly skilled technical work in the examination and analysis of the financial conditions and business practices in insurance companies doing business in the State.	Comparable classes aligned to this range independently perform technical level duties at the full proficiency level with little supervisory review. Assignments are most often non-routine, requiring an in-depth knowledge of terminology and complexities of evolving industry, the inter-relationship of programmatic functions, and the laws governing the issuance of licenses. Requires 12 months as an Insurance Licensing Examiner I with completion of flex training plan or one year of industry specific work experience.
16	Records and Licensing Supervisor (PC02 - A)	<p>Incumbents are responsible for the overall supervision, administration, and operation of a statewide records, licensing, or filing function.</p> <p>This is a supervisory class with substantial responsibility for the exercise of independent judgment in employing, disciplining or adjudicating grievances of subordinates.</p>	<p>Comparable classes aligned to this range perform technical level supervisory duties to include reviewing and providing guidance concerning the most complex duties of subordinates.</p> <p>Requires 24 months of journey technical experience or post-secondary education.</p>

When last studied, comparable job classes in the PC02 Job Family were also under study and not considered during internal alignment. At this point in time the number of comparable job classes in the PC02 Job Family is adequate and analysis does not need to be broadened to include the entire Business Development and Regulation Occupational Group (PC).

This Occupational Licensing Examiner class study confirmed incumbents continue to perform the duties mentioned in the April 30, 2003, study memo. Incumbents are responsible for providing journey technical level support with increasing independence and responsibility while applying knowledge of State and federal statutes, regulations, and division policies and procedures to licensing programs and program procedures. Occupational Licensing Examiners perform a spectrum of assignments necessary to receive, examine, recommend and/or approve applications for licensure to ensure only qualified individuals and businesses are able to offer their services to the public in the State of Alaska. The spectrum of assignments includes duties such as processing licenses for mortgage lending, mortgage brokering, mortgage loan originating, money services, businesses, and professionals. The Occupational Licensing Examiner is the primary point of contact for the public and serves as a liaison between the department and respective clientele (e.g., applicants, licensing boards, national associations, regulatory agencies, etc.). As record keeper for assigned programs, the Occupational Licensing Examiner maintains a variety of current and archived files according to applicable records retention schedules.

The Department asked that duties previously performed by Executive Administrators and now more commonly performed by Occupational Licensing Examiners be examined. Regulatory Boards in the State of Alaska have their authority in Alaska Statute. The Alaska Statute creating a regulatory board will identify aspects of the board to include the powers and duties of the board, number and status of board members, removal of board members, meetings and examinations, required record or proceedings, licenses required, qualification of applicants, apprenticeship, display of license or permit, lapsed license requirements, disciplinary sanctions and grounds for refusal of a license or permit, fees, and penalties. Occupational Licensing Examiners in the Department support six boards who have professional level Executive Administrators whose minimum qualifications require the incumbent to have specific education and experience in the board's professional area. While many of their duties have been reassigned over time to the Occupational Licensing Examiner, the duties are clerical/technical in nature and not class controlling professional duties of the Executive Administrator job classes.

The Occupational Licensing Examiner exceeds the range characteristics of job classes at Range 12. The Occupational Licensing Examiner is the full proficiency level and incumbents perform the full range of assignments independently while receiving on the job training from senior examiners and/or their supervisor. While some work is routine, the Occupational Licensing Examiner's work also includes non-routine work while at the same time operating under less supervisory control

The Occupational Licensing Examiner has many similarities to the Business Registration Examiner at Range 13, however, the Occupational Licensing Examiner has greater nature, variety, and complexity of work. Non-routine work becomes more common as an Occupational Licensing Examiner is introduced to the full spectrum of work focusing more specifically on a variety of evolving industries and responsibilities related to professional licensing boards. Furthermore, an

additional level of advanced clerical experience is necessary for a successful candidate to gain the knowledge, skills, and abilities needed to perform the types of duties required.

The Occupational Licensing Examiner has significant similarities to the Insurance Licensing Examiner II at Range 14, primarily at the middle and higher spectrum of work which becomes more non-routine and complex. Both have similar levels of independence and supervisory control, areas of available guidelines which are not always clearly defined and require interpretation by the examiner, and recommend programmatic and guideline changes based on what they see and experience each day. The two must interact with a wide variety of clerical, technical, and professional level staff to ensure accurate licensure. Licenses are either approved after review or may first require final review of a professional licensing board based on recommendations provided by the examiner. Each may have lead-level authority and the Occupational Licensing Examiner may additionally supervise clerical staff. Furthermore, the pair shares the requirement for one year of technical experience in a supporting career field for a successful candidate to gain the knowledge, skills, and abilities needed to perform the types of duties required. The similarities provide strong support for aligning at the same range.

The Occupational Licensing Examiner does not compare favorably to the Records and Licensing Supervisor. In addition to the supervisory authority, Records and Licensing Supervisors use advanced knowledge of program requirements to respond to their staff's most non-routine and complex questions and issues. Furthermore, 24 months of journey technical experience is necessary for a successful candidate to gain the knowledge, skills, and abilities needed to perform the types of duties required.

**Conclusions:**

The Occupational Licensing Examiner retains the same job class title and the definition; distinguishing characteristics; examples of duties; knowledge, skills, and abilities; and minimum qualifications were updated.

The Occupational Licensing Examiner job class remains part of the PC02 Job Family and the codes remain the same.

The Salary Range for the Occupational Licensing Examiner is increased from 13 to 14.

The employees in the Occupational Licensing Examiner job class are not exempt under the Fair Labor Standards Act and are eligible for overtime.

The revised job class and position allocations are effective December 1, 2015.

Correspondence on the allocation of study positions is being distributed through the Online Position Description system.

**Attachments:**

Final class specification

Kate Sheehan, Director

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cc: Janey Hovenden, Director  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community and Economic Development

Kevin Anselm, Director  
Division of Banking and Securities  
Department of Commerce, Community and Economic Development

Catherine Reardon, Director  
Division of Administrative Services  
Department of Commerce, Community and Economic Development

Julie Yancey, Human Resource Consultant III  
Department of Commerce, Community and Economic Development