

STATE OF OHIO (DAS)CLASSIFICATION
SPECIFICATION**CLASSIFICATION SERIES:**

BWC Attorney

SERIES NO.:

6398

MAJOR AGENCIES:

Bureau Of Workers' Compensation

EFFECTIVE DATE:

08/20/2006

SERIES PURPOSE:

The purpose of the BWC attorney occupation is to provide legal advice & assistance to the administrator & his/her staff as to claims procedures & policy & other state insurance fund issues.

At the first level, incumbents conduct legal BWC administrative hearings, attend industrial commission hearings, resolve BWC law issues &/or write, review & interpret BWC contracts & provide legal advice to internal & external customers.

At the second level, incumbents act as lead worker over lower-level BWC attorneys, act as liaison with attorney general to independently settle workers' compensation cases within specified agency limit & participate in settlement committees for claims pending within BWC.

At the highest level, the incumbent supervises legal staff in the service office(s), provides assistance & advice to lower-level attorneys & reviews their work products & attends hearings involving complex legal issues on behalf of the agency administrator at the Industrial Commission of Ohio & acts as legal representative of BWC on claims procedures, on behalf of state insurance fund & regarding other legal issues or negotiates & authorizes settlements that exceed agency limit for lower level attorneys.

GLOSSARY: The following term is to be interpreted as follows whenever it appears in the document.

Administrative hearings: Are proceedings held pursuant to statutory authority given to administrator of BWC & include handicap reimbursement (i.e., hearings in which amount of reimbursement given to an employer is based on pre-existing handicap of claimant), adjudication committees & self insured review panel (i.e., chairperson for adjudicating committee panel to review complaints from employers) & include employer &/or employer's representative, BWC risk or self-insured department employee & BWC attorneys who have decision making authority over administrative hearings.

CLASS TITLE

BWC Attorney 1

CLASS NUMBER

63981

PAY RANGE

34

EFFECTIVE

08/20/2006

CLASS CONCEPT:

The full performance level class works under direction & requires considerable knowledge of law & workers' compensation laws, rules & procedures, workers' compensation claims & related legal issues in order to conduct legal BWC administrative hearings, attend industrial commission hearings, resolve BWC law issues &/or write, review & interpret contracts in accordance with policies, procedures & laws of BWC & provide legal advice to internal & external customers.

CLASS TITLE

BWC Attorney 2

CLASS NUMBER

63982

PAY RANGE

35

EFFECTIVE

08/20/2006

CLASS CONCEPT:

The advanced performance level class works under direction & requires thorough knowledge of law & workers' compensation laws, rules & procedures, workers' compensation claims & related legal issues in order to act as lead worker over lower-level BWC attorneys (i.e., handle profile cases; consult v3 computer system; review & assign cases to lower-level BWC attorneys based on difficulty of laws involved & issues of case; act as advisor in reviewing work & provide training in specialty area of BWC law) &/or act as liaison with attorney general to independently settle workers' compensation cases within specified agency limit & participate in settlement committees for claims pending within BWC & when assigned to field office (i.e., office with 15,000 or more active claims), also act as spokesperson for BWC with claimant's &/or employer's attorneys.

CLASS TITLE
BWC Attorney 3

CLASS NUMBER
63983

PAY RANGE
44

EFFECTIVE
08/20/2006

CLASS CONCEPT:

The supervisory level class works under general direction & requires thorough knowledge of law & workers' compensation laws, rules, guides & procedures, workers' compensation claims, state insurance fund & related legal issues in order to supervise legal staff, provide technical assistance & advice to lower-level attorneys &/or legal staff (e.g., legal intern; paralegal) & review their work products, attend Industrial Commission of Ohio hearings involving complex legal issues on behalf of agency administrator & act as legal representative of BWC on claims procedures, on behalf of state insurance fund & regarding other legal issues; or in assigned territory, plans, directs & coordinates non-judicial administrative settlements that are in excess of agency limit for lower level BWC Attorneys.

<u>CLASS TITLE</u>	<u>CLASS NUMBER</u>	<u>B. U.</u>	<u>EFFECTIVE</u>	<u>PAY RANGE</u>
BWC Attorney 1	63891	14	08/20/2006	34

JOB DUTIES IN ORDER OF IMPORTANCE: (These duties are illustrative only. Incumbents may perform some or all of these duties or other job-related duties as assigned.)

Conducts legal BWC administrative hearings, attends Industrial Commission hearings, resolves BWC law issues (e.g., bankruptcy; subrogation; self-insured; adjudication; handicap reimbursement &/or BWC rules), prepares questions for cross-examination, offers legal arguments & evidence, elicits testimony from witnesses & prepares appeals &/or motions on behalf of BWC administration &/or writes, reviews & interprets contracts on BWC related issues (e.g., health partnership program & qualified health plan, BWC computer programs & claims processing system) in accordance with policies, procedures & workers' compensation laws & provides legal advice to internal & external customers (e.g., BWC administration; customer service offices; medical management; third party administration; providers; fraud & general office; outside legal counsel; insurance companies; injured workers & employers).

Reviews, recommends & drafts legal, bankruptcy, self-insured & workers' compensation policies; explains & advises internal & external customers on new policies; programs & procedures regarding workers' compensation; researches & assists in resolution, negotiation settlement &/or litigation of bankruptcy, self insurance, handicap reimbursement & legislative changes & negotiates with bankruptcy attorneys regarding settlements.

Acts as liaison with BWC claims personnel, service office, employer representatives, claimant attorneys & industrial commission; answers public complaints; maintains records & prepares weekly & monthly reports on self insurance, bankruptcy & handicap reimbursement matters for immediate supervisor & administrator; drafts legal memoranda's; creates hearing summary sheets using personal computer; attends meetings, workshops & seminars & participates in speaking engagements; reads training materials on workers' compensation claims & operation law & observes lead worker &/or supervisory attorney on BWC specialty area (e.g., bankruptcy; subrogation; self-insured; adjudication; handicap reimbursement &/or BWC rule development).

MAJOR WORKER CHARACTERISTICS:

Knowledge of law; workers' compensation laws, rules, policies & procedures; claims management & state insurance fund; workers' compensation adjudicative process*; investigation procedures & contract development. Skill in use of personal computer*. Ability to define problems, conduct legal research, collect data/evidence, establish facts & recommend appropriate legal recourse; review & edit & draft motions; prepare legal reports, memoranda & hearing summary sheets & handle difficult interactions with injured workers, employers & their representatives.

(*)Developed after employment.

MINIMUM CLASS QUALIFICATIONS FOR EMPLOYMENT:

Admission to Ohio Bar per Section 4705.01 of Revised Code; must be able to provide own transportation. Probationary period is 12 months.

TRAINING AND DEVELOPMENT REQUIRED TO REMAIN IN THE CLASSIFICATION AFTER EMPLOYMENT:

Completion of continuing legal education for attorneys per Rule X of Ohio Supreme Court. Compliance with registration for attorneys per Rule VI of the Ohio Supreme Court.

UNUSUAL WORKING CONDITIONS:

Requires travel.

<u>CLASS TITLE</u>	<u>CLASS NUMBER</u>	<u>B. U.</u>	<u>EFFECTIVE</u>	<u>PAY RANGE</u>
BWC Attorney 2	63982	14	08/20/2006	35

JOB DUTIES IN ORDER OF IMPORTANCE: (These duties are illustrative only. Incumbents may perform some or all of these duties or other job-related duties as assigned.)

Acts as lead worker over lower-level BWC attorneys (i.e., handles high profile cases, consults V3 computer system, reviews & assigns cases to lower-level BWC attorneys based on difficulty of laws involved & issues of case, acts as advisor in reviewing work & provides training in specialty area of BWC law) &/or acts as liaison with attorney general to independently settle workers' compensation cases (e.g., cases appealed to the court or on mandamus) within specified agency limit & participates in settlement committees for claims pending within BWC (e.g., reviews & calculates value of claim file; recommends limit of monetary amount of settlement; offers alternative settlement solutions) & when assigned to field office (i.e., with 15,000 or more active claims), also acts as spokesperson for BWC with claimant's &/or employer's attorneys.

Conducts legal BWC administrative hearings; attends industrial commission hearings; resolves BWC law issues (e.g., bankruptcy; subrogation; self-insured; contracts; adjudication; handicap reimbursement &/or BWC rules); prepares questions for cross-examinations; offers legal arguments & evidence; elicits testimony from witnesses; prepares appeals &/or motions on behalf of BWC administration; provides legal advice to internal & external customers (e.g., BWC administration; customer service offices; medical management; third party administration; providers; fraud & general office; outside legal counsel; insurance companies; injured workers & employers); reviews, recommends & drafts legal, bankruptcy, self-insured & workers' compensation policies; explains & advises internal & external customers of new policies, programs & procedures regarding workers' compensation; researches & assists in resolution, negotiation settlement &/or litigation of bankruptcy, self insurance, handicap reimbursement & legislative changes.

Acts as liaison with BWC claims personnel, service office, employer representatives, industrial commission, claimant attorneys & attorney general office; answers public complaints; maintains records & prepares weekly & monthly reports on self insurance, bankruptcy & handicap reimbursement matters for immediate supervisor & administrator; drafts legal memoranda's; creates hearing summary sheets using personal computer; attends meetings, workshops & seminars & participates in speaking engagements.

MAJOR WORKER CHARACTERISTICS:

Knowledge of law; workers' compensation laws, rules, policies & procedures; claims management & state insurance fund; workers' compensation adjudicative process*; investigation procedures; employee training & development*; supervisory principles/techniques*. Skill in use of personal computer*. Ability to define problems, conduct legal research, collect data/evidence, establish facts & recommend appropriate legal recourse; review, edit & draft appeal & motions; prepare legal reports, memoranda's & hearing summary sheets; handle difficult interactions with injured workers, employers & their representatives & provide direction to lower-level BWC attorneys.

(*)Developed after employment.

MINIMUM CLASS QUALIFICATIONS FOR EMPLOYMENT:

Admission to Ohio Bar per Section 4705.01 of Revised Code; 18 mos. exp. as licensed attorney practicing workers' compensation law; must be able to provide own transportation. Probationary period is 12 months.

-Or 12 mos. exp. as BWC Attorney 1, 63981; must be able to provide own transportation. Probationary period is 12 months.

-Or equivalent of Minimum Class Qualifications For Employment noted above may be substituted for the experience required, but not for the mandated license.

TRAINING AND DEVELOPMENT REQUIRED TO REMAIN IN THE CLASSIFICATION AFTER EMPLOYMENT:

Completion of continuing legal education for attorneys per Rule X of Ohio Supreme Court. Compliance with registration for attorneys per Rule VI of the Ohio Supreme Court.

UNUSUAL WORKING CONDITIONS:

Requires travel.

<u>CLASS TITLE</u>	<u>CLASS NUMBER</u>	<u>B. U.</u>	<u>EFFECTIVE</u>	<u>PAY RANGE</u>
BWC Attorney 3	63893	EX	08/20/2006	44

JOB DUTIES IN ORDER OF IMPORTANCE: (These duties are illustrative only. Incumbents may perform some or all of these duties or other job-related duties as assigned.)

Supervises legal staff, provides assistance to lower-level attorneys &/or legal staff (e.g., legal intern; paralegal) in answering complex legal questions, schedules & monitors hearing attendance to lower-level attorneys, assigns legal research & questions & advises lower-level attorneys on proper disposition of legal matters, reviews work product of lower-level attorneys, including legal briefs, memorandums, opinions & other legal documents & attends Industrial Commission of Ohio hearings involving complex legal issues on behalf of agency administrator; or in assigned territory, plans, directs & coordinates non-judicial administrative settlements that are in excess of agency limit for lower level BWC Attorneys .

Conducts training sessions for new legal & claims personnel; attends local service office & regional administrative meetings as legal representative of BWC; attends meetings with Industrial Commission of Ohio as BWC legal representative; participates in & conducts speaking engagements on behalf of BWC regarding law, policy & procedures; provides legal assistance to internal & external customers (e.g., injured workers, employers & their representatives).

Participates in review & adjudication of lump sum settlements applications in administrative & court actions; represents agency administrator by providing assistance to office of attorney general on workers' compensation cases currently pending in common pleas court; provides legal research & support in drafting motions & legal memoranda regarding claims & fraud issues; participates in policy development affecting legal problems; interprets laws, rules & regulations; implements policy changes & insures that all program activities are within state & federal regulations & statutes.

Performs related administrative duties (i.e., prepares management reports; conducts performance evaluations; processes subpoena requests; prepares & approves expense reports, time sheets & requests for leaves); interviews applicants for employment.

MAJOR WORKER CHARACTERISTICS:

Knowledge of law; workers' compensation laws, rules, guides & procedures, claims management, billing & reimbursement & state insurance fund; supervisory principles & techniques or management; workers' compensation adjudicative process. Skill in use of personal computer*. Ability to define problems, conduct legal research, collect data/evidence, establish facts & recommend appropriate legal recourse; review & edit & draft motions & legal memoranda & prepare management reports & standard business reports; handle sensitive contacts with officials &/or legal representatives of other state, local & county agencies, injured workers & employers & their representatives & BWC supervisory & managerial employees.

(*)Developed after employment.

MINIMUM CLASS QUALIFICATIONS FOR EMPLOYMENT:

Admission to Ohio Bar per Section 4705.01 of Revised Code; 2 yrs. exp. as licensed attorney practicing workers' compensation law; 6 mos. trg. or 6 mos. exp. in supervisory principles & techniques, management or settlement negotiations; must be able to provide own transportation.

-Or 12 mos. exp. as BWC Attorney 2, 63982; must be able to provide own transportation.

-Or 18 mos. exp. as BWC Attorney 1, 63981; must be able to provide own transportation.

-Or equivalent of Minimum Class Qualifications For Employment noted above may be substituted for the experience required, but not for the mandated licensure.

TRAINING AND DEVELOPMENT REQUIRED TO REMAIN IN THE CLASSIFICATION AFTER EMPLOYMENT:

Completion of continuing legal education for attorneys per Rule X of Ohio Supreme Court. Compliance with registration for attorneys per Rule VI of the Ohio Supreme Court.

UNUSUAL WORKING CONDITIONS:

Requires travel.