



STATE OF OREGON
POSITION DESCRIPTION

P

Position Revised Date:

This position is:

Classified
 Unclassified
 Executive Service
 Mgmt. Svc – Supervisory
 Mgmt. Svc – Managerial
 Mgmt. Svc - Confidential

Agency: Department of Consumer & Business Services

Facility: Labor & Industries Building

New Revised

SECTION 1. POSITION INFORMATION

a. Classification Title:	Program Analyst 2			b. Classification No:	C0861		
Property & Casualty Insurance							
c. Working Title:	Consumer Advocate			d. PPDB No/WD ID:	0001.114		
e. Section Title:	Consumer Advocacy			f. Agency No:	44000		
g. Employee Name:				h. Budget Auth No:	1446754		
i. Supervisor Name:	Tricia Goldsmith			j. Repr. Code:	OAS		
k. Work Location (City – County):	Salem - Marion						
l. Position:		<input checked="" type="checkbox"/> Permanent	<input type="checkbox"/> Seasonal	<input type="checkbox"/> Limited Duration	<input type="checkbox"/> Academic Year		
		<input checked="" type="checkbox"/> Full-Time	<input type="checkbox"/> Part-Time	<input type="checkbox"/> Intermittent	<input type="checkbox"/> Job Share		
m. FLSA:	<input type="checkbox"/> Exempt	If Exempt:		<input type="checkbox"/> Executive/Supervisory	n. Eligible for	<input checked="" type="checkbox"/> Yes	
	<input checked="" type="checkbox"/> Non-Exempt			<input type="checkbox"/> Administrative	Overtime:	<input type="checkbox"/> No	
				<input type="checkbox"/> Professional			
				<input type="checkbox"/> Computer			

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.

The Department of Consumer and Business Services (DCBS) is Oregon's largest business regulatory and consumer protection agency. The department administers state laws and rules to protect consumers and workers in the areas of workers' compensation, occupational safety and health, financial services, insurance and building codes.

DCBS consists of the Workers' Compensation Division; Oregon Occupational Safety and Health Division; Division of Financial Regulation; Building Codes Division; Small Business Ombudsman; and Ombudsman for Oregon Workers. The department provides shared services to all divisions through the Director's Office and Central Services Division. The department also provides shared services to the Workers' Compensation Board. DCBS employs 950 employees and has a biennial operating budget of approximately \$685 million.

The mission of the Department of Consumer and Business Services is "to equitably protect and empower consumers and workers while maintaining a predictable yet innovative regulatory environment for the businesses we regulate." The Division of Financial Regulation's mission supports that of the department by protecting Oregonians' access to fair products and services through education, regulation, and consumer assistance. The division is responsible for ensuring the safety and soundness of financial institutions, the availability and affordability of financial products, and the fair treatment of consumers. Functions include licensing, regulating, and monitoring the conduct of banks, credit unions, financial services providers, health care service contractors, insurance companies, and licensed or registered agents of such entities. The Consumer Advocacy team is the face of the division to Oregon consumers and provides information, education, and one-on-one assistance to the public. Members of this team answer inquiries and work directly with regulated entities to help resolve complaints and issues, using the data and information to detect trends and emerging issues that inform our outreach, policy, compliance, and enforcement strategies. The Consumer Advocacy team is also responsible for helping develop active strategies and curricula for enhancing consumers' financial literacy and general knowledge of their options, rights, and responsibilities with respect to the industries we regulate.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

The primary purpose of this position is to represent the Consumer Advocacy program. Advocates use their knowledge of diverse and multiple lines of insurance (property, casualty-personal and commercial, life, health, title, credit, warranties, and other lines), to analyze and resolve complex issues as they pertain to individual members of the public who buy the insurance and financial products. Advocates gather facts, assess the problem, and propose a resolution. Advocates mediate and resolve issues on behalf of the consumers, and provides information to enable them to protect their rights. Upon resolution of the complaint, and Advocate will make a determination if there appears to be a violation of the Insurance Code, federal law, or the applicable contract, and then if needed, submit a referral to the appropriate team to address.

SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark "N" for new duties, "R" for revised duties or "NC" for no change in duties. Indicate whether the duty is an "Essential" (E) or "Non-Essential" (NE) function.

% of Time	N/R/NC	E/NE	DUTIES
<i>Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".</i>			
Ongoing			<p>Perform position duties in a manner which promotes customer service and harmonious working relationships, including treating all persons courteously and respectfully. Engage in effective team participation through willingness to assist and support co-workers, supervisors, and other work-related associations. Develop good working relationships with division and agency staff and supervisors through active participation in accomplishing group projects and in identifying and resolving problems in a constructive manner. Demonstrate openness of constructive feedback and suggestions, in an effort to strengthen work performance. Contribute to a positive, respectful and productive work atmosphere.</p> <p>Foster and promote the importance and value of a diverse, discrimination and harassment free workplace. Respect diversity of opinions, ideas, and cultural differences. Support outreach and diversity related efforts in order to diversify the workforce.</p> <p>Regular attendance is an essential function required to meet the demands of this job and to provide necessary services.</p>

60	NC	E	<p>Analyzes complex consumer complaints presented by members of the insurance-buying public by gathering information and facts from the complainant, insurance agent, and insurance company personnel. Contacts may be in person, by phone, or in writing.</p> <p>Independently evaluates facts and evidence, including contracts, documents, procedures, and computer systems for contractual and statutory compliance as they pertain to multiple lines and disciplines of insurance. Evaluation may include principles of tort law, federal law, contract law, administrative law, workers' compensation law, and accounting, as well as the Oregon Insurance Code and Oregon Administrative Rules.</p> <p>Works directly with insurance companies to mediate and resolve problems evidenced in the complaint. Serves as a liaison with consumers, industry, agents, agencies, and service vendors to create and communicate solutions and options to consumers with complex insurance problems. Resolutions may involve the payment of - money, provision of significant medical services, or other consideration for the complainant.</p>
20	NC	E	<p>Responds as a subject matter expert to insurance-related questions, in person, by phone, and in writing. Provides education to Oregon residents, insurers, insurance agents, other state agencies, and elected officials on the interpretation of insurance laws, administrative rules, insurance industry trade practices, and insurance contracts. Explains the effect on consumers and the industry. Must also provide active educational support to consumers, the industry, and other stakeholders on their rights under the Oregon Insurance Code.</p> <p>Advises insurers and agents on requirements of division programs. May suggest ways to set up and implement procedures to comply with program requirements. May refer information to other division sections for review and action. Interprets and explains applicable laws, rules, regulations, policies, and procedures to insurance agents and insurance company personnel.</p>
10	NC	E	<p>Represents the interest of the insurance-buying public; analyzes changes, trends, and new concepts within the insurance industry; and channels the information to the appropriate party. Analyzes and monitors these trends and advocates for solutions that represent the interest of the insurance-buying public.</p> <p>Interacts regularly with the Compliance and Enforcement teams to complete an efficient consumer protection and market regulation team.</p>
5	NC	E	<p>Participates in division Policy team meetings and activities, presenting new issues, participating in problem solving, recommending statutory changes and new legislative concepts, and drafting division bulletins or administrative rules.</p> <p>In the case of a disaster, implements disaster procedures to expedite insurance claims.</p>
5	NC	E	Special projects and duties as assigned. May include legislative research and public speaking. Attends educational courses to keep abreast of

			changes in the industry and maintain the expertise needed in evaluating products.

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

Cubicle workstation in open office environment. Operates in a work area of moderate noise levels, with a high volume of phone calls received and returned. Deals with people who are upset, frustrated, and escalated.

Hybrid remote work – This position is eligible for remote working on a Hybrid basis once the incumbent has gained the proficiency to perform work independently; however, regular scheduled office hours are also required.

SECTION 5. GUIDELINES

a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

Oregon Insurance Code and Oregon Administrative Rules.

Oregon Revised Statutes and Administrative Rules of other state agencies, including the motor vehicle code, public utilities code, Workers' Compensation code, and Department of Human Resources code.

Principles of contract and tort law.

Fidelity, casualty, and surety bulletins.

Federal statutes relating to health and welfare programs.

National Association of Insurance Commissioners guidelines.

General lines, life, health, and disability income insurance policy language. Auto assigned risk plan and Oregon Fair Plan.

Consumer advocate procedures manual.

b. How are these guidelines used?

Position requires a working knowledge of the above documents. Reference is made to them to legally advise insurance companies and their management teams that their transactions are either in compliance or the changes needed to bring their transactions into compliance.

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
Manager of Consumer Advocacy Unit	In person, by phone, and in writing.	Supervisor/technical advice/ oversight	Daily
Administrator/Deputy Administrator	In person, by phone, and in writing	Special projects	As needed

Other sections of the division and other divisions within DCBS	In person, by phone, and in writing	Technical information and coordination of work	Daily/weekly
Attorneys, health care providers, insurance agents/adjusters/employees/, legislators, other state agencies, and consumers	In person, by phone, and in writing	Consumer complaints	Daily

SECTION 7. POSITION RELATED DECISION MAKING

Describe the typical decisions of this position. Explain the direct effect of these decisions.

1. Identify consumer complaint in contrast to consumer inquiries in order to ensure they are handled correctly.
2. Determine if the division has authority over a policy, topic, question, or complaint, and if we don't, who does.
3. Determine what steps must be taken to properly evaluate and analyze a complaint or inquiry, including the information that must be reviewed.
4. Use discretion in revealing information gathered relative to a consumer complaint to ensure confidential information is not shared and that HIPAA guidelines are followed.
5. Identify conflicts between division policy, contract language, and fact situations, and resolve complaint through the complaint process.
6. Make independent determinations whether actions taken by a licensee or Certificate of Authority holder complies with the Oregon Insurance Code, federal law, and the contract, and whether a file should be referred to Investigations or Compliance, or the Consumer Advocacy manager be notified
7. Determine if consumer escalations should be elevated to management, Command, or the authorities in order to adhere to safety protocols.
8. Propose resolution to management about identified concepts and trends that may have an adverse effect on the insurance-buying public.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
Compliance and Regulatory Manager 2	0003.033	In person, by phone, and video chat, email, and Teams	As needed	Work is spot checked regularly to determine if division guidelines are being met and if determination is correct.

SECTION 9. OVERSIGHT FUNCTIONS**THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY**

a. How many employees are directly supervised by this position? _____ 0
How many employees are supervised through a subordinate supervisor? _____ 0

b. Which of the following activities does this position do?

<input type="checkbox"/> Plan work	<input type="checkbox"/> Coordinates schedules
<input type="checkbox"/> Assigns work	<input type="checkbox"/> Hires and discharges
<input type="checkbox"/> Approves work	<input type="checkbox"/> Recommends hiring
<input type="checkbox"/> Responds to grievances	<input type="checkbox"/> Gives input for performance evaluations
<input type="checkbox"/> Disciplines and rewards	<input type="checkbox"/> Prepares & signs performance evaluations

SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

ADDITIONAL REQUIREMENTS: List any knowledge and skills needed at time of hire that are not already required in the classification specification:

Per ORS 731.228, no division employee shall be a director, officer, or employee of or be financially interested in any person regulated by the insurance code, except as a policyholder or claimant under an insurance policy or by rights vested in commission, fees, or retirement benefits before being employed with the division.

Special Requirements:

Position is subject to a criminal background check.

BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
-	-	-

SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

SECTION 12. SIGNATURES

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____
Appointing Authority Signature _____ Date _____