



**State of Oregon
Office of Administrative Hearings
Position Description**

This position is:

- ☒ Classified
- ☐ Unclassified
- ☐ Executive Service
- ☐ Mgmt Svc – Supervisory
- ☐ Mgmt Svc – Managerial
- ☐ Mgmt Svc – Confidential

Position Revised Date: 6/18/2025

☐ New ☒ Revised

SECTION 1. POSITION INFORMATION

a. Classification Title: <u>Administrative Law Judge 1</u>	b. Classification No: <u>C1510</u>
c. Effective Date: _____	d. Position No: _____
e. Working Title: <u>ALJ 1</u>	f. Agency No: <u>47100</u>
g. Section Title: <u>OAH</u>	h. Budget Auth No: _____
i. Employee Name: _____	j. Repr. Code: <u>OAH (SEIU)</u>
k. Work Location (City – County): _____	
l. Supervisor Name: <u>John Lohuis</u>	
m. 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	
n. FLSA: <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	o. Eligible for Overtime: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Exempt: <input type="checkbox"/> Executive <input checked="" type="checkbox"/> Professional <input type="checkbox"/> Administrative	

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 Employment Department is a large state agency with a mission to Support Business and Promote Employment. We accomplish this by accurately administering the unemployment insurance (UI) benefits program; recruiting and referring applicants to job openings and assisting job seekers in their employment searches (Workforce Operations); developing and distributing workforce and economic information (Communications and Research); creating and administering a paid family and medical leave insurance program for Oregon workers and businesses; and providing administrative services to the Office of Administrative Hearings, which adjudicates citizen and business disputes with agencies.

The department employs more than 2,000 employees in offices located throughout the State, with the central administrative office in Salem.

The Oregon Employment Department fosters fairness, equity, and inclusion to maintain a workplace environment where everyone is treated with respect and dignity regardless of race,

color, national origin, religion, sex, sexual orientation, gender identity, marital status, age, veteran status, disability, or status as a victim of domestic violence, harassment, sexual assault, or stalking. This policy applies to every aspect of our employment practices, including recruitment, hiring, retention, promotion, and training. A goal of the Oregon Employment Department is to become an employer of choice for individuals of all backgrounds and promote an inclusive workplace culture that encourages diversity and allows employees to excel.

The Office of Administrative Hearings (OAH) strives to create an inclusive environment that welcomes and values diversity of the people we serve. The OAH fosters fairness, equity, and inclusion to create a workplace environment where everyone is treated with respect and dignity.

The OAH provides an independent and impartial forum for citizens and businesses to dispute state agency actions. The OAH hears cases referred by approximately 75 state agencies. Cases heard by OAH represent a substantial majority of all contested case hearings for the State of Oregon. The following agencies refer the following case types:

- Unemployment Insurance (UI) and Paid Leave Oregon benefit and tax cases, from Oregon Employment Department.
- Driver's license suspensions/revocations for violations of implied consent (driving under the influence of intoxicants), financial responsibility, and other highway laws, from the Department of Transportation;
- establishment/modification/suspension of child support obligations, from the Division of Child Support, Department of Justice and county District Attorney offices;
- eligibility for cash, food, medical, day care and service benefits, from the Department of Human Services and Oregon Health Authority;
- proposed civil penalty, licensing and disciplinary action cases from various agencies, boards and commissions, such as the Oregon Medical Board, the Oregon Nursing Board, the Department of Public Safety Standards and Training and the Oregon Liquor and Cannabis Commission, water rights cases from the Water Resources Department, retirement benefit cases from the Public Employees Retirement Board and disability cases from the Portland Police and Fire Disability Fund.

The OAH employs administrative law judges (ALJs) and operational staff located in Salem, Tualatin, Eugene, Medford, Pendleton, and Bend. The 2023-25 legislatively approved budget totals more than \$39 million; office operations are funded by agency reimbursement.

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:

Conduct timely, fair, and impartial contested case hearings. Individuals in this position work under minimal supervision with considerable latitude for initiative and independent judgment. Individuals in this position preside over hearings, ensuring that a complete record is developed, and write orders accurately deciding all factual and legal issues.

Individuals in this position hold a majority of their hearings for the Employment Department (OED - unemployment insurance benefit, relief of charges, and Paid Leave Oregon benefits cases), Motor Vehicles Division (DMV - driving privilege suspension under the Implied Consent law and suspension and revocation under other provisions of the Motor Vehicle Code), and the Oregon Health Authority (OHA - eligibility for services under the Oregon Health Plan).

Individuals in this position may also conduct hearings for the Construction Contractors Board

(CCB - civil penalty cases), Landscape Contractors Board (LCB - civil penalty cases), the Oregon State Hospital (OSH - involuntary medication cases), and the Oregon Liquor and Cannabis Commission (OLCC - server permit denial cases). Individuals in this position may also conduct hearings for Paid Leave Oregon. In Implied Consent suspension hearings, drivers are typically represented by attorneys. In most other hearings conducted by individuals in this position, parties are unrepresented and participating agencies usually appear through lay representatives (police witnesses appear in Implied Consent hearings). Usually, there are no witnesses other than the agency representative (or police witness in Implied Consent hearings) and the party or parties to the hearing. The factual and legal issues heard by individuals in this position are of moderate complexity but some cases may require more complex legal analysis, additional research and evaluation and application of expert testimony.

Individuals in the position take an active role in the hearing. They explain the law and procedure at the start of hearings and develop and organize the hearing record. Hearing files are not voluminous but must be reviewed prior to the hearing.

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:
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit “Enter”.			
10	NC	E	Prehearing Activity: Review hearing file and applicable law and rule.
35	NC	E	Conduct Contested Case Hearings: Ensure a fair and impartial process in the development of a complete and accurate record of testimony, exhibits and jurisdictional documents. Examine witnesses as appropriate. Rule on objections to admission of evidence and motions relating to procedural and legal issues. Maintain control of the hearing. Administer oaths/affirmations.
45	NC	E	Write Order: Identify issue(s) in contested case hearings. Review all documents and testimony (lay and expert) in the record. Consider and address arguments of agency, parties, their attorneys or lay representatives. Resolve conflicts in the record. Include all jurisdictional, evidentiary and legal findings of fact that support the ultimate resolution of the issue(s) presented. Research applicable regulations, rules, statutes and

			case law. Analyze all findings and applicable law to publish orders that are factually accurate and legally correct. Publish orders in a timely manner and as required by regulation, rule, statute or OAH policy.
10	NC	E	Ancillary Duties: Maintain knowledge of relevant law and Case Management procedures. Attend OAH meetings and training and perform other duties as assigned.
	NC	E	Ongoing Responsibilities: Perform duties in a manner that provides excellent customer service and harmonious working relationships. Interact courteously and respectfully with all OAH staff and external customers. Effectively participate within teams by assisting colleagues and managers. Maintain good working relationships with OAH staff through active participation in group projects and by constructively identifying and resolving problems. Remain open to constructive feedback and suggestions to strengthen work performance. Contribute to a positive, respectful, courteous and productive work environment. Regular attendance is required to meet the demands of this job and to provide necessary services.
100%			

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.

Individuals in this position have regular contact with the public and occasionally with hostile parties, witnesses and attorneys. They must meet all applicable timelines for publication of orders. Occasional evening and weekend work may be required. Occasional travel, including overnight stays, and remote work may also be 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.**

All orders issued by individuals in this position must meet the standards set forth by the program manager during initial training for the assigned program as well as any updates provided by the program manager. All UI hearings and orders must conform to the criteria contained in the U.S. Department of Labor Handbook for Measuring Lower Authority Appeals Quality (FQA standards).

OHA hearing records and file maintenance duties must conform to the DHS/OHA ALJ Procedure Manual. Unless otherwise specified, all hearings and orders must conform to the standards set forth in ORS 183.411 *et seq.* and OAR 137-003-0501 *et seq.* and with other applicable agency-specific statutes and administrative rules.

b. How are these guidelines used?

Individuals in this position are responsible for understanding for understanding and complying with all duties, standards and expectations set out in subsection (a) above. Orders issued are to be free of error.

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?
<i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".</i>			
Parties to hearings	In person, virtually, by telephone, or in writing	Prehearing, hearing and order	Daily
Agency representatives	In person, virtually, by telephone, or in writing	Prehearing, hearing and order	Regularly
Private attorneys and lay representatives	In person, virtually, by telephone, or in writing	Prehearing, hearing and order	Regularly

SECTION 7. POSITION RELATED DECISION MAKING

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

The orders issued by this position are proposed, proposed and final, or final orders. Final orders are reviewed by the Employment Appeals Board, state circuit courts, federal district courts, or the Oregon Court of Appeals. The process for seeking and obtaining judicial review is complicated and lengthy, normally requiring the assistance of an attorney. Generally, the findings of fact of are reviewed for substantial evidence (*i.e.*, courts must accept an ALJ's findings if supported by the hearing record but they may substitute their own legal conclusions). Proposed orders are reviewed by the referring agency. The referring agency issues a final order, adopting, modifying or rejecting the ALJ's proposed order. Proposed and final orders become final by operation of law unless the referring agency receives exceptions from the parties and/or decides to issue its own order. Individuals in this position decide whether individuals are eligible for benefits, cash, food, medical, day care and service benefits, are required to leave a facility or must submit to psychiatric medication without their consent. The factual and legal issues to be decided are generally of moderate complexity.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".				
MMS ALJ 3	3435	In person, virtually, by telephone, and in writing	Regularly	Coaching, performance review, and quality assurance

SECTION 9. OVERSIGHT FUNCTIONS

THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

- a. How many employees are directly supervised by this position? NA
- How many employees are supervised through a subordinate supervisor? NA
- 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:

This position requires successfully passing a criminal records check, which requires a fingerprint-based records check, as a condition of employment. This position has been designated to have authorized access to FBI CJIS information. To verify identification, the employee shall be subject to a CJIS fingerprint based record check within 30 days of notice from management to verify identification. Individuals in this position must also possess a valid Oregon Driver License.

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

Operating Area	Biennial Amount (\$00000.00)	Fund Type
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".		

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