



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
February 10, 2025

This position is:

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

Agency: Employment Relations Board

Agency No: 115000

New Revised

SECTION 1. POSITION INFORMATION

Form with fields a-j: Classification Title, Effective Date, Working Title, Section Title, Employee Name, Work Location, Supervisor Name, Position, FLSA, Eligible for Overtime.

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 Relations Board (ERB) is a quasi-judicial body empowered by statute to adjudicate and mediate labor disputes arising out of collective bargaining and employer/employee relationships prescribed by or created under ORS Chapters 240, 243, 662, and 663.

The Hearings Division consists of three ALJs, one full-time support staff, and one half-time support staff assigned to Elections. The ALJs investigate complaints and petitions, decide whether a hearing is warranted, recommend dismissal or conduct contested case hearings, make rulings in those hearings, analyze legal briefs and precedents, research the law, and issue findings of fact, conclusions of law, and recommended orders that are subject to Board review.

ALJ's recommended orders; hears oral arguments; analyzes legal briefs and precedents; issues final orders; and renders declaratory rulings.

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 ALJ's primary role is to manage and process a docket of assigned cases that come before the Board under the various statutes that the Board administers. The ALJ investigates complaints, appeals, and petitions; encourages resolution without a hearing; decides whether a hearing is warranted; recommends dismissal when no issue warrants a hearing; conducts contested case hearings; develops a full and fair record of the matters in dispute; researches legal issues; makes rulings; and issues findings of fact, conclusions of law, civil penalties, and recommended orders that are subject to Board review. The ALJ provides the Board with the necessary framework to evaluate and render a final decision on contested matters in accordance with applicable statutes and Board policy, precedent, and procedures. The ALJ is in regular contact with various public and private employers, unions, and employee groups and has significant responsibility in administering various labor and employment relations statutes.

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
60%	NC	E	Conducts in-depth research of the legal issues and applies the results of that research and applicable board rules and legal precedents in preparing recommended rulings, findings of fact, conclusions of law, and proposed orders. Develops, analyzes, and evaluates hearing records and exhibits that may include a considerable amount of conflicting or technical information to develop a clear understanding of the issues and facts of the case.
15%	NC	E	Manages and processes a docket of assigned cases. Schedules hearings, conducts prehearing conferences, and conducts contested case hearings and factfinding hearings to develop a full and fair record in accordance with Board rules and applicable statutes. Rules on evidentiary motions and objections. At the direction of the Board, may conduct expedited contested case hearings, unfair labor practice hearings, and hearings on petitions for declaratory rulings or lawfulness of strike. Prepares expedited proposed rulings and findings of fact for the Board to utilize in issuing a final Board Order
15%	NC	E	Investigates unfair labor practice complaints, representation petitions, unit clarification petitions, challenges or objections to representation elections, objections to proposed bargaining units, appeals of arbitration awards within the Board's jurisdiction, and appeals from State personnel actions to determine timeliness, legal sufficiency, and compliance with Board rules. Rules on pre-trial motions. Recommends dismissal of complaints, petitions and appeals if they do not comply with applicable laws and administrative rules. May defer matter to arbitration or encourage parties to mediate dispute in appropriate cases.

10%	NC	E	Responds to inquiries from unions, public and private employers, employees, and other members of the public concerning cases in process, laws administered by the Board, and application or interpretation of Board rules and statutes. Provides advice and assistance to the Elections Coordinator when requested. Participates and provides constructive comments in peer reviews of drafts of recommended rulings, findings of fact, conclusions of law, and proposed orders for other ALJs. Discusses cases in process and pending legal issues. Participates in agency projects and agency/public committees regarding agency rules, hiring, case management, and office procedures. Reviews recent NLRB, federal and state court, and state and federal agency precedent. Reads current labor and employment law publications. Researches and provides legal opinions to the Administrator or Board as assigned. Performs other duties as assigned by the Board or Business Operations Administrator.
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.

Hearings are conducted in a variety of locations, including at the ERB office in Salem, at the site where the dispute arose, or conducted by videoconference. When not conducting hearings, work is typically conducted in a home office setting, although there are work spaces and conference rooms available at the ERB office in Salem. ALJs are also expected to attend staff meetings at the ERB office in Salem. For out-of-Salem hearings, the ALJ must carry, set up, and operate computerized recording equipment (approximately 10 lbs.) and transport exhibit binders. Travel to hearing locations throughout the state on an irregular basis is required. Overnight stay is sometimes required. Must have a valid state driver’s license and good driving history.

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.

ORS Chapters 240, 243, and 663
Board rules
Public Employee Collective Bargaining Reporter
SPRL Digest
State Appellate Court Cases
US Supreme Court Cases

Board policies, forms and procedures
Oregon Administrative Procedures Act
Attorney General's Administrative Law Manual
BNA's Labor Relations Reference publications
PECBA Digest
National Labor Relations Board rulings
Oregon State Bar Ethics Rules

b. How are these guidelines used?

The ALJ refers to statutes, Board rules, and case law for guidance in case processing and decision making. Other materials are used in research and drafting recommended decisions.

SECTION 6. WORK CONTACTS

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

Who Contacted	How	Purpose	How Often?
Public employer representatives	Telephone, letter, in person, e-mail, videoconference	Case processing	Daily
Unions, employee representatives	Telephone, letter, in person, e-mail, videoconference	Case processing	Daily
Individual employees, public and private sectors	Telephone, letter, in person, e-mail, videoconference	Case processing	Weekly
Members of press, public	Telephone, letter, e-mail	Information	Occasionally
Members of the Board	Telephone, in person, email, videoconference	Case processing	Weekly
Private employer representatives	Telephone, letter, in person, e-mail, videoconference	Case processing	Occasionally

SECTION 7. POSITION RELATED DECISION MAKING

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

Decides whether hearing is required on complaint, petition, or appeal. May result in dismissal of disputed matter.

Recommends disposition of unfair labor practice disputes or appeals of adverse state personnel actions. May result in monetary award from employer, reinstatement of discharged or laid off employee(s), rescission of changes to terms and conditions of employment made by employer, or affirmation of action taken by employer. Employer may be required to post notices of conduct found unlawful. Employer or labor organization may be required to pay a civil penalty.

Decides appropriate bargaining unit composition or public employee status. May result in employees being accorded or denied collective bargaining representation and protected rights.

All the foregoing can substantially affect employees, employers, and unions because of reinstatement or termination of employee(s) and budget impact of changes in work or compensation of public employees.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
Employment Relations Board Chair	1150001	In person, by telephone, and by videoconference; and review of work product.	As required	Review caseload and pending matters to ensure cases are being processed in a timely manner and that all actions comply with statutes, rules, policies, and precedents, and comply with the standards and expectations of the Board.

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:

The ALJ must:

- have excellent legal research and writing skills
- have considerable knowledge of a specialized area of law—labor/employment, including the Oregon Public Employee Collective Bargaining Act and State Personnel Relations Law
- be familiar with Board case law and rules
- be able to preside and retain control over hearings, which are often lengthy and contentious
- be able to identify critical issues in cases, and write recommended orders that state facts and legal conclusions in clear and concise fashion
- be able to use a PC and word processing programs, such as Microsoft Word
- be able to host virtual meetings on a videoconferencing platform, such as Teams
- be able to operate audio recording software and equipment
- be admitted to practice law in any state

In addition to the duties outlined above, each ERB employee is expected to:

- contribute to a positive and productive work environment
- work cooperatively with co-workers
- participate in team and agency development and training activities
- provide excellent customer service to the public, coworkers, and other state employees
- advance the mission of the agency by treating all customers, stakeholders, partners, and co-workers with dignity and respect
- contribute to a work environment where individual and cultural differences are valued and respected
- be aware of and abide by agency security plans, policies, and procedures, and protect sensitive and confidential information at all times

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

Operating Area	Biennial Amount (\$00000.00)	Fund Type
None		

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

Employment Relations Board 2023-2025 Organizational Chart

