

GLOSSARY OF COMMON WCB TERMS

Abatement: An order issued by an ALJ or the Board Members that suspends a previously issued Opinion and Order or Order on Review, usually for purposes of reconsideration.

Administrative Law Judge (ALJ): Person who adjudicates workers' compensation and safety cases.

Administrative Rulemaking Hearing: A hearing conducted allowing interested persons to provide comments on the agency's proposal for changes to the Board's administrative rules of practice and procedure.

All-Day Set: A hearing expected to take a full day on the docket.

Board Remand: A case on Board review that has been sent back to the Hearings Division for reconsideration or the taking of additional evidence.

Briefing Schedule: period within which written arguments (briefs) are submitted to the ALJ or Board Members.

Cancelled: Hearing or mediation has been taken off the docket.

Change of Venue: Changing the location of the hearing. A request for such a change must be made by a written motion.

Claim Disposition Agreement (CDA): A written agreement executed by the parties in which a claimant agrees to release rights, or agrees to release an insurer or self-insured employer from its obligations, except for medical services, in an accepted claim. CDAs are approved by ALJ-mediators or Board Members.

Confirmed: Hearing or mediation is scheduled on the docket.

Consolidation: When a new request for hearing is assigned a separate WCB number and is joined with a case already on an ALJ's docket.

Continued Case: Situation in which the hearing commences but is not completed on the originally scheduled date and will be resumed at a later date.

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DCBS: Department of Consumer and Business Services.

Director's Order: An order issued by the Workers' Compensation Division (WCD). Certain orders can be transferred to the Hearings Division for a hearing and issuance of a Proposed and Final Order on behalf of the Director.

Dismissal: Where an Order of Dismissal with appeal rights has issued disposing of the request for hearing or request for Board review.

Disputed Claim Settlement (DCS): A written agreement executed by the parties in which the parties agree to make a reasonable disposition of all or part of a claim in which there is a bona fide dispute over the compensability of the claim. DCSs are approved by ALJs or Board Members.

Expedited Claim Service (ECS): Cases where the issue does not involve compensability and the amount in controversy is \$1,000 or less, or a non-cooperation denial is at issue. Hearing is set within 30 days of the filing of the request for hearing. Within 10 days after closure of the case, the ALJ will issue a written order.

Expedited Hearing: Hearing in which claimant is granted an expedited setting of the hearing when medical or financial hardship is established.

Expedited Remedy: Cases where an insurer or self-insured employer, through a show cause order issued by an ALJ, is given 15 days to explain why temporary disability (under certain conditions), was not provided to claimant. Within 10 days after closure of the case, the ALJ will issue a written order.

Hearing Submitted On The Record: A case that is decided by an ALJ based on the written record (exhibits, arguments).

Interpreter Services Coordinator (ISC): WCB staff person who coordinates interpreter services for hearings.

Mediation: A voluntary process for resolving disputes by which an independent neutral mediator facilitates a mutually-agreeable resolution between all parties without the necessity of a hearing.

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Non-Complying Employer (NCE): A subject employer in the State of Oregon operating without workers' compensation insurance coverage.

NCE Appeal: A request for hearing filed by an NCE that appeals a WCD order of non-compliance.

Normal Course Initial Set: Hearing set within 90 days of filing a new request for hearing.

Notice of Hearing: Computer-generated form issued by WCB notifying the parties of the time, place, and date of hearing.

Opinion and Order (O&O): An order with appeal rights issued by an ALJ detailing his/her decision relating to the issues presented in the case.

Order Issued Pursuant to ORS 656.307: A WCD order with appeal rights to the Hearings Division that designates which insurer or self-insured employer shall pay compensation on a claim where responsibility is at issue.

Order on Reconsideration: (1) An order issued by the Appellate Review Unit of WCD. This order is the first step in the appeal process on claim closures. This order, in turn, can be appealed to WCB. (2) An order issued by an ALJ or by the Board Members which reconsiders all or portions of a previously issued Opinion and Order or Order on Review.

Own Motion: Additional benefits that may be granted to a worker after expiration of their 5-year "aggravation rights," either through voluntary claim reopening by the carrier or by order of the Board under its "Own Motion" authority.

Postponement: A case taken off the docket by an ALJ that is to be reset for a later date.

Request for Hearing: A document filed with WCB that begins the litigation process.

Safety Case: An appeal of an OR-OSHA safety citation.

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Set (setting): A scheduled hearing.

Settlement: When the parties to a case decide to settle their dispute by mutual agreement.

Stipulation: A written or oral agreement made on the record during a hearing approved in writing by the ALJ in which any matter contested between the parties (except matters settled by CDA or DCS) are resolved by agreement of the parties.

Subject Employer: An employer in the State of Oregon that is required to have workers' compensation insurance coverage.

Subject Worker: A worker in the State of Oregon for which workers' compensation insurance coverage is required to be provided.

Subjectivity Case: Case where the issue is limited to whether the worker was a subject worker and the alleged employer was a subject employer on the date of the alleged injury. This type of case arises from appeal of a WCD order which is appealable to the Hearings Division.

Supplemental Request for Hearing: Written notification adding an issue to an existing case set before an ALJ which does not have a separate WCB number.

WCB Portal: WCB's web portal is a specially-designed website that enables users to submit filings, provide service to other parties, and view case information in a secure, password-protected environment.

Withdrawal: Correspondence indicating that the party that filed a request for hearing or a request for Board review wishes to withdraw their request.