State of Michigan
Civil Service Commission

Capitol Commons Center, P.O. Box 30002
Lansing, MI 48909

Position Code

1. ADMEXMAA50N

POSITION DESCRIPTION

This position description serves as the official classification document of record for this position. Please complete the information as accurately as you can as the position description is used to determine the proper classification of the position.

2. Employee's Name (Last, First, M.I.)	**8. Department/Agency** LICENSING AND REGULATORY AFF
3. Employee Identification Number	**9. Bureau (Institution, Board, or Commission)** Michigan Office of Administrative Hearings and Rules
4. Civil Service Position Code Description ADMIN LAW EXAMINER-A	**10. Division**
5. Working Title (What the agency calls the position) Administrative Law Examiner	**11. Section**
6. Name and Position Code Description of Direct Supervisor GIBSON, LAURA; ADMINISTRATIVE LAW MANAGER-2	**12. Unit**
7. Name and Position Code Description of Second Level Supervisor PASCOE, DEE J; ADMIN LAW ADMINISTRATOR-2	**13. Work Location (City and Address)/Hours of Work** 3026 W. Grand Blvd., 2nd Floor, Ste 2-700, Detroit / 8-5/M-F with remote & AWS if applicable

14. General Summary of Function/Purpose of Position

Employees in this position function as an administrative law examiner with responsibility for presiding over complex and non-complex administrative hearings relating to the regulatory authority, rules, and procedures of the assigned department or agency. Rendered decisions are based on findings of fact and/or legal interpretations and conclusions. The employee is responsible for assignments with significantly greater complexity than those assigned at the experienced level. Extensive independent judgment is used to make decisions in carrying out assignments that have substantial impact on services of programs.

Serve as a senior level adjudicator with primary, though not exclusive, jurisdiction in the area of unemployment appeals. These adjudications involve the most complex employment appeal referrals including tax liability cases, misrepresentation cases, and multi-claimant disputes.

15. Please describe the assigned duties, percent of time spent performing each duty, and what is done to complete each duty.

List the duties from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary: **Percentage:** **60**

Conduct contested non-complex and complex case hearings as a senior level adjudicator in the unemployment appeals area. The employee is responsible for assignments with significantly greater complexity than those assigned at the experienced level, including tax liability cases, intentional misrepresentation cases, and multi-claimant disputes.

Individual tasks related to the duty:

- Review all documents in case file prior to hearing to identify issues, relevant legal authority, and procedural questions.
- Conduct prehearing conferences to clarify issues, establish deadlines for submission, and establish timeframes for the completion of the hearing.
- Preside over hearings and oral argument concerning disputed fact and/or law.
- Administer oaths and affirmations.
- Maintain order and make a complete formal record of the proceedings. Rules on offers of proof and receive relevant evidence.
- Dispose of procedural requests or similar matters.
- Regulate participation of parties. Rule on motions, objections, the relevance of testimony and exhibits, and other procedural matters.
- Question witnesses if necessary or desirable.
- Hear arguments of the parties and/or counsel upon completion of evidence.
- Receive expert testimony of physicians and other professionals in specialized fields.

Duty 2

General Summary: **Percentage:** **25**

Create a complete formal record of facts and documents; review files, records and briefs; conduct research to determine applicable statutes and precedents; and write opinions.

Individual tasks related to the duty:

- Review files, records and briefs.
- Draft and finalize summaries of proceedings, findings of fact and conclusions of law with regard to both complex and non-complex hearings.
- Issue decisions, reports, and proposals for decision within established timeliness deadlines.
- Adhere to format and style guidelines in issuance of opinions

Duty 3

General Summary: **Percentage:** **5**

Legal Research

Individual tasks related to the duty:

- Utilize various methods of legal research of legal issues pertaining to case subject areas of the agency and assist in the development of best practices in assigned areas.
- Research areas of the law which are either in conflict or those areas in which no legal precedent has been established.
- Participate in training, seminars, conferences and meetings.

Duty 4

General Summary: **Percentage:** **5**

Maintenance of records and reports related to the position.

Individual tasks related to the duty:

- Maintenance of calendar containing schedule of assigned cases.
- Maintenance of copies of hearing reports, proposals for decision, opinions, rulings, correspondence, etc.
- Timekeeping records demonstrating time spent on various case types

Duty 5

General Summary: **Percentage:** **5**

Other duties as assigned.

Individual tasks related to the duty:

Other duties as assigned.

16. Describe the types of decisions made independently in this position and tell who or what is affected by those decisions.

The employee makes all substantive decisions regarding cases before them, including the most complex unemployment appeals involving multi-claimant disputes, tax liability cases, and intentional misrepresentation cases. These decisions are independent of any supervisory individual. Decisions include both dispositive and non-dispositive rulings on contested case motions; evidentiary rulings that occur during motion hearings and contested case hearings; rulings on requests for adjournments; continuances; discovery, etc. These decisions impact the party or parties to the cases assigned to the administrative law examiner as well as the general public.

17. Describe the types of decisions that require the supervisor's review.

1) Decisions that deviate in format/layout/titles from standards.

2) Exceptions from established timeliness standards.

3) Orders from higher appellate authority admonishing for inappropriate behavior

18. What kind of physical effort is used to perform this job? What environmental conditions in this position physically exposed to on the job? Indicate the amount of time and intensity of each activity and condition. Refer to instructions.

The physical general office environment includes sitting, typing, walking, and lifting light to medium weights. Travel to county offices and other hearing sites with appropriate equipment to conduct in-person hearings may be required. Travel must be completed in all weather conditions. Overnight stays may be necessary.

19. List the names and position code descriptions of each classified employee whom this position immediately supervises or oversees on a full-time, on-going basis.

Additional Subordinates

20. This position's responsibilities for the above-listed employees includes the following (check as many as apply):

N	Complete and sign service ratings.	N	Assign work.
N	Provide formal written counseling.	N	Approve work.
N	Approve leave requests.	N	Review work.
N	Approve time and attendance.	N	Provide guidance on work methods.
N	Orally reprimand.	N	Train employees in the work.

22. Do you agree with the responses for items 1 through 20? If not, which items do you disagree with and why?

Yes

23. What are the essential functions of this position?

Employees in this position function as an administrative law examiner with responsibility for presiding over complex and non-complex administrative hearings relating to the regulatory authority, rules, and procedures of the assigned department or agency. Rendered decisions are based on findings of fact and/or legal interpretations and conclusions. The employee is responsible for assignments with significantly greater complexity than those assigned at the experienced level. Extensive independent judgment is used to make decisions in carrying out assignments that have substantial impact on services of programs. Serve as a senior level adjudicator with primary, though not exclusive, jurisdiction in the area of unemployment appeals. These adjudications involve the most complex employment appeal referrals including tax liability cases, misrepresentation cases, and multi-claimant disputes.

24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.

25. What is the function of the work area and how does this position fit into that function?

MOAHR performs contested case hearings under a wide variety of statutory frameworks. This position is responsible for presiding over hearings of a variety of case types with primary emphasis on unemployment appeals cases.

26. What are the minimum education and experience qualifications needed to perform the essential functions of this position.

EDUCATION:

Possession of a Juris Doctorate degree from an accredited school of law.

EXPERIENCE:

Three years of professional experience in legal work, including one year equivalent to an Administrative Law Examiner 15 or Administrative Law Specialist 15 in state service.

KNOWLEDGE, SKILLS, AND ABILITIES:

Considerable knowledge of administrative law and procedure and the practices and procedures involved in quasi-judicial hearings under the Administrative Procedures Act and federal requirements. Additionally, considerable knowledge of the statutory and regulatory authority, rules, and procedures associated with the contested case hearings conducted by the Michigan Office of Administrative Hearings and Rules especially in the area of unemployment appeals cases. With advancements in workplace technology and MOAHR business practices, efficient and effective use of Information Technology, including both hardware and software, is critical to completing the essential functions of this position

CERTIFICATES, LICENSES, REGISTRATIONS:

Must be a member in good standing with the State Bar of Michigan.

NOTE: Civil Service approval does not constitute agreement with or acceptance of the desired qualifications of this position.

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Supervisor **Date**

TO BE FILLED OUT BY APPOINTING AUTHORITY

Indicate any exceptions or additions to the statements of employee or supervisors.

N/A

I certify that the entries on these pages are accurate and complete.

Appointing Authority **Date**

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Employee **Date**