

*Training/Supervising
UI Hearing Officers*

Appeal Tribunal of the
Oklahoma Employment Security
Commission (OESC)
(Lower Authority)

Current Structure

17 Hearing Officers, including:

- Director of Appeals,
- Chief Hearing Officer, and
- (2) Hearing Officer Supervisors

10 Support Staff:

- (6) Appeals Support and
- (4) Appeals Processing

Hearing Officer Makeup

17 Total Hearing Officers: ,

- (12) Attorneys, and
- (5) Non-Attorneys whom came to through the Agency

No statutory requirement that Hearing Officers be Attorneys

Appeals employees are Merit Protected but are not unionized

Recent Appeal Volume

2014 Total: 13,041

2013 Total: 12,535

2012 Total: 15,857

Hearing Officer Supervisors

Each Supervisor:

- has 6-7 Hearing Officers reporting to them
- Provides day-to-day direction
- and handles PMPs.

The Supervisors were added in 2014 in large part due Oklahoma State Legislature requirement that:

- 5% of misconduct cases by reviewed to ensure a proper decision was made.
- By Rule, the review is by the Director (or designee) and two Hearing Officers.

- ETA-382 criteria used to make the Legislative Review to be consistent with a known standard.
- Legislative Requirement will double or triple the number of hearings to be graded each year.
- Therefore, Hearing Officer Supervisors carry a reduced case load because of the grading.

Grading and PMPs

The grades, whether the regular USDOL or Legislative Samples, are included in the PMPs for Hearing Officers.

- Hearing Officers generally Meet Standards if
- their overall average is 85-91%,
- The Due Process Criteria is 90-92%, and
- same for the grading of the Written Decision.

Additionally, PMPs include requirements:

- to submit written decisions within two days of the hearing in 80% of the graded cases;
- and meet 30 day time lapse within five percent of the overall Appeal Tribunal Average.

Training of New Hearing Officers

Training has evolved over time from “throwing them to the wolves” during the Recession to a more structured approach that first included Mentors and now the Supervisors.

Training consists of three modules:

- **Module One**: Introduction to the Commission and the Appeal Tribunal
- **Module Two**: Preparation to Conduct a Hearing.
- **Module Three**: Holding Hearings at increasing rate per week

Depending on the experience of the incoming Hearing Officers, the time in each Module is roughly:

Module One:

- usually one week:
- Covers Introduction to the Commission and the Appeal Tribunal

Module Two

- Lasts 2-4 weeks:
 - Covers Preparation to Conduct a Hearing.
- Consists of
- individual review of the Act and Rules,
 - the Commission's Precedent Manual;
 - listening to Hearings of other officers;
 - mechanics of writing a case
 - use of WordPerfect Macros; and
 - 382 grading a case(s) with experienced Hearing Officer (s)

Module Three

- holding hearings at an ever increasing weekly rate.
- For example, 4 first week; 8 week two; etc., until the Hearing Officer reaches full load of 28.

In Module Three

- The Hearing Officer starts holding Hearings with Mentor or Supervisor present.
- At the appropriate time, the Mentor or Supervisor listens in remotely; and
- after a time lets the Hearing Officer go solo, except upon request

“Study Hall”

- a periodic session (preferably each week)
- New Hearing Officers meet with more experienced individuals for an open discussion.
- Often certain topics are set in advance (such evidence in an Administrative Hearing, including Hearsay),
- on other occasions it can be an open forum