

State Office of Risk Management

Job Announcement

State Office of Risk Management

POSTING NUMBER: 21-0304

JOB TITLE: Attorney II

MONTHLY SALARY: \$5,416.67

POSTING DATE: April 5, 2021

LOCATION: 300 West 15th Street, 6th Floor, Austin, TX 78701

WORKING TITLE: Managing Attorney

DURATION: Until Filled

GENERAL DESCRIPTION

The State Office of Risk Management (SORM) is looking for a Managing Attorney. In conjunction with the Director of Litigation Management and other agency authorities, the Managing Attorney conducts and/or assists with the agency's litigation while maintaining and promoting relationships with clients and other legal representatives. As the Managing Attorney, you will advocate on behalf of SORM before the Division of Workers Compensation, State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts and acts as a liaison between SORM and the Office of the Attorney General. You will actively engage with core staff, directors, and executive management to identify client needs; provide advice and guidance; and ensure proposed courses of action are in compliance with legal requirements and align with strategic objectives. We expect you to maintain transparency throughout the course of litigation and communicate regularly with stakeholders and management. As the Managing Attorney, you must be confident, driven, organized, and analytical. This position requires a high degree of professionalism; a strong work ethic with an inherent understanding of ethical duties; effective written and verbal communication skills; exceptional ability to motivate, persuade, and influence others; excellent problem-solving skills; and the ability to delegate responsibilities and prioritize duties. This position requires an extensive knowledge of and experience with Texas workers' compensation laws. May train, coordinate, and lead the workload of others.

ESSENTIAL JOB FUNCTIONS

Assists with the daily operations and activities of the agency's strategic advocacy, including impact litigation.

Advises professional and administrative staff on legal matters and the interpretation, application, and enforcement of the Texas Workers Compensation Act and related rules.

Works directly with internal staff and the Attorney General's Office to coordinate and formulate strategies for successful representation before the Division of Workers Compensation, State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts.

Responsible for case preparation and presentation in workers' compensation administrative hearings, benefit review conferences, contested case hearings, medical fee disputes, medical necessity disputes, court trials; and appeals of workers' compensation decision, orders, and judgments. Assists with subrogation lien recovery; subsequent injury fund requests for reimbursement; and workers' compensation fraud investigations.

Conducts and/or assists with case preparation and presentation in labor and employment claims and appeals.

Interviews clients and witnesses to obtain the facts of a case. May testify at hearings and trials.

Represents the agency, as needed, in matters before Division of Workers Compensation, the State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts.

Maintains detailed and up-to-date information on the status of workers' compensation disputes and litigation. Analyzes dispute and litigation outcomes and trends and assists with adjustments to litigation strategies in response to outcomes and/or trends.

Researches points of law involved in hearings to determine the validity and completeness of cases cited.

Maintains up-to-date knowledge of legal principles, practices, proceedings, and state laws, regulations, and rules necessary to perform essential job functions.

Assists with developing hearing schedules, priorities, and standards. Assists with monitoring compliance with deadlines and requirements in the Workers' Compensation Act and rules.

Assists with training, mentoring, and professional development of workers' compensation adjusters and other staff.

Analyzes and interprets laws, rulings, and regulations. Researches, drafts, and/or assists in drafting bills and amendments for legislative consideration.

Reviews proposed laws, rules, regulations, bills, and statutory amendments for potential effect on agency operations and/or workers' compensation claims handling. Monitors court decisions that could potentially effect workers' compensation claims handling.

Provides updates and recommendations to the Director, Division Chief, Executive Management, and the Board on legal issues, including workers' compensation, affecting the agency.

Represents the agency in business meetings, mediations, and other events.

Performs related work as assigned

Maintains relevant knowledge necessary to perform essential job functions

Attends work regularly in compliance with agreed-upon work schedule

Ensures security and confidentiality of sensitive and/or protected information

Complies with all agency policies and procedures, including those pertaining to ethics and integrity

MINIMUM QUALIFICATIONS

Education: Graduation from an accredited law school with a Juris Doctor (J.D.) degree. Must be licensed as an attorney by the State Bar of Texas. Must be a member in good standing with State Bar of Texas.

Experience: At least three years of experience in workers' compensation.

Knowledge of the Texas Workers' Compensation Act, rules, regulations, Appeals Panel Decisions. Knowledge of legal principles, practices, and proceedings; state and federal laws, rules, and regulations; labor and employment law; and other areas of law respecting agency operations.

Skill in legal research, writing, and analysis; in the use of a computer and applicable software; in using reasoning and logic; in identifying and solving complex problems; in prioritizing workloads; and in using judgment to identify courses of action.

Skill in effective oral and written communication [Writing sample required at time of application and administered at the time of interview]

Skill in exercising sound judgment and effective decision making.

Ability to conduct hearings, to prepare opinions and briefs, to prepare cases for trial, to conduct research, to summarize findings, to interpret and apply laws, to use legal reference materials, and to communicate effectively.

Ability to coordinate multiple projects simultaneously; prioritize workloads and complete assigned tasks under tight deadlines; and handle stressful situations.

Ability to maintain effective working relationships within and outside the agency and work with others in a professional office environment.

Ability to receive and respond positively to constructive feedback

Ability to provide excellent customer service

Ability to arrange for personal transportation for business-related travel

Ability to work more than 40 hours as needed and in compliance with the FLSA

Ability to lift and relocate 30 lbs.

Ability to travel (including overnight travel) up to 5%

PREFERRED QUALIFICATIONS

More than three years of experience with the Texas Workers' Compensation Act and administrative law.

More than three years of litigation experience in workers' compensation and/or insurance and claim settlement.

Board certified in workers' compensation law, civil trial law, and/or administrative law

TO APPLY

All applications for employment with the State Office of Risk Management must be submitted electronically through www.WorkInTexas.com. A State of Texas application in WorkInTexas (WIT) must be completed to be considered **OR** Submit a State of Texas Application for Employment to: Attn: Linda Griffin, State Office of Risk Management, P.O. Box 13777, Austin, TX 78711-3777. Military Crosswalk information can be accessed at http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC_Legal.pdf.

THE SORM IS AN EQUAL OPPORTUNITY EMPLOYER