

**New York State Department of Civil Service**  
DIVISION OF CLASSIFICATION & COMPENSATION

Classification Standard

**Occ. Code 8196100**

<b>Fair Hearings Specialist 1, Grade 14</b>	<b>8196100</b>
<b>Fair Hearings Specialist 2, Grade 18</b>	<b>8196200</b>
<b>Fair Hearings Specialist 3, Grade 23</b>	<b>8196300</b>
<b>Fair Hearings Specialist 4, M-2</b>	<b>8196400</b>

Brief Description of Class Series

Fair Hearings Specialists review and make determinations on requests for fair hearings, adjournments, withdrawals, Aid-to-Continue, complaints of non-compliance with hearing decisions, and the process for appealing fair hearing decisions from clients and their representatives. They respond to inquiries relating to the appeals process and make appropriate referrals; and provide guidance to local districts in meeting regulatory requirements pertaining to the hearing process.

Distinguishing Characteristics

*Fair Hearings Specialist 1:* full performance level; may supervise lower-level clerical staff; may handle and assist with the more complicated issues.

*Fair Hearings Specialist 2:* first supervisory level; supervises multiple Fair Hearings Specialists 1; and independently handles the more difficult and precedent-setting cases. When assigned to the Compliance Unit of the Fair Hearings Office in the Office of Temporary and Disability Assistance, independently resolves post-hearing issues and need not supervise staff.

*Fair Hearings Specialist 3:* second supervisory level; supervises multiple Fair Hearings Specialists 2 and lower level staff; monitors unit workflow including work production and work quality.

*Fair Hearings Specialist 4:* managerial level; directs activities of an assigned section in the Office of Administrative Hearings, setting goals, priorities, and procedures. Incumbents supervise multiple Fair Hearings Specialists 3 and lower level staff.

## Related Classes

Temporary Assistance Specialists assist in the administration of programs that provide financial assistance and supportive services to dependent and disabled individuals and families, or individuals and families eligible for assistance and services. Incumbents work with local social services agencies and local refugee and immigration program services providers to enable eligible families and individuals to achieve independence. They make field visits to identify local agency needs, review program activities and provide technical assistance and advice to local program managers and to directors of contract agencies to ensure adherence to State and federal guidelines, and contract requirements.

## Illustrative Duties

### *Fair Hearings Specialist 1*

Provides information regarding hearing procedures to State agency and local district staff, clients and their representatives, and other parties.

Processes requests for administrative hearing records, Fair Hearings, Homebound Hearings from appellants/representatives, Intentional Program Violations Hearings, and waiver of appearance requests from local social services districts and its agents; schedules hearings; prioritizes hearings in accordance with federal and state regulations, law and court decisions; manages workflow at hearing locations; and conducts other matters regarding the administrative hearing process.

Handles general inquiries from clients, their representatives or local agencies and makes referrals to appropriate program areas or proper agency.

Determines continuation of aid status and good cause for adjourning and reopening hearings.

Drafts responses to correspondence relating to the hearing process.

Screens and processes emergency hearings.

Retrieves, analyzes and/or updates information from the Fair Hearing Information System, Welfare Management System, Automated Child Care Information System, New York City Work Accountability and You, State Supplemental Program, Client Notification System, eMedNY, and other relevant systems.

Identifies governmental entity or agent taking adverse action against clients and ensures all relevant parties are notified about a hearing request. This includes

identifying the appropriate local district location, managed care organization, or State entity.

Fields compliance complaints, referring more complicated cases to appropriate supervisor.

Gathers statistical data and prepares reports.

Assists supervisor in preparing written procedures.

May supervise clerical staff.

### *Fair Hearings Specialist 2*

May perform all of the same duties as a Fair Hearings Specialist 1.

Supervises staff handling telephone, on-line, written and walk-in requests.

Manages workflow by evaluating staffing levels, work priorities, and work assignment computer systems.

Provides technical assistance to State and local district staff.

Disseminates, interprets, and clarifies decisions, policies, rules, regulations and directives.

Oversees the administration of the Homebound Hearing process and handles the more difficult and sensitive cases.

Meets with local district staff to ascertain ways to reduce the hearing workload and participates in training local districts' staff to enhance their performance.

Evaluates evidence packages submitted by districts and determines if the evidence supports an administrative disqualification hearing.

Directs local districts to comply with fair hearing decisions, monitors local districts' compliance performance and suggests ways to reduce incidences of non-compliance.

Determines when fair hearings require expeditious handling.

Oversees the review of and/or directly evaluates evidentiary packets from local districts and determines if there is sufficient documentation to proceed with Intentional Program Violation hearings or an Administrative Disqualification hearing.

Processes and coordinates reconsideration requests.

Analyzes cases pertaining to the hearing process and prepares reports utilizing statistical and other data.

Writes procedures.

Creates and updates training materials for Fair Hearings Specialists 1.

Assists in researching and developing information relating to litigation.

Directs the daily operations of the Fair Hearing Information System.

Works with information technology staff to ensure coordinated operational support.

### *Fair Hearings Specialist 3*

May perform all of the same duties as lower level Fair Hearings Specialists.

Issues responses to Federal, State and local district staff at high levels on matters of a more complex nature such as complaints and inquiries received from appellants, representatives and elected officials.

Develops administrative procedures and practices related to the hearing process, and assists in the efficient administration of the fair hearing process. This may include monitoring workload levels; and review of assignments completed by staff to ensure accuracy and that appropriate action was taken.

Monitors unit workflow to ensure mandated timeframes are met, emergency cases are expedited and sensitive issues are handled appropriately.

Performs the full range of administrative supervisory responsibilities.

### *Fair Hearings Specialist 4*

May perform all of the same duties as lower level Fair Hearings Specialists.

Supervises two or more Fair Hearings Specialists 3 who are responsible for time and attendance, work production and work quality of their units, and ensures that all employees properly implement office policy and procedures.

Monitors and evaluates unit functions to assure that the workload is timely processed, that the error rate of staff is minimal, and that staff is provided with sufficient training to successfully perform their duties.

Coordinates with other agencies to implement new programs to ensure administrative hearings are properly scheduled.

Develops policies and procedures, ensures continuity of operations for hearings and implement recommendations.

Provides technical expertise, advice, and assistance to high-level agency and local district staff members regarding State and Federal laws, rules, regulations, policies and procedures related to, or resulting from, the administrative hearing process.

Reviews and authorizes the contracts and procurement processes for security guards, temporary employees, interpreters, and other contracted staff.

Performs the full range of administrative supervisory responsibilities.

### Minimum Qualifications

#### *Fair Hearings Specialist 1*

Open Competitive: four years of paraprofessional or professional experience providing services to individuals in need of and/or eligible for social services programs or implementing/administering programs regulated by the New York State Office of Temporary and Disability Assistance, the New York State Office of Children and Family Services, or the New York State Department of Health.

Substitution:

1. College education in any field may substitute for up to three years of the experience noted above at the rate of 30 semester credit hours or the equivalent thereof.
2. An associate or higher degree in law or legal assistant/paralegal education from a regionally accredited college or university, or college or university accredited by the Accrediting Council for Independent Colleges and Schools (ACICS), may substitute for all four years of the experience noted above.
3. Completion of a legal assistant/paralegal education, qualifying non-degree certificate program where the certificate was issued by a regionally accredited or ACICS accredited college or university AND two years of paralegal experience may substitute for all four years of experience noted above.

#### *Fair Hearings Specialist 2*

Promotion: one year of permanent competitive service as a Fair Hearings Specialist 1.

*Fair Hearings Specialist 3*

Promotion: one year of permanent competitive service as a Fair Hearings Specialist 2.

*Fair Hearings Specialist 4*

Promotion: one year of permanent competitive service as a Fair Hearings Specialist 3.

**Note:** Classification Standards illustrate the nature, extent and scope of duties and responsibilities of the classes they describe. Standards cannot and do not include all of the work that might be appropriately performed by a class. The minimum qualifications above are those which were required for appointment at the time the Classification Standard was written. Please contact the Division of Staffing Services for current information on minimum qualification requirements for appointment or examination.

Date: 5/2019