

GLOSSARY OF COMMON WCB TERMS

ADMINISTRATIVE LAW JUDGE - ALJ - WCB

ADMINISTRATIVE RULE HEARING - A hearing where interested persons can present their views on the agency's proposal for a new administrative rule or an amendment to or deletion of an existing rule.

ALL- DAY SET - A hearing expected to take a full day on the docket.

BOARD REMAND - A case that has been sent back from the Board to the ALJ for reconsideration or the taking of additional evidence.

BRIEFING - schedule to submit briefs to the Board; set by the Board's briefing secretary.

CHANGE OF VENUE - Changing the location of the hearing. A request for such a change must be made via a written motion.

CLAIMS DISPOSITION AGREEMENT - (CDA) - An agreement signed by all parties and submitted to the WC Board for approval.

CONSOLIDATION - Where a request for hearing is consolidated with a case involving the same claimant and is already on an ALJ calendar.

CONTINUED CASE - Where the hearing can't be completed on the originally scheduled date and will be resumed at a later date.

CONFIRMED - Hearing or mediation is scheduled on the docket.

CANCELLED - Hearing or mediation has been taken off the docket.

DEFERRED CASE - Cases not ready for hearing for an indefinite or specified period of time. ALJ will issue an order of deferral.

DEPARTMENT OF CONSUMER & BUSINESS SERVICES - DCBS

DIRECTOR'S ORDER - An order issued by one of the sections within DCBS's Workers' Compensation Division (WCD) that can be appealed to WCB.

DISMISSAL - Eliminates necessity of a formal hearing. An order of dismissal is entered when a party moves for dismissal and the ALJ grants the motion, or when a party withdraws a request for hearing.

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DISPUTED CLAIM SETTLEMENT - An agreement signed by all parties that settles a DENIED claim or a DENIED issue. Compensability must be in question for any issue being disputed.

EXPEDITED CLAIM SERVICE - Cases set within thirty days of the filing of the request for hearing.

EXPEDITED HEARING - Allows claimant an expedited setting of the hearing when medical or financial hardship is established.

EXPEDITED REMEDY - Requires insurer, through a show cause order issued by an ALJ, to show why temporary disability was terminated and provides claimant an expedited hearing date.

HEARING SUBMITTED ON RECORD - A case that does not involve testimony and does not require a hearing room, but does require an ALJ decision based on the written record (exhibits, arguments).

INTERPRETER SERVICES COORDINATOR (ISC) - WCB staff person who coordinates WCB's interpreter program.

MEDIATION - A formal conference involving the parties, their attorneys and an ALJ-mediator; the objective is to reach an agreed resolution of the case without a hearing.

NON-COMPLYING EMPLOYER - A subject employer in the State of Oregon operating without Workers' Compensation coverage.

NON-COMPLYING EMPLOYER APPEAL - A request for hearing by an employer appealing a DCBS's Workers' Compensation Division (WCD) order of non-compliance.

NORMAL COURSE INITIAL SET - A request for hearing initially set within 90 days of receipt.

NOTICE OF HEARING - computer form that is generated by WCB to notify parties of time, place, and date of hearing.

OPINION & ORDER - O&O - the legal document issued by an ALJ after a hearing, detailing his/her decision relating to the issues presented at the hearing.

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ORDER 307 - An order issued by DCBS's Workers' Compensation Division (WCD) that designates which employer/insurer shall pay compensation on a WC claim where only responsibility is at issue. This order is forwarded to WCB and a hearing is scheduled to decide the issue.

ORDER ON RECONSIDERATION (DCBS) - An order issued by the Appellate Unit of DCBS's Workers' Compensation Division (WCD). This order is the result of the first step in the appeals process on claim closures. This order can be appealed to WCB.

OWN MOTION - After the expiration of a worker's "aggravation rights," the worker may be entitled to additional benefits (per ORS 656.278), either through voluntary claim re-opening by the insurer, or by order of the Board under its "Own Motion" authority.

POSTPONEMENT - A WCB case taken off the docket by an ALJ, to be reset for a later date.

REQUEST FOR HEARING - The document filed with WCB that begins the litigation process.

SAFETY CASE - An appeal from an OR-OSHA safety citation.

SET (Setting) - Scheduling a case for hearing.

SETTLEMENT - When the parties to a case decide to settle issues before or after a hearing.

STIPULATION - A written agreement signed by the parties and their representatives which is approved by a WCB ALJ or the Board.

SUBJECTIVITY CASE - WCB 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.

SUPPLEMENTAL - Correspondence adding an issue or updating claim information to an existing WCB Hearings case.

WITHDRAWAL - Correspondence received by the party who previously requested a hearing, indicating that the party wishes to withdraw the request for hearing.