

MANAGEMENT JOB DESCRIPTION

Management Job Evaluation Plan

Working Title Senior Claims Examiner – General Liability		Name	
Position Number		Ministry	Treasury Board and Finance

POSITION SUMMARY: Briefly describe the main purpose of the position, and why it exists for the most part.

Reporting to the Director, Claims Management, this position is accountable for the management, investigation, coverage determination and assessment of legal liability, denial of claims, negotiation and/or settlement of complex general and other lines of liability claims against the Province, as well as sensitive litigation involving the Premier's Office, Executive Council, Ministers and senior government officials, and automobile and bodily injury claims covered by the Alberta Risk Management Fund (the Fund) under the Risk Management an Insurance program (the RMI program). As the instructing client, the Senior Claims Examiner provides instruction and settlement authority on behalf of the RMI Fund to Alberta Justice Civil Litigation counsel and outside legal counsel. Representing the GoA's interest at mediation and Judicial Dispute Resolution authorizing settlements, controlling costs or maintaining denials.

SPECIFIC ACCOUNTABILITIES: List the most important results or outcomes (not duties) of the position and how they are achieved. Each result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-6 core end results. For each end result approximately 4-6 major activities should be described.

The key outcome and results achieved by this position are the fair, consistent and cost-effective claims settlements and the effective resolution of claims involving unique, sensitive and highly confidential situations. This position plays a central role in legal negotiations by providing instructions and settlement authority to and working with both in-house and outside legal counsel. Determination of coverage eligibility for members of the public and employees of the Province, and possible denial of coverage for unauthorized or out of scope -activities-, mMust be impartial and cannot be influenced by the status of the individuals involved, whether elected officials, senior officials, MLAs, management or bargaining unit employees. To avoid possible conflicts, this position should-is not be a bargaining unit position. Specific accountabilities to follow:

1. Risk Management Fund claims are effectively managed by:

- Coverage determination - Assessment and evaluation of coverage referring to policy-the Risk Management and Insurance (RMI) coverage wording definitions, conditions and exclusions. This includes Ppotential breach-and denial of coverage for all-GoA-employeeParticipants of the Fund -activities-which-wouldwho are not be considered to be acting in good faith or within the scope and course of their employment e.g. intentional acts, criminal acts or non-approved use of fleet vehicles.
- Investigation and-adjustment of claims handled directly or by retaining independent adjusters - instruct, direct and control investigations, costs and settlement of claims.
- Cost effective use of experts - Make informed and prudent decisions of when and how best to utilize services of appraisers, engineers and other experts and coordinate their investigation.
- Assess legal liability - Research of applicable statutes, contract and precedent tort case law to determine legal liability, defences available and quantum of damage.
- Instructions and authority to Alberta Justice lawyers and outside legal counsel in the defence and settlement of claims and/or resolution of claims using mediation and Judicial Dispute Resolution when necessary.
- Adequate reserving - Utilizing the RMI established Reserving Protocol and claims procedures in maintaining

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accurate claims reserves under the RMI program, reviewing, monitoring and updating reserves.

2. Effectively manage recoveries for the Fund by:

- Identifying opportunities and recovering monies from at fault/responsible parties
- Reviewing opinions from legal counsel and provide recommendations to Justice in consideration of coverage and insurance industry practices, tort and contract law
- Maintaining an awareness of legal trends and awards
- Ensuring the Fund's commercial insurance requirements, when applicable, are met to allow for recoveries
- Negotiating settlements/resolution of claims directly with adjusters/insurance companies, members of the public and lawyers

3. Collaborating with key stakeholders, enhancing and improving claims results through:

- Communication within Risk Management RMI, with Participants of the RMI-Fund, the public, insurance companies, in-house and outside legal counsel, vendors and service providers.
- Participate/Participating in the development of RMI presentations, seminars, and provide educational opportunities events for Participants of the RMI-Fund
- Building and maintaining effective and professional working relationships with lawyers, experts and other stakeholders, including all members of RMI

4. Improving RMI and ministry loss frequency and severity by:

- Identifying loss prevention and loss reduction strategies
- Liaising with other members of the RMI team in identifying preventable, reducible and recurrent common loss causes.

KNOWLEDGE/EXPERIENCE: Include a list of the most important knowledge factors, including knowledge about practical procedures, specialized techniques etc. not only diplomas and degrees. Detail specific training if there is an occupational certification/registration requirement for the position. Specify the type of experience required for the position.

1. Extensive experience in insurance claims adjusting and examining commercial insurance claims ~~experience in relevant areas~~. Seven
- 1.2. Ten years minimum experience in handling complex commercial general, and other lines of, liability claims.
- 2.3. Relevant University graduate post-secondary degree, or diploma, and CIP or FCIP designation are required ~~or equivalent experience required~~. Equivalences according to the GoA policies will apply.
- 3.4. Knowledge and experience with commercial general, and other lines of, liability, automobile losses and bodily injury claims.
- 4.5. Experience with managing Class Actions claims would be an asset.
- 5.6. Experience with Alternative Dispute Resolution (ADR) processes (~~Alternate Dispute Resolution~~—JDRs and mediation)
- 6.7. Strong negotiating skills and conflict resolution, and problem solving skills
- 7.8. Excellent research, analysis and evaluation skills
- 8.9. Strategic thinker with a capacity to make quality decisions based on analysis, experience and sound judgment.
- 9.10. Technical knowledge of commercial contracts, leases and the application of general adjusting principles
- 10.11. Experience in dealing with and reporting to insurers where excess purchased insurance is involved
- 11.12. Must be proficient/Proficiency with in computerized electronic claims handling management systems, as well as in including Microsoft Office applications such as Word, Outlook and Excel

LEADERSHIP AND BUSINESS KNOW-HOW: Specify the level of coordination, organization and leadership required to produce the results expected of the position.

- The position must coordinate, direct and control the investigation, negotiation and settlement of claims
- Ability to work independently and also collaboratively to achieve successful claims management results
- Knowledge of issues and insurance trends and court decisions
- Develop risk management strategies to reduce losses, to ensure compliance with GoA policies and procedures
- Supply/Provide information to management to enable reporting, and assisting in the preparation of Briefing Notes
- The position must use judgment in determining appropriate communication to senior ministry staff and other

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stakeholders

- Provide mentoring, training and advice to other ~~team~~ members of RMI claims and to (PS3 and the Administrative Support/Claims team).
- During absence of Director, Claims Management act as a back-up, as required, in assigning, opening claims and setting reserves, coverage determination, providing advice and direction to other members of the claims team and administrative support staff PS3 and Administrative support (claims).

PROBLEM SOLVING: Describe difficult or challenging situations the position is typically expected to solve and the assistance available.

The position ~~is one requiring~~ requires:

- Little direction in the management of complex losses
- Application of knowledge and expertise to adjust and examine unique claims, risks, and exposures
- Interpretation of coverage and decision making, in the best interest of the Fund. Assistance is available from the Director, Claims Management. These decisions must balance the competing interests of the coverage wordings, with the interests of other stakeholders.
- Utilize Following the reserving protocol, and claims procedures in determining adequate claims reserves
- Determining the appropriate resources and the use of outside experts
- Determining optimal legal solutions in collaboration with Alberta Justice
- Assessing legal liability and quantum using case law research

RELATIONSHIPS/CONTACTS: Identify internal and/or external clients, partners and stakeholders with whom your position has the most influence and indicate the frequency, purpose and nature of the contact (i.e. how they are affected by recommendations, decision-making and action(s) taken).

Clients	Frequency	Nature and Purpose of Contact
Internal Ministries/GoA Employees/Provincial Corporations/Committees/MLAs/ Legislative Offices	Daily	Achieve claims settlement, clarify coverage issues and provide advice on claims and other risk management issues.
RMI Department staff	Daily	Documentation payment/settlements, denials and defence recommendations.
Alberta Justice	Daily	Direction of litigation and legal matters.

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External		
Vendors and suppliers	Daily	Provide direction for effective and timely repairs and approve invoices for payment
Public	Weekly	Claims management, investigation and Settlement
Other Insurers/third party claimants/adjusters/lawyers	Daily	Recovery and subrogation, investigation/settlement of claims
Excess Insurers/Purchased Insurance	Monthly	Keep excess insurers informed of major Losses <u>as applicable</u> ; ensure all payments due under insurance contracts are received.
Broker	As needed basis	Liaise with RMI's broker as required to resolve excess insurance <u>claims</u> coverage issues.
Outside counsel	Weekly	Direction of litigation and legal matters.
Other jurisdictions, industry contacts.	As required	Liaise with industry on claims issues

IMPACT AND MAGNITUDE OF JOB (SCOPE): Identify how the position directly affects results, and the extent to which stakeholders are affected by the outputs. Provide recent examples.

The senior claims examiner has authority and is accountable to determine coverage, deny claims, establish reserves, adjust claims directly, retain experts, instruct legal counsel, authorize settlement and settle claims under the RMI Fund. These activities directly impact the financial position of the Fund and the amount of revenue (cost of coverage) required to be collected from Participants. This data is used in actuarial analysis and it is critical reserves are accurate. Coverage decisions may impact Ministries and Provincial Corporation budgets. Denial of coverage to individual employees arising from unauthorized activities can significantly affect these employees. Claims involving elected officials and senior executives requires a very high level of confidentiality and special handling skills. The position has a primary focus on commercial general, and other lines of liability, automobile and bodily injury claims.

CHANGES SINCE LAST REVIEW: What significant changes have occurred in your job, from the last review.

Mentoring and providing instruction to in-house PS3 Claims Adjuster/Examiner and dedicated Claims Assistant/Junior Claims Examiner and Administrative Support.
Increased emphasis in collaboration with the RMI Operations branch-area in identifying and controlling risk of Participants in a broader risk management approach.