



Occupational Safety & Health Review Commission

VACANCY NUMBER: OSHRC-2024-05

JOB TITLE: Administrative Law Judge (First)

AGENCY: U.S. Occupational Safety and Health Review Commission

OPEN PERIOD: Monday, April 15, 2024 – Friday, April 19, 2024

SALARY RANGE: \$166,506 to \$204,000 Per Year

PAY PLAN, SERIES

AND GRADE LEVEL: AL-0935-03

PROMOTION POTENTIAL: 03

WHO MAY APPLY: All OSHRC Administrative Law Judges Only

POSITION INFORMATION: Full Time - Permanent

NUMBER OF VACANCIES: One

ABOUT THE AGENCY

The U.S. Occupational Safety and Health Review Commission (OSHRC) is an independent adjudicatory agency created by the Occupational Safety and Health Act of 1970. The sole statutory mandate is to serve as an administrative court providing fair and expeditious resolution of disputes involving the Occupational Safety and Health Administration (OSHA), employers charged with violations of the Occupational Safety and Health Act, and employees and/or their representatives. The Review Commission was created by Congress as an agency completely independent of the Department of Labor to ensure that OSHA's enforcement actions are carried out in accordance with the law and that parties are accorded due process.

LEARN MORE ABOUT THIS AGENCY: www.oshrc.gov

JOB SUMMARY:

This position is in the Office of the Chief Administrative Law Judge (ALJ) located in Denver, CO. The physical work location is the U.S. Custom House, 721 19th Street – Room 407, Denver, CO 80202-2517. The incumbent is a Federal Officer appointed by the Chairman, pursuant to 29 U.S.C. Section 661(e), and works under the administrative direction of the Chairman and, as designated, the Chief Administrative Law Judge.

Duties and responsibilities include:

- Serves as the First Administrative Law Judge (ALJ) for OSHRC's Denver office. Performs daily supervision and rates the performance for General Schedule employees.
- Provides recommendations on the appropriateness of employee awards, disciplinary actions, and other matters.
- Approves leave and time and attendance records for professional and administrative support staff and approves travel vouchers in the agency's automated travel management system.
- Conducts proceedings in accordance with the Administrative Procedure Act (5 U.S.C. 556-7), the Federal Rules of Evidence, the Federal Rules of Civil Procedure, and the Rules of Procedure of OSHRC for alleged violations that arise under the OSH Act of 1970.
- Rules on preliminary motions, conducts pre-hearing conferences to settle issues or stipulate facts, and issues subpoenas and orders for pre-hearing discovery of evidence.
- Administers oaths and presides at hearings, which may include written and/or oral testimony, cross-examination, and exhibits, and determining credibility.
- Prepares and issues decisions with findings of fact and conclusions of law based upon the record and supported by reliable, probative, and substantial evidence.

KEY REQUIREMENTS:

- Travel is required (50 percent of the time or less).
- This is not a remote position. However, telework is permitted per the agency's policy.
- A National Agency Check with Inquiries background investigation is required.
- Moving and relocation expenses are not authorized.
- You will be required to submit a financial disclosure form (OGE Form 450 (confidential financial disclosure form) or the OGE Form 278e (public financial disclosure form) using the INTEGRITY system.

QUALIFICATIONS REQUIRED:

Mandatory: Candidates must be currently serving as a federal ALJ at the AL-3 level or higher.

Desirable:

- 1) Experience in safety and health and/or labor law is desirable;
- 2) Experience using technology to effectively manage cases;
- 3) Mediation or Settlement Judge Experience; and
- 4) Experience promoting civility and collegiality in the adjudication process.

All qualifications requirements must be met by the closing date of this announcement, which is Friday, April 19, 2024.

Assignment, removal, and compensation of administrative law judges shall be in accordance with sections 3105, 3344, 5372, and 7521 of title 5, United States Code, and the [Executive Order 13843 - Excepting Administrative Law Judges from the Competitive Service](#) dated July 10, 2018. An appointment made under this announcement shall be in the excepted service, Schedule E appointing authority, pursuant to Executive Order 13843. However, under the terms of the Executive Order 13843, incumbent ALJs who are in the competitive service shall remain in the competitive service if they remain in their current positions. Under the general civil service regulations, the internal reassignment or promotion of an officer or employee by their agency involves only a position change and does not involve a new appointment under civil service law. 5 CFR 210.102; see also 5 CFR 335.101. Therefore, if the ALJ is in the competitive service, the ALJ remains in the competitive service after promotion.

HOW YOU WILL BE EVALUATED: Applicants will be evaluated based on the mandatory as well as the desirable qualifications described above. Qualifications and suitability for the position will be determined from review of your application materials and a personal interview (if held).

BENEFITS: Information about benefits can be obtained by visiting the Office of Personnel Management's [website](#).

HOW TO APPLY: Please send your application to OVacancy@oshrc.gov. Because transmission quality varies, we do not accept applications sent via facsimile (fax).

Your complete application package must be received by 11:59 PM (Eastern Time) on Friday, April 19, 2024. Failure to provide complete information will result in the applicant not receiving consideration for this vacancy. Please do not submit additional, unsolicited materials or original documents that you may need in the future. Applications will become part of the agency's merit promotion case file and will not be returned.

REQUIRED DOCUMENTS: The following documents are required and must be received by the closing date of this announcement:

- A resume or other form of application that outlines the following information: duties and responsibilities for each position you have held with each employer. In describing your experience, please be clear and specific. It is your responsibility to make sure your resume states complete information for each job entry (beginning and ending dates of employment stated as MM/YYYY; and total hours worked per week). If your resume does not provide enough information regarding your work history for us to make a creditable qualification determination, your application package may be rendered disqualified, and you will no longer be considered for this position.
- Specify the vacancy announcement number, and title and grade of the position for which your application is being made.
- Include any personal information such as your full name, mailing address with zip code, day and evening telephone numbers, highest Federal civilian grade held.
- A copy of your most recent standard form 50 (Notification of Personnel Action).

NEXT STEPS: You will receive an email informing you of the receipt of your application. Qualified candidates will be referred to the hiring official for further evaluation and consideration.

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT: The Review Commission is an Equal Opportunity Employer. Applications will be considered without discrimination based on race, color, religion, sex, (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability, or genetic information, and without retaliation against any person asserting a right under anti-discrimination laws. This also, applies to decisions including, but not limited to, recruitment, hiring, compensation, benefits, terms and conditions of employment, opportunities for promotion, training and development, transfer, and other privileges of employment.

REASONABLE ACCOMMODATION STATEMENT: The Review Commission provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application, please contact the Office of the Executive Director at (202) 606-5100. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

AGENCY CONTACT INFORMATION:

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