



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
TORT CLAIMS ADJUSTER	36	B	11.412

Under general supervision, conduct statewide investigation, evaluation, negotiation and adjustment of tort claims against the State of Nevada.

Review and evaluate general liability and personal injury claims filed against the State to determine liability, establish the actual value of the loss and negotiate settlement with the claimant. Adjusting techniques are employed to determine personal injury and medical damages for treatment of injuries; physically inspect claimed property damage; investigate the specific allegations of causes of loss; and accurately estimate the cost of repairing or replacing personal property losses. The total payment of claims is negotiated to ensure the appropriate reimbursements are made.

Investigate or direct the investigation of accidents occurring on State maintained roadways involving the Department of Transportation or State employees by interviewing claimants, witnesses, police officers, department employees, doctors and other medical personnel, employers, body shop personnel, etc., and obtaining written or recorded statements and incident reports; taking photographs, video camera recordings, performing speed analyses and making diagrams of accident scenes; inspecting property damage to determine extent of State's liability; evaluating claim form and other records to determine claimant's insurance carrier and extent of coverage.

Appraise automobile collision or other vehicle damage to determine cost of repair by examining damaged vehicle to determine extent of structural, body, mechanical, electrical, or interior damage; estimate cost of labor and parts to repair or replace each item of damage; determine salvage value of vehicles evaluated as economic total loss; evaluate practicality of repair as opposed to payment of market value of vehicle; review repair cost estimates with automobile repair shop to secure agreement on cost of repairs; and prepare estimates and recommendations for disposition by the Board of Examiners.

Analyze and summarize evidence to determine liability and write detailed reports; draft correspondence to claimants, attorneys, and/or insurance companies; negotiate settlement with claimants and claimants' attorneys and/or insurance companies; obtain notarized release forms; and determine final settlement costs.

Recommend litigation to the Attorney General's office when settlement cannot be negotiated through the claims process. Assist the Deputy Attorney General in case preparation by gathering supporting documentation for the case, preparing court exhibits, arranging for lay and expert witnesses and briefing them on case particulars. Attend proceedings as an assistant to the Deputy Attorney General and testify in court as an expert witness.

Conduct or assist in training seminars for supervisors and safety personnel in vehicle, equipment and industrial accident investigation, including the recording of perishable evidence at the scene of major accidents and train them in new procedures.

Conduct internal investigations as directed. Investigate reported incidents and activities to determine if State or department rules, regulations or laws have been violated.

Prepare case evidence and documents, submit case report and make recommendations on the disposition of the case through the administration or judicial process.

Develop and maintain investigative files and document the results of tort claims investigations and aid in the

defense of claims that are prosecuted judicially.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

SPECIAL REQUIREMENTS:

- * Some positions require paralegal certification from a school approved by the American Bar Association at time of appointment and as a condition of continuing employment.
- * Positions are subject to call-out or call-back.
- * Position requires statewide travel.
- * Position requires working outdoors.

INFORMATIONAL NOTES:

- * Half of the qualifying experience may be in damage appraisal.
- * Successful completion of a recognized material damage adjuster training program and casualty accident investigation/reconstruction training program is required within one year of appointment and as a condition of continuing employment.

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university in risk management, business administration, criminal justice or related field and three years of experience which involved vehicle accident investigation and reconstruction, insurance adjusting, and/or paralegal experience in tort claim litigation; **OR** an equivalent combination of education and experience as described above. (*See Special Requirements and Informational Notes*)

ENTRY LEVEL KNOWLEDGE, SKILLS, AND ABILITIES (required at time of application):

General knowledge of: tort law as applied to liability principles. **Knowledge of:** property damage adjustment; casualty claim adjustment; framed vehicle body design; unitized vehicle body construction; accident investigation and reconstruction techniques; estimating procedures as set forth in the insurance industry; appraisal as applied to automobile/vehicle repair; accident prevention as applied to training employees in safe practices; vehicle damage repair procedures; substantive, procedural, evidentiary, and ethics law sufficient to analyze and formulate legal opinions regarding legal questions; federal standards for motor carriers. **Ability to:** properly utilize estimating manuals to correctly assess vehicle and property damage; prepare detailed reports including facts of the investigation, results of the negotiations, and recommendation to the Board of Examiners; prepare diagrams showing spatial relations; evaluate liability and property damage through both on-site inspection and over the telephone; make oral group presentations to provide information or explain procedures, policies, etc.; negotiate with contending parties and arrive jointly at decisions, conclusions, or solutions; interact with persons of various social, cultural, economic and educational backgrounds; establish and maintain cooperative working relationships; work independently, follow through on assignments with minimal direction, and perform effectively under conditions of fluctuating workload; operate a personal computer and associated software; recognize car-manufacturing design.

FULL PERFORMANCE KNOWLEDGE, SKILLS, AND ABILITIES (typically acquired on the job):

Knowledge of: NRS 11, 41, 408, 482, 483 and 484 as applied to tort claims adjustment; Nevada Vehicle Code; Nevada Board of Examiners procedure; policies and procedures as applied to tort claims adjustment and investigations; procedures of the Office of the Attorney General; the Department of Transportation's road construction and maintenance procedures; litigation procedures including rules of evidence, rules of discovery, pretrial motions and courtroom procedures. **Ability to:** negotiate with estimators, attorneys and claimants in order to settle claims against the State; operate video equipment and specialized photographic equipment.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

ESTABLISHED:	<u>11.412</u>
	8/17/89R
	7/6/90PC
REVISED:	7/1/95P
	9/16/94PC
REVISED:	10/1/00R
	2/15/01UC