

**New York State
Workers' Compensation Board**

Licensed Representative Examination Guide [3.14.14]

Please note that this Guide is intended to provide a general overview on the exam and license issuance process. This Guide does not in any way modify the applicable laws, rules and regulations which contain additional information and requirements in this regard.

I. WRITTEN EXAMINATION

APPLYING FOR THE EXAM

In order to become a New York State Workers' Compensation Board Licensed Representative, an individual must take and pass a written examination with a grade of 70 percent or better. This exam will test the prospective Licensed Representative's knowledge of the Workers' Compensation Law, Disability Benefits Law, Volunteer Ambulance Workers' Benefit Law, Volunteer Firefighters' Benefit Law, regulations adopted by the Workers' Compensation Board and published in Title 12 of the New York Codes of Rules and Regulations, applicable case law and Board procedures, forms and policies.

A Form OC-409 (Initial Application to take License Representative Exam) must be completed by the prospective Licensed Representative. There is also a \$100 nonrefundable and nontransferable fee for taking the exam. A check or money order must be made out to the "Chair, Workers' Compensation Board." Please send your complete application and fee to the following address:

Workers' Compensation Board
Licensing Unit
328 State Street, Room 333-24
Schenectady, NY 12305

The complete application, including the required fee, must be received by close of business on April 30, 2014. Incomplete applications, applications without the required fee, and applications received after April 30, 2014, will not be processed.

The Board employs and serves people with disabilities without discrimination and assures that its locations are accessible to the disabled. Please contact the Licensing Unit at # (518) 402-1372 if you have special accessibility needs for the exam.

LOCATION, DATE AND TIME OF THE EXAM

The exam will take place on June 12, 2014 at 9:30 A.M. You must arrive at the exam location no later than 8:30 A.M. Latecomers will not be admitted.

The exam will be held in our Executive Office, which is located at 328 State Street, Schenectady, New York, and, in addition, depending on the number of applicants, at our office located at 100 Broadway, Menands, New York. There is a parking garage and outside parking available nearby the Schenectady office (220 Broadway, Schenectady, N.Y). There is outside parking available at the Menands location. However, we cannot guarantee adequate

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space in these facilities for you to park on the test date. You are responsible for your own travel and transportation arrangements.

TAKING THE EXAM

The exam will consist of a series of Multiple Choice and Essay Questions. Examinees will be given five (5) hours to complete the exam.

All examinees must bring an official picture ID to the exam, which will be checked before entering the exam room initially and after bathroom breaks. You will be assigned a seat in the exam room. Examinees must bring pens (no pencils are to be used on the exam) to answer the exam questions; examinees are also encouraged to bring a calculator. Examinees are responsible for bringing all their own supplies as none will be provided. A quiet lunch and drink is permitted since there will be no lunch break. Bathroom breaks will be provided as requested.

Examinees will not be allowed to utilize any reference books or written materials during the examination. Laptops, cellphones and all other similar devices are also prohibited. If an examinee is found to be in possession of any of these items, including during bathroom breaks, whether or not actually seen using them, the examinee will be dismissed immediately and the test scores for that individual will be cancelled.

New York State and the Workers' Compensation Board are not responsible for loss or damage to any personal items.

Exam books, answer sheets, and calculators must remain on your desk during any bathroom breaks.

Please be advised that your exam book may have a different order of questions than those of the examinees sitting next to you.

The exam proctors will read all instructions verbatim from an exam manual and can answer only questions about the exam procedure, not about test questions or content.

While we attempt to provide ideal conditions at the exam site, there are times when certain circumstances develop that are beyond our control, e.g., construction, heating or cooling problem at the site, etc. It is best to be prepared, so it is suggested that you dress in layers, and bring a sweater or jacket.

Examinees may wear earplugs if they choose; however, headphones, earphones, etc. are not permitted.

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After the exam is finished, an exam proctor collects the exam materials to make sure all materials have been turned in before dismissing you from the exam room.

II. RECOMMENDED STUDY MATERIALS

Candidates are expected to have a working knowledge of the Workers' Compensation Law in order to successfully complete this exam. Examinees are required to be familiar with any relevant laws, rules, regulations, procedures, policies and case decisions.

In response to numerous requests, we are providing below for your information some suggested study resources. However, candidates are encouraged to use other available study materials that they feel would be helpful in the successful completion of the exam. Candidates however, are responsible for their own adequate preparation for the exam.

Resources

The Board's website at: <http://www.wcb.ny.gov/content/main/wclaws/decisions.jsp>

NYS Workers' Compensation Law
Handbook, 2013 Edition

McKinney's Consolidated Laws
of New York Annotated

New York Workers' Compensation
Law Reporter

Court of Appeals Decisions and
Appellate Division Decisions

Court of Appeals and Appellate Division

Web Address: www.courts.state.ny.us

From the right side of the screen select "Courts"

From the left side of the screen select

- "Appellate Courts"
- "Court of Appeals"
- "Appellate Division"
- "Select by Department"
- "Appellate Third"

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III. WITHDRAWING FROM THE EXAM

Withdrawals should be made **in writing** to the Board's Licensing Unit at 328 State Street, Room 333-24, Schenectady, NY 12305 and should include the reason the applicant is not able to take the exam. **No refunds will be given for any reason.**

IV. EXAM RESULTS

The exams will take approximately ninety (90) days to grade, depending on many factors, including the number of examinees. Once the exams have been graded, you will be contacted by the Licensing Unit by mail.

V. ORIENTATION FOR SUCCESSFUL CANDIDATES

Orientation encompasses the Workers' Compensation procedures, ethics and responsibilities. Areas to be discussed will include, but are not be limited to:

Claim Filing	Self-Insurance
Medical Exams and Reports	Disability Benefits
Hearing Process and Awards	Other Related Topics
Appeals and Reopenings	

VI. INTERVIEW

Subsequent to the Orientation, a Board Panel will interview all successful examination candidates. The successful examination candidate's character, fitness, knowledge of the Workers' Compensation Law and Rules and Regulations and all other relevant factors will be addressed.

VII. ISSUANCE OF FULL BOARD DECISION AND EFFECTIVE DATE OF ANY LICENSE ISSUED

Subsequent to the interview before the Board Panel, the recommendations of the Board Panel as to the issuance of the licenses will be presented to the Full Board for consideration at its next regularly scheduled meeting. Examination candidates will then be notified by the Licensing Unit by mail of the Full Board's decision.

If the Full Board determines that a license should be issued, the examination candidate will receive a notification, with the required identification cards, by the Licensing Unit by mail. *Note that no examinee can perform any activities for which a license is required prior to completion of all of the required steps outlined in this guide.*

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If the Full Board determines that a license should not be issued, examination candidates will receive notification from the Licensing Unit by mail.

Questions regarding the examination process should be directed to licensing@wcb.ny.gov.