

ROBERT M. AURBACH

Profile

Exceptional history of key contributions in multiple fields, at the state and national level, achieved through the ability to identify and bridge knowledge and practice gaps through synthesis of available information. Passion for the successful development and implementation of innovative strategic and tactical solutions in response to business problems. Involved in the development of legal, regulatory and legislative frameworks in multiple jurisdictions. Experienced and confident in the handling of complex projects, with diverse stakeholders and multiple competing priorities. Persuasive writer and highly effective presenter at small group workshops, national and international conferences, and state and federal legislative bodies.

Selected proficiencies

Synthesising and simplifying complex data for operational improvement: Able to identify cost and inefficiency drivers through understanding the interplay between large scale business processes, governmental regulation and human factors. Developed and communicated a unique model of injury management for claims managers, service providers and policy makers. Practical implementation of the concept shows excellent return on investment and improved worker outcomes.

Process re-engineering for systemic improvement: Adept at proactive and reactive systemic improvement aligning business strategy with the larger context in which the business operates. Redesigned multiple workers' compensation schemes in diverse environments at the request of governments seeking to improve business competitiveness. Designed, wrote and implemented systems characterised by greater cost effectiveness, more predictable stakeholder behaviour and better worker outcomes.

Recognition of emergent issues: History of early recognition of conflicts between divergent legal systems and identification of cost drivers and process bottlenecks. Identification of adverse environmental factors, allowing employers to proactively control business risk and policymakers to develop more enlightened interventions.

Development of brand recognition and allegiance: Developed, facilitated and analysed a unique series of personal injury stakeholder engagement meetings across Australia, resulting in employer being recognised as a centre of excellence and resulting in retention of core business contracts. Developed and implemented new services supporting membership retention and growth in membership organisations.

General management: Successfully managed people, budgets and operations in diverse enterprises, including solo consulting businesses, small "captive" law firms and free standing governmental agencies. History of developing excellent relationships with Boards of Directors, governmental and union officials.

Facilitation, mediation and investigations: Successfully led groups of divergent parties through identification of issues, development of consensus solutions and strategic planning for implementation, leading to greater business intelligence and stakeholder buy-in to agreed strategies. Mediation of matters ranging from workplace conflict to policy development. Independent investigations of complex files, conflict and alleged misconduct.

Employment History

Independent consultant	Governmental and private clients	3/2013 to present
National Project Manager	WCD Workers' Compensation Solutions	10/2012 to 3/2013
Director	Deakin University (IECPI)	8/ 2010 – 10/2012
Independent consultant	Governmental and private clients	5/2005 – 8/2012
Chief legal counsel	N.M. Workers' Comp. Administration	5/1990 – 5/2005

Qualifications

Juris Doctor, Cornell University Law School	1979
Advanced Certificates in Management and in Mediation	1998 and 2003

Experience:

Independent Consultant (Australia) March 2013 to present

Achievements

- Recently contracted with WorkCover New South Wales (now the State Insurance Regulatory Authority) to assist in the development of a new regulatory framework for the workers' compensation regulator.
- Currently providing an ongoing series of presentations, hosted by a medical-legal reporting firm, for workers' compensation, CPT and income maintenance insurance claims staff on secondary psychological harm and practical steps for its prevention.
- Currently contracting with the Department of Veteran's Affairs to assist implementation of their psychosocial rehabilitation efforts. Conducted ground-breaking stakeholder consultations during this project, leading to substantial improvements in cooperation and coordination amongst rehabilitation providers, DVA rehabilitation delegates and DVA clients.
- Contracted with Comcare concerning the reshaping of its claims management operations and creation of new tools and functionalities to reduce its long term liability exposures. Contributed to a significant reshaping of the injury management environment across the federal service.
- Developed new functional understanding of disability and resilience that has attracted Australian and international interest. Presented the project in over 30 Australian and international presentations and publications. Currently scheduled to present to the Mayo Clinic Impairment Without Disability Conference, the Australian Actuaries Conference and additional Australian and international conferences.
- Regular article/blog contributor to RTW Matters, an internet publication promoting effective rehabilitation
- Conducted independent file review of complex and controversial claims files in the context of complaints about claim management. Reviews included extensive document review, interviews of relevant personnel and liaison with personnel from Comcare and the client agency.
 - Relations between Comcare and the client agency were substantially improved
 - The review disclosed opportunities for substantial savings and a highly positive return on investment.
 - At the request of Comcare a written analysis of opportunities for systemic improvement was arising from the review was also submitted.
- Conducted independent file review of psychological claims files for a national rehabilitation provider, documenting significant training opportunities.
- Facilitated strategic planning for a national rehabilitation provider's association.
- Currently representing the Work Loss data Institute's "ODG" product line (evidence-based disability and medical practice guidelines) in Australia and New Zealand

National Program Manager and Consultant, WCD Workers' Compensation Solutions October 2012 to March, 2013

Achievements

- Created plan for a major banking client with regard to workers' compensation coverage for ex-patriot employees in 15 separate countries, consistent with corporate policy and local statutory and regulatory requirements.
- Developed procurement documents for upgrading the client's suite of Employee Assistance Plan services, covering both domestic and international employees
- Assisted client team in change management surrounding the design, testing and rollout of a new incident reporting/claims management software suite.

Director of Stakeholder Collaboration, Industry Engagement Centre for Personal Injury, Deakin University. August 2010 to October 2012

Achievements

- Created national stakeholder engagement series with sessions in all Australian capitals. Employer branding and core business were reinforced. National report (published on the Deakin website) includes previously undisclosed national consensus items of importance to policy makers.
- Lectured at tertiary and post graduate levels and numerous presentations to Australian and international conferences improved customer base, and improved diversity of customer base.
- Created online center for information and resource sharing to further enhance core educational offerings, leading to renewal of key contracts and expansion of product offerings.

President and Principal Consultant, Uncommon Approach, Inc.

May, 2005 -present

Achievements

- Independent file review and analysis of complex claims files from a statutory workers' compensation authority and files from a major rehabilitation provider, resulting in improved relations with clients, positive return on investment, and actionable improvements in operational protocols
- Rewrote the Navajo Nation workers' compensation scheme resulting in the lowest litigation rates recorded in the US and the creation of a premium excess that allowed the Nation to increase benefits while holding premiums level.
- Rewrote the Delaware workers' Compensation scheme resulting in systemic savings that improved the state's relative premium cost rating from 7th highest in the country to 43rd highest.
- Provided consultation in the states of Tennessee and California, and for the Longshore and Harbor Workers Compensation system and the U.S. Virgin Islands
- Developed an advanced approach to injury management cost control that offers a 4:1 return on investment, reduced disability and prevention of psychological harm.
- Presented at numerous US, Australian and International conferences and published over 50 books, book chapters and articles on workers' compensation matters

General Counsel, New Mexico Workers' Compensation Administration, May 1990- May 2005

Achievements

- Chief Legal and Policy Development officer for a scheme overseeing over 40,000 claims per year.
- Rewrote the administrative rules for the agency, implementing reform legislation and resulting in reduction of costs that improved the state's relative premium cost rating from 10th highest to 10th lowest in the US.
- Assisted the US Virgin Islands in drafting their first set of administrative rules for workers' compensation.
- Created investigation and enforcement program for insurance requirement compliance that resulted in five-fold increase in successful compliance actions
- Created audit and security protocols for review of self-insurers to ensure that insolvency risk was minimised and adequate security was in place.
- Managed the system's fraud investigation unit and obtained criminal convictions in over 90% of cases referred for prosecution
- Represented injured workers in Federal Bankruptcy proceedings involving self-insurers so that no worker was disadvantaged by lack of representation or general unsecured creditor status.
- Drafted, reviewed, amended or gave evidence as an expert witness concerning over a thousand pieces of legislation pertaining to the workers' compensation scheme or statutory authority authorizing legislation.

- Represented the United States in tri-governmental negotiations concerning cross-border workers' compensation coverage under NAFTA
- Testified on behalf of the workers' compensation industry before the Occupational Safety and Health Administration and the US Senate, with respect to ergonomics regulations promulgated by OSHA.
- Delegate of the Chief Executive Officer, in his capacity as administrative law judge.

Additional Roles, Qualifications and Awards

Additional Roles:

Editor, Journal of the International Association of Industrial Accident Boards and Commissions (the only peer reviewed professional journal currently published focused on Workers' Compensation issues). *2003 to present*

Private Attorney and Senior Associate, Institute for Criminal Justice Studies, University of New Mexico. *1989-1990*

Executive Director, Administrative Office of the District Attorney. *1985-1989*

Assistant District Attorney and Senior Assistant District Attorney, First Judicial District, New Mexico. *1980-1985*

Associate attorney: Montgomery and Andrews, P.A. *1979-1980*

Additional Qualifications:

Bachelor of Arts in Philosophy and Psychology with Distinction in Psychology Boston University, Boston, Massachusetts Summa Cum Laude, Phi Beta Kappa, May 1974

Workers' Compensation College, International Association of Industrial Accident Boards and Commissions, honors graduate, 1991, and lecturer 2003- 2007.

Visiting Fellow, Curtin University of Technology, Perth Australia, September – October 2009

Recognition and Awards:

- Member of Safe Work Australia's expert panel on Workers' Compensation
- Appointed to Comcare's Centre of Excellence in Mental Health and Wellbeing, Research Communities of Practice
- Member of Advisory Board, *Workers' Compensation Policy Review*, 2005 – 2010
- Technical Advisor to the Workers' Compensation Research Institute, 2005
- Member, National Academy of Social Insurance, 2004 to present
- Recipient of the Francis Perkins Award for Innovation in Workers' Compensation Design, International Association of Industrial Accident Boards and Commissions
- Recipient of the Continuing Contribution Award, International Association of Industrial Accident Boards and Commissions
- Subject of multiple biographical entries in international references

References and publications available upon request