

Frank P. Diaz, CDMS

Vocational Expert

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Curriculum Vitae

PROFESSIONAL EXPERIENCE

Vocational Expert:

- Since 1987, qualified and testified as a Vocational Expert at Workers' Compensation Appeals Board venues located in the Cities of Oakland, Stockton, Walnut Creek, San Jose, San Francisco, Santa Rosa, Sacramento, and Salinas.
- Qualified and testified as a Personal injury Vocational Expert at the Superior Court of Marin County.
- Qualified and testified for Longshore in Federal Court in San Francisco, California.
- Extensive testimony regarding Le Boeuf cases.
- Skilled in the development of Diminished Future Earning Capacity Reports.
- Social Security Vocational Expert between the years of 1987 and 1997; gave testimony in over seven hundred cases.

Vocational Evaluation:

- Forty-four years of experience in rendering vocational opinions regarding employability of various groups of impaired individuals, i.e., industrially injured employees, sight and hearing impaired, substance abuse, developmentally disabled, economically disadvantaged, and youths' employment.
- Experienced in the preparation of on-site job analyses.
- Extensive experience and success in direct job placement and on-the-job training program development.
- Long-term Disability Assessment.

Department of Labor Rehabilitation Counselor:

- Certified previously by Department of Labor to counsel, evaluate, develop, and monitor return-to-work programs for Federal employees, and Longshore and Harbor Workers.

Case Management Software:

- Developed and selling cloud-based case management software, Convergence Case Management Data Retrieval Software, LLC. (www.ConvergenceSoftware.net).
- Designed, implemented, and sold vocational software for office administration and client tracking. Sold seventy-five units to twenty vocational counseling firms.

Administration:

- Coordinator of various training programs to return to work the economically disadvantaged, developmentally disabled, sight and hearing impaired, and injured workers.
- Coordinator of job seeking skills training workshops.
- Coordinator of vocational counseling office, which requires the supervision of twelve individuals.

UNITED STATES PATENT

Safety Shoe

Patent Number: 6539647

WORK HISTORY

Senior Vocational Counselor/Vocational Expert (1987-Present):

Diaz & Company, Pacifica, CA

Vocational Expert (1987-1997):

Social Security Administration Oakland Office of Hearings and Appeals, Oakland, CA

Senior Vocational Counselor (1984-1987):

Rehabilitation Management, Inc., Oakland, CA

Vocational Counselor (1999-2001):

United States Department of Labor - Office of Workers' Compensation Programs (OWCP)

Software Designer (1995-Present):

Convergence Case Management Data Retrieval Software, LLP

Rehabilitation Engineering Systems (Case Manager Pro)

Vocational Coordinator (1983):

Oakland Chinese Community Council, Oakland, CA

Vocational Coordinator (1981-1983):

Center for Employment Training, Hayward, CA

Youth Employment Director (1981):

Center for Employment Training, Hayward, CA

Career Counselor/Teacher (1979):

Far West High School, Oakland, CA

CERTIFICATION

Certified Disability Management Specialist (CDMS)

Valid through December 31, 2025

Vocational Return to Work Counselor (VRTWC)

Current

PUBLICATION

White Paper: International Association of Rehabilitation Professional – Diminished Future Earnings Capacity Work Group, *The Rehab Professional*, Volume 17, Number 3, 2009

COMMITTEES

International Association of Rehabilitation Professionals

Diminished Future Earnings Capacity Committee

Fee Schedule Committee

California Association of Applicant Attorneys

Diminished Future Earnings Capacity Committee

PROFESSIONAL ASSOCIATIONS

American Board of Vocational Experts

Associate Member

International Association of Rehabilitation Professional, California Chapter

Past President, 2011-2012

President, 2010-2011

President Elect, 2009-2010

Member -at- Large of Northern California, 2007-2008, Current 2022-2024

California Association of Rehabilitation and Reemployment Professionals

Professional Member (1989-2006)

Organization of Bilingual Rehabilitation Associates

Member-at-Large (2003-2005)

National Association of Forensic Economics

University of California, Berkeley Alumni Association,

Lifetime Member

EDUCATION

University of San Francisco – Graduate Studies, Executive MBA Program

University of California, Berkeley – Bachelor of Arts in English

University of Oregon, Eugene – Journalism

PRESENTATIONS

June 19, 2024 – Presentation for International Association of Rehabilitation Professionals (IARP) virtually on ‘CA Chapter Webinar: Rules of Evidence, FRE 702 CAL Workers' Comp, for Expert Witnesses.’

December 13, 2023 – Presentation for International Association of Rehabilitation Professionals (IARP) virtually on ‘Forensic Vocational Evaluations: California Workers' Nunes Decision.’

December 3, 2023 – Presentation for California Applicant Attorneys’ Association (CAAA) 2023 Rating Seminar in Monterey, California on ‘Addressing Apportionment to Ensure Proper Disability Ratings after Nunes v. State of CA DMV.’

October 20, 2023 – Presentation for California Applicant Attorneys' Association (CAAA) 2023 Online Seminar on 'From Ogilvie to Nunes: Updates on the Current Law of the DFEC Land.'

June 25, 2021 – Presentation for California Applicant Attorneys' Association (CAAA) 2021 Summer Convention virtually on 'PDRS Rebuttal with Vocational Evidence.'

October 20, 2020 – Presentation for California Applicant Attorneys' Association (CAAA) 2020 San Francisco-Oakland Chapter Meeting virtually on 'How To Use Vocational Expert Evidence To Determine The Accurate Permanent Disability For Your Client.'

April 30, 2019 – Presentation for California Applicant Attorneys' Association (CAAA) 2019 Hawaii Seminar in Wailea, HI on 'Vocational Evidence' and 'Acquiring Pertinent Vocational Evidence.'

June 25, 2017 – Presentation for California Applicant Attorneys' Association (CAAA) 2017 Summer Convention in San Francisco, California on 'What Does Amenability to Vocational Rehabilitation Mean.'

June 2, 2017 – Presentation to Mastagni, Holstedt A.P.C. regarding Amenability to Rehabilitation and Vocational Opinion Reports on both Workers' Compensation and Personal Injury cases.

December 8, 2013 – Presentation for California Applicant Attorneys' Association (CAAA) 2013 Rating Seminar in Monterey, California on 'How to Use a Vocational Expert in the SB863 World.'

November 9, 2012 – Presentation for California Workers' Compensation Defense Attorneys' Association (CWCDAA) 2012 Winter Conference in Dana Point, California on 'Cross and Direct Examining the Vocational Experts.'

June 27, 2012 – Presentation for California Applicant Attorneys' Association (CAAA) 2012 Summer Convention in San Francisco, California on 'Proving an Accurate Loss of Earning Capacity Disability With Vocational Expert Testimony Under Ogilvie III.'

June 1, 2012 – Presentation for California Workers' Compensation Defense Attorneys' Association (CWCDAA) 2012 Summer Conference in Las Vegas, California on 'Vocational Strategies for Reducing Permanent Disability.'

February 18, 2011 – Presentation to Mastagni, Holstedt, Amick, Miller, and Johnson in Sacramento, California regarding Ogilvie.

November 4, 2010 – Presentation to Employers in conjunction with Hanna, Brophy, MacLean, McAleer & Jensen in Salinas, California regarding Ogilvie and Labor Code Section 4662.

December 9, 2009 – Presentation to CHARTIS San Ramon Service Center in San Ramon, California regarding Supplemental Job Displacement Vouchers.

December 2009 – Annual Ratings Seminar for the California Applicant Attorneys' Association (CAAA) in Monterey, California.

November 11, 2009 – Presentation to the Law Offices of Dennis P. Isaac in San Francisco, California regarding Ogilvie and Labor Code Section 4662.

May 7, 2009 – Presentation to Monterey Bay Workers’ Compensation Attorneys’ Association in Salinas, California regarding “Oogling Ogilvie.”

August 22, 2008 – Presentation to Gallagher Bassett in Las Vegas, Nevada regarding Supplemental Non-Transferable Job Displacement Voucher and Diminished Future Earning Capacity.

November 1, 2006 – Presentation to Hanna, Brophy, MacLean, McAleer & Jensen in Oakland, California regarding Diminished Future Earning Capacity (DFEC).

November 2005 – Moderator for East Bay and San Francisco Chapters of CAAA (in conjunction with OBRA) Seminar in Oakland, California on “Use of a Vocational Expert for AMA/SB899 Complaint Permanent Disability Ratings”.