

Classification Title	Board/Bureau/Division
Program Representative I	Bureau of Automotive Repair
Working Title	Office/Unit/Section/Geographic Location
Enforcement Investigator	Enforcement / San Jose Field Office
Position Number	Name and Effective Date
646-153-6840-010	

General Statement: Under the general supervision of the Program Representative (PR) III, the Program Representative I enforces the laws and regulations governing auto repair and smog check and independently investigates consumer complaints. The PR I performs the full range of duties, as specified in the Bureau of Automotive Repair’s (BAR) Enforcement Policies and Procedures Manual. Duties include, but are not limited to, the following:

A. Specific Assignments [Essential (E) / Marginal (M) Functions]:

65% (E) Investigations

Communicate with consumers and repair facilities in writing, by telephone, or in person for the purpose of interviewing witnesses and developing statements and affidavits which may be used in legal actions. (20%)

Gather, identify, and assemble evidence which may be used in legal actions. (20%)

Examine vehicles and related records to verify information concerning suspected violators and violations of the Business and Professions Code, Health and Safety Code, Vehicle Code, Family Code, Insurance Code, Labor Code, Penal Code, and the California Code of Regulations. Document violations in investigative reports. (15%)

Prepare detailed investigative reports and make recommendations to management that may be used in disciplinary actions. (5%)

Conduct covert surveillance operations to verify licensee compliance with laws pertaining to the Auto Repair Act (ARA) and Smog Check Program (SCP). (5%)

15% (E) Field Inspections

Conduct statewide inspections of licensed facilities as well as facilities seeking to obtain licensure as Official Smog, Lamp, and/or Brake Stations to ensure compliance with the provisions of the ARA. Inspected facilities may include Automotive Repair Dealers (ARDs), car lots, and parts houses.

15% (E) Public and Private Contact

Assist consumers, licensees, and industry stakeholders with all requests for information related to the ARA, SCP, and other BAR programs.

Attend job related meetings and trainings.

5% (E) Provide Expert Testimony

Testify in formal and informal civil, criminal, and administrative proceedings as an expert witness on BAR investigations.

B. Supervision Received

The PR I works under the general supervision of the Program Representative III.

B. Supervision Exercised

NONE

D. Administrative Responsibility

NONE

E. Personal Contacts

Daily interaction with supervisors, support staff and other PR I's in the field office, as well as daily contact with the public in the form of licensees, complainants, or witnesses. Regular interaction with other government agencies, such as law enforcement, district attorneys, and the Attorney General's Office regarding assigned cases.

F. Actions and Consequences

Investigations not completed in a timely manner may delay licensure and cause the Department of Consumer Affairs (DCA) loss of licensing fees as well as possibly cause loss of income for a person who cannot be licensed (or renewed) until an investigation is completed. An inadequate investigation may result in either allowing a violation of the ARA to go undetected or an administrative action to be brought against an undeserving person. Inadequate or inefficient investigations may also result in the loss of integrity to DCA, and the inability to meet BAR's mission, vision, and goals to protect the consumer.

G. Functional Requirements

The incumbent works 40 hours per week in an office setting, with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Stationary position requirements in the office are consistent with office work. In addition, the incumbent will spend approximately 50% of their time per week in the field, which includes remaining in a stationary position, driving, and ambulating. In a normal work shift, an incumbent will frequently be required to use hand manipulations and body movements. Occasionally, an incumbent will be required to maneuver around, underneath and/or over obstacles in the process of investigations.

H. Environmental Conditions

The incumbent will work both indoors and outdoors, depending on the situation the incumbent is involved in at any given time. While indoors, the temperature and humidity are reasonably controlled, but while outdoors, the incumbent is exposed to climatic conditions. While driving the incumbent is exposed to dust and fumes. There is a reasonable expectation the incumbent may come into contact with potentially hazardous materials or chemicals.

I. Other Information

As a PR I for BAR, the incumbent routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and information pertaining to sensitive investigative matters at all times. Regular and consistent attendance is required, as is the ability to report to work on time. In addition, the ability to work cooperatively with others and to exhibit courteous behavior toward coworkers and the public at all times is required. The incumbent must have the ability to work under changing priorities and deadlines and to look and act in a professional manner. Knowledge of and proficiency with Excel is desired. Knowledge of and proficiency with Microsoft Word is required. The ability to speak, write, and understand English is essential. A valid California driver's license is required. Occasional overnight travel may be required. The incumbent is required to travel throughout an assigned geographical area by various methods of transportation.

This position is subject to the Incompatible Work Activity (IWA) Policy of DCA. Unless previously disclosed and resolved, any participation and/or ownership related to an ARD, and possession of any BAR license, must be disclosed and resolved pursuant to the IWA policy.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name, Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Printed Name, Classification

Revised 09/2023