

POSITION DUTY STATEMENT

DFPI-HRO 203 (Rev. 08-21)



NAME Vacant	EFFECTIVE DATE
CLASSIFICATION TITLE Financial Institutions Manager	POSITION NUMBER 410-140-4104-XXX
WORKING TITLE Supervising Examiner	DIVISION/OFFICE/UNIT/SECTION Enforcement
BARGAINING UNIT M01	GEOGRAPHIC LOCATION Sacramento, San Francisco, Los Angeles, or San Diego

General Statement: Under general direction of the Deputy Commissioner of the Enforcement Division, the Financial Institutions Manager directs and oversees the examination activities of the Enforcement Division's examination staff. Duties include, but are not limited to, the following:

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

35% (E) Oversees the organizing and planning of examinations and investigations to detect and obtain evidence of administrative, civil and/or criminal violations of the various laws administered and enforced by the department. Oversees Examiner staff as they prepare subpoenas; locate and gather evidence; participate in examinations of witnesses and production of documents; detect and advise counsel of suspected violations of laws and regulations; determine the relevance of evidential data; and preserve evidence. Coordinates the activities of the Examiners as they testify as witnesses regarding information obtained during examinations and investigations; assist departmental counsel and prosecutors in preparing cases and during court proceedings. Reviews and approves the declarations and/or reports regarding evidence of violations of laws administered and enforced by or affecting the Department of Financial Protection and Innovation and the public.

30% (E) Responsible for hiring, training, and evaluating staff. Prepares Requests for Personnel Action and Position Duty Statements. Participates in the screening and interviewing of applicants. Prepares and reviews basic administrative documents (timesheets, TECs, 634s, probation reports, annual evaluations, etc.). Assigns, instructs and directs workflow and assignment of cases to all Examiners in the division. Administers special projects as needed by directing the activities of the Examiner staff in the identification and development of administrative and enforcement actions. Acts as contract manager overseeing division contracts and service orders. Assists in the preparation of Budget Change Proposals and other

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fiscal documents. Manages, reviews, and oversees 42 managerial reports. Reviews all regulatory forms and applications and makes revisions as necessary. Assists the Deputy Commissioner on projects.

20% (E) Functions as the technical expert for Executive staff with regard to enforcement examinations and investigations. In addition, provides expert guidance and assistance to the Examiner staff that evaluates, reviews, investigates, and examines financial records to determine violations of law administered by the department. Provides assistance to other programs when required and undertakes other assignments as necessary. Participates in internal and outside task forces and workgroups.

5% (E) Plans, organizes, and conducts examinations and investigations of the largest, most complex transactions and business firms to detect and obtain evidence of civil and/or criminal violations of the various laws administered by the department. Assists the Examiner staff in the identification and development of administrative and enforcement actions by conducting examinations and investigations to detect and obtain evidence of administrative, civil and/or criminal violations of the various laws administered and enforced by the department. Responsible for the forensic examination process that includes conducting financial analyses, interviews, taking testimony and serving as an expert witness.

Prepares subpoenas; locates and gathers evidence; participates in examinations of witnesses and production of documents; detects and advises counsel of suspected violations of laws and regulations; determine s the relevance of evidential data; and preserves evidence. Testifies as expert witness regarding information obtained during examinations and investigations and assists departmental counsel and prosecutors in preparing cases and during court proceedings. Prepares declarations and/or reports regarding evidence of violations of laws administered by or affecting the Department of Financial Protection and Innovation and the public. Testifies in criminal, civil and administrative hearings.

5% (E) Oversees work groups reviewing proposed legislation to determine potential impact. Coordinates and tracks the preparation of legislative impact analyses. Provide information and updates to Executive and Legislative staff, as requested. Reviews and develops new policies and procedures and/or makes changes to existing policies/procedures based on new or amended laws or legislation impacting the Enforcement Examiner Unit. Reviews regulations proposed by the Securities and Exchange Commission (SEC) and rules proposed by the Financial

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Industry Regulatory Authority (FINRA). Reviews model rules and policy statements proposed by the North American Securities Administrators Association (NASAA).

5% (M) Performs other related duties as required.

B. Supervision Received

The Enforcement Financial Institutions Manager reports directly to and receives the majority of assignments from the Deputy Commissioner of Enforcement, CEA (C).

C. Supervision Exercised

The Financial Institutions Manager oversees the Enforcement Division's examination unit statewide by providing close supervision to a group of Senior Financial Institutions Examiners and Financial Institutions Examiner.

D. Administrative Responsibility

Responsible for hiring, training, and evaluating staff. Prepares Requests for Personnel Action and Position Duty Statements. Participates in the screening and interviewing of applicants. Prepares and reviews basic administrative documents (timesheets, TECs, 634s, probation reports, annual evaluations, etc.). Assigns, instructs and directs workflow and assignment of cases to all Examiners in the division. Administers special projects as needed by directing the activities of the Examiner staff in the identification and development of administrative and enforcement actions. Acts as contract manager overseeing division contracts and service orders. Assists in the preparation of Budget Change Proposals and other fiscal documents. Manages, reviews, and oversees managerial reports. Reviews all regulatory forms and applications and makes revisions as necessary. Assists the Deputy Commissioner on projects.

E. Personal Contacts

The incumbent interacts with the Legal Division, Budgets, Business Operations, IT, Regulatory Programs, Enforcement Managers, Counsels, Investigators, Examiners, Legal support, Department of Justice, Attorney General, District Attorneys, and various federal/state/local agencies. Examiner case assignments involve investigations and are confidential and sensitive in nature, involving company books & records, financial statements, bank records, and investigative reports. The incumbent interacts with the Deputy, Managers, Counsels, and other programs as often as 10 times per week depending on pending assignments, projects, and working groups. All other contacts occur on an as needed basis and no more than five times per month.

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F. Actions and Consequences

When the job is not adequately performed, the Department's ability to protect investors, borrowers, and members of the public will be compromised. The Department will not be able to ensure all licensees meet regulatory requirements, detect fraud and abusive practices resulting from unlicensed activity, which may cause harm to the public. Consequences include the inability: (1) to complete examinations and investigations of unlicensed activity, bring administrative orders to stop violations of the laws, to deny, censure, suspend, revoke or take possession of Licensees, and to censure, suspend or bar individuals from participating in a regulated industry; (2) civil injunctive actions to enjoin violations of the laws, obtain equitable remedies including rescission, restitution and penalties against violators, and (3) assist in the criminal investigation and prosecution of laws, and refer criminal violations to the appropriate United States Attorneys, Attorney General or District Attorneys for prosecution.

G. Functional Requirements

The incumbent works 40 hours per week in an office setting, with artificial light and temperature control. The use of a personal computer, telephone, copier and fax machine is essential to the duties of this position. The position requires bending and stooping to retrieve files, sitting and standing consistent with office work, and light lifting of no more than 10 pounds occasionally. The position requires answering telephones; receiving verbal information from outside sources; and understanding verbal instruction. Reviewing mail; preparing various forms; proofreading documents; reading printed material, computer screens, and handwritten materials. Reviews and reads records/documents, researches, composes, analyzes, compiles, and updates technical documents; multi-tasking; prepares various forms and documents. Understanding needs of co-workers, clients; understands procedures and practices; and understands laws, regulations related to their work.

H. Other Information

Possesses the ability to work independently as well as a team member, have good interpersonal and communication skills, ability to lead, provide direction, manage, take initiative, assume responsibility, and exercise good judgment and tact. Must be able to work alone without much guidance or interaction from other staff.

Knowledge of accounting and auditing principles and procedures; business law; statistics; information systems programs; and the English language with proficiency in reading, writing, and grammar.

Ability to apply specialized examination practices and procedures as well as analyze financial and operating statements, reports, and records relating to licensee operations. Ability to gather, organize, analyze, and summarize financial data and draw logical conclusions. Works arithmetical computations and uses a variety of spreadsheets or

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word processing software packages. Ability to qualify for a fidelity bond and willingness to work in a variety of settings.

This position may require traveling to other office locations, and occasional travel to conferences, meetings, and training events. Travel is primarily done by driving, but also includes periodic air travel, overnight travel, and occasional overtime.

CONFLICT OF INTEREST

This position is subject to Title 10, § 250.30 of the California Code of Regulations, the Department of Financial Protection and Innovation’s Conflict of Interest Regulations, the incumbent is required to submit a Statements of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st and within 30 days of leaving office.

FINGERPRINTING

Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with DFPI’s (CORI) procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

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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

Supervisor's Printed Name, Classification