**Duty Statement**

|  |  |
| --- | --- |
| **POSITION BEING FILLED (CLASSIFICATION):** | **Legal Secretary** |
| **WORKING TITLE:** |  |
| **POSITION NUMBER:** |  |
| **DIVISION:** | **Labor Commissioner’s OFfice** |
| **LOCATION:** |  |
| **FORM 1#:** |  |

|  |  |
| --- | --- |
| **TENURE:** | **Permanent** |
| **TIME BASE:** | **Full time** |
| **WWG:** | **2** |
| **CBID:** | **R04** |
| **WORK SCHEDULE:** | **Monday - Friday** |
| **WORKING HOURS:** | **8:00 am – 5:00 pm** |

|  |  |
| --- | --- |
| **CONFLICT OF INTEREST FILING (FORM 700)** | REQUIRED  NOT REQUIRED |

|  |
| --- |
| **GENERAL STATEMENT** |
| Under the general supervision of the Legal Support Supervisor, the Legal Secretary independently performs the most complex legal secretarial duties for Staff Attorneys, Assistant Chief Counsels, and Chief Counsel of the Labor Commissioner’s Office. Incumbents must have an understanding of the judicial process and filing rules and procedures of local, state and federal trial courts, state and federal courts of appeal (including the Ninth Circuit Court of Appeals and all of the state district courts of appeal), the California Supreme Court and the United States Supreme Court: |

|  |  |
| --- | --- |
| **% OF DUTIES** | **ESSENTIAL FUNCTIONS** |
| **45%** | Prepares pleadings and other documents for court proceedings: uses Microsoft Word to transcribe from dictated material or handwritten work a wide variety of legal correspondence, petitions, complaints, answers, demurrers, motions, briefs, writs, appeals, subpoenas, judgments, orders, settlement agreements, and memoranda in, among others, the following substantive areas: de novo appeals from Labor Commissioner’s orders, decisions, or awards, civil actions filed by the Labor Commissioner in wage and hour cases, discrimination cases, public works cases, original writ proceedings in Superior Court challenging decisions in civil penalty and licensing cases, federal district court cases challenging the constitutionality of state law, and appellate level cases in state and federal court; |
| **20%** | Prepares pleadings to be filed in administrative proceedings, such as the Office of Administrative Hearing or Labor Commissioner’s Office, in license revocation and license application denial proceedings (involving the various types of businesses that are licensed by the Labor Commissioner), and public works contractor debarment hearings; eFiles/Files pleadings with all courts and administrative agencies, and drafts documents evidencing proper service of such pleadings, ensures proper service when service is made by mail; |
| **10%** | Assists attorneys in preparing cases for court: schedules and coordinates depositions; arranges venues, court reporters and interpreters as needed, serves deposition notices, contacts witnesses and processes witness fees in a timely manner. Types legal memos addressed to staff and opinion letters addressed to members of the public on issues of law. Files liens and judgment abstracts with courts and county recorder’s offices, and prepares notices of bank levies to effectuate collection of judgments, maintains records of amounts collected and owed on all judgments, calculates accrued interest on unpaid judgments, processes payments received from defendants. |
| **15%** | Handles legal referrals for attorney’s review. Upon acceptance of a legal referral, opens, maintains and updates the attorney’s case files (electronically and/or with hard copy documents) until case settles and closes.  Independently calendars court appearances and due dates for filing court documents, maintains and prints calendars for attorneys using MS Outlook. Keeps records and prepares monthly and annual statistical reports relating to attorney work assignments and cases using MS Excel. Contacts federal court, state court, and administrative hearing calendar clerks to set up and confirm dates for trials, hearings, and motions, and contacts claimants, opposing counsel and witnesses to advise the same; drafts routine correspondence and handles attorney’s incoming and outgoing mail. |
| **10%** | Answers and screens telephone calls from claimants, defendants, private attorneys, other members of the public, and deputy labor commissioners; takes messages, and refers to appropriate attorney or, if appropriate, answers  questions regarding office procedures and case status. Performs public information duties (PID) and other duties as assigned. |
|  | **MARGINAL FUNCTIONS** |
|  |  |

|  |
| --- |
| **CONDUCT, ATTENDANCE, AND PERFORMANCE EXPECTATIONS** |
| * Work duties are expected to be PERFORMED PRODUCTIVELY & EFFICIENTLY. CONDUCT SHALL BE RESPECTFUL and REFLECTIVE OF A PROFESSIONAL TEAM ENVIRONMENT, AND IN ACCORDANCE WITH THE LABOR COMMISSIONER’S OFFICE MISSION AND VISION. * Communication shall be clear, concise and timely with LEADERSHIP, TEAMMATES, and the public we serve. Communication shall be in a manner that encourages open dialog to achieve mutual understanding, problem solve, and build trust. * Trust is crucial to building a working relationship and team environment. Team members are expected to continually monitor their work, provide timely responses to the public in accordance with relevant policies and procedures, and practice decorum in such communication. Work challenges and the inability to meet deadlines are to be communicated immediately to LEADERSHIP. * Team members are expected to report timely to their work shifts, work the required hours for their time base and in accordance with the position’s work week group (WWG), abide by relevant attendance policies, and be mindful of the impact of one’s attendance to the overall work of the program and team morale. |

**EMPLOYEE ACKNOWLEDGEMENT**

I have read and understand the duties listed above and I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgement, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties as described above 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 Office of Civil Rights).

**Print Employee Name Employee Signature Date**

**SUPERVISOR ACKNOWLEDGEMENT**

I certify this duty statement represents current and an accurate description of the essential functions of this position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement.

# 

**Print Supervisor Name Supervisor Signature Date**