

**Department of Consumer Affairs**

Position Duty Statement

HR-041 (new 9/2019)

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| <b>Classification Title</b><br>Special Investigator (Non-Peace Officer) | <b>Board/Bureau/Division</b><br>Contractors State License Board (CSLB or Board)   |
| <b>Working Title</b><br>Subsequent Arrest Investigator                  | <b>Office/Unit/Section/Geographic Location</b><br>Enforcement Division<br>Enforcement Services Section/Subsequent Arrest<br>Unit Sacramento |
| <b>Position Number</b><br>622-355-8612-002                              | <b>Name and Effective Date</b>  |

**GENERAL STATEMENT**

Under the general direction of the Supervising Special Investigator I (SSI I) the Special Investigator (SI) works at the entry/training, journey and full journey level conducting investigations related to a licensee's arrests and convictions. Reviews and evaluates complex documents received from Department of Justice, law enforcement agencies, and the courts relative to a licensee's subsequent arrests and convictions. Specific duties include, but are not limited to:

**A. SPECIFIC ACTIVITIES [Essential (E) / Marginal (M) Functions]**

**60% (E) Case Investigation Report Process**

Receives arrest and conviction notifications of current licensees from the Department of Justice and/or the Federal Bureau of Investigation. Investigates the conviction to determine if the case meets the criteria required to begin proceedings that may ultimately result in an administrative action (i.e. revocation, citation, advisory letter) **(30%)**.

Independently gathers evidence, take licensee's statement, which may include meeting face to face with licensee or their attorney, types complex formal investigative reports for supervisor approval, including a recommendation regarding the findings of the sub-arrest investigation, while following established Contractors State Licensing Board (CSLB) laws and regulations **(20%)**.

Testify at administrative hearings regarding the sub-arrest investigation and serve as a liaison to the Attorney General and District Attorney's Office **(10%)**.

**35% (E) Evaluate Criminal Offender Record Information (CORI)**

Reviews and evaluates complex court and arrest records, notifications, investigative reports/summaries received from the Department of Justice (DOJ), law enforcement, agencies relative to a licensee's subsequent arrest record information and conviction for the arrest. Evaluates if the arrest and/or conviction information is substantially related to the qualifications, functions, and duties of a contractor. Reviews documents and evidence to determine compliance with Court Ordered rehabilitation related to the qualifications, functions and duties of a contractor **(30%)**.

Follows internal procedures/guidelines when handling Criminal Offender Record Information. Prepares written correspondence to obtain or verbally requests from criminal justice agencies (courts, law enforcement agencies, and District Attorney Offices), courts, and rehabilitation information related to the licensee's subsequent arrest record. Monitors requests for missing information and follows up in timely fashion with criminal justice agencies to obtain relevant documentation **(5%)**.

**5% (M) Correspondence**

Responds to telephone inquiries from licensees, criminal justice agency personnel and other state agencies regarding pending and closed sub-arrest investigations, explains the appeal process to individuals for administrative or legal actions taken against license. Act as a technical and analytical resource for lower level staff in the interpretation and enforcement of Contractors State License Board laws, rules, and regulations.

**B. SUPERVISION RECEIVED**

The incumbent reports directly to and receives assignments from the SSI I, but may receive assignments from the Classification Deputy (Lead) in the Enforcement Services Section.

**C. SUPERVISION EXERCISED**

None

**D. ADMINISTRATIVE RESPONSIBILITY**

None

**E. PERSONAL CONTACTS**

The incumbent has daily contact with other CSLB Staff, the Department of Justice, other State agencies, courts and local law enforcement authorities, licensees and the public; daily contact with division management for assignments.

**F. ACTIONS AND CONSEQUENCES**

The work performed by the incumbent in this position is critical to the operational effectiveness and efficiency of the Enforcement Division. Failure to make appropriate/correct decisions regarding licensure based on the criminal history of licensees or applicants can negatively affect the consumers hiring contractors in the state of California.

**G. FUNCTIONAL REQUIREMENTS**

The incumbent works up to forty (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. Movement is consistent with office work and requires the incumbent to frequently remain in a stationary position. Incumbent must occasionally position self to perform a variety of tasks, including retrieval of files and moving items weighing up to approximately 20 pounds.

**H. OTHER INFORMATION**

The incumbent must possess good oral and written communication skills; aptitude for investigation work; willingness as a learner to do routine or detailed work in order to learn the practical application of investigative principles; keenness of observation; good memory for names, faces, places and incidents; tact; use good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, manage time and resources effectively, and be responsive to CSLB and DCA management needs. Regular attendance and punctuality are an essential part of the job.

The incumbent is required to occasionally travel by various methods of transportation. The incumbent must possess a valid driver license, a good driving record, and is expected to drive vehicles safely. The incumbent shall participate in DMV's Employer Pull Notice Program (EPN), which is a process for providing the Department with a report showing the driver's current public record as recorded by

the DMV, and any subsequent convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or license, added to the driver's DMV record. Incumbent in this position will be required to submit fingerprints to the Department of Justice for criminal history background clearance and be cleared before hiring.

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 to DCA'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.

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1<sup>st</sup>, and within 30 days of leaving office.

**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.)

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Employee Signature

Date

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Printed Name

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

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Supervisor Signature

Date

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Printed Name

**Approved: 10/2020 JM**