SUMMARY OF RESPONSIBILITIES

Under the supervision of the Deputy Director of Executive Programs, the Senior Fair Employment and Housing (FEH) Counsel provides legal advice to the Quality Assurance and Reporting Unit based on careful research and analysis, as well as processes the most complex appeals and Public Records Act (PRA) requests. Specific responsibilities include but are not limited to:

Description of Essential Functions:

30% Conducts legal research and analysis related to, and provides legal advice on, functions of the Quality Assurance and Reporting Unit, consistent with the prevailing stands of the legal profession. This includes but is not limited to: research and analysis of statutory, regulatory, and case law authority; drafting and updating legal memoranda; drafting departmental responses and requests; and providing legal advice and assistance to other members of the Quality Assurance and Reporting Unit and to the Deputy Director of Executive Programs.

20% Responds to and processes complex appeals, consistent with the Fair Employment and Housing Act, other applicable laws, and departmental policy. This includes but is not limited to: reviewing investigative files; analyzing complex issues of interpretation and/or application of civil rights laws, rules and regulations; analyzing complex information and evidence; interviewing witnesses; requesting information from parties; preparing a written summary and analysis of the appeal; and issuing determinations. This also includes conducting conciliations to encourage settlement between the parties, as well as maintaining proper records in the Department’s case management system and file management program, per departmental policies and procedures.

20% Responds to and processes complex PRA requests, consistent with the PRA, other applicable laws, and departmental policy. This includes but is not limited to: carefully reviewing investigative files and other types of records to ensure that disclosable information is disclosed and that exempt/privileged/non-responsive information is extracted or redacted; generating and reviewing data reports; corresponding with and assisting in a professional, accurate, and timely manner with other DFEH divisions or departments that may be impacted by a PRA request or response; corresponding with and assisting in a professional, accurate, and timely manner with PRA requestors, members of the media, and members of the public. This also includes maintaining proper records in the Department’s case management system and file management program, per departmental policies and procedures.

10% Develops and presents webinars and in-person legal updates/trainings to Quality Assurance and Reporting staff, other DFEH staff, and/or external stakeholders.
10% Performs and/or manages high-priority projects of the Deputy Director of Executive Programs and/or the Assistant Deputy Director of Quality Assurance and Reporting.

Marginal Functions:

5% Participates in Department meetings, seminars, and trainings.

5% Other duties as assigned.

The above statements are intended to describe the general nature and level of work being performed by the incumbent. They are not intended to be an exhaustive list of all responsibilities, duties, skills, required abilities or qualifications associated with this job.

Desirable Qualifications:

- Ability to communicate effectively and establish and maintain cooperative working relationships with co-workers and members of the public and display excellent customer service skills.
- Ability to operate a computer and knowledge of Excel, Word, and Adobe software programs.
- Ability to interpret and apply laws and regulations to specific situations.
- Ability to follow oral and written instruction and established procedures.
- Ability to gather and analyze facts and evidence, reason logically, draw conclusions, and make appropriate recommendations and participate effectively in investigations and interviews.
- Ability to prepare written documents and accurate detailed reports clearly and concisely.
- Ability to multitask and manage multiple impending deadlines.
- Experience in or knowledge of the California Public Records Act.
- Experience in or knowledge of the California Fair Employment and Housing Act (FEHA), DFEH complaint process, investigative techniques, and/or settlement of complaints.
- Experience in or knowledge of the California legal system and judicial processes.
- Experience working as a project leader or coordinating the efforts of representatives on projects.
- Ability to speak a second language (bilingual) or American Sign Language.

Special Characteristics:

Incumbent routinely works with sensitive and confidential issues and/or documents and is always expected to maintain the privacy and confidentiality of such issues and/or documents. The incumbent must also exercise a high degree of initiative, independence, sound judgment, and creativity in performing tasks. Incumbent must be self-motivated, conscientious, and dependable. Professional courtesy must always be demonstrated.

Adherence to a consistent work schedule is critical to the successful performance of the position due to the heavy workload and time-sensitive nature of the work.

Work Environment, Physical, or Mental Abilities:

The demands described here are representative of those that must be met by the incumbent to successfully perform the essential functions of the job with or without a reasonable accommodation.

- Requires ability to effectively handle stress, and work in a noisy and fast paced environment.
- Requires daily use of a personal computer and related software applications at a workstation.
- Requires ability to complete tasks that require repetitive hand movements in the performance of daily duties, with or without reasonable accommodations and modifications to facilitate such tasks.
• Requires prolonged use of a workstation for 6.5 to 7 hours per day.
• Requires punctual and regular attendance.

Supervision Received:

The Senior FEH Counsel receives supervision from the Deputy Director of Executive Programs and may receive general direction from the Assistant Deputy Director of Quality Assurance and Reporting.

Administrative Responsibility:

Adheres to all applicable laws, rules, policies, and procedures, including the department’s PRA and appeals policies and procedures.

Supervision Exercised:

This position has no direct supervisory functions.

Personal Contacts:

The Senior FEH Counsel may have daily contact with Departmental management and staff, complainants, respondents, legal representatives, control agency representatives, media/press, and the general public.

Actions and Consequences:

Must adhere to all applicable laws, rules, policies, and procedures, including but not limited to the California Public Records Act, the Fair Employment and Housing Act, Unruh Act, Ralph Civil Rights Act, Disabled Persons Act, and departmental policies and procedures. A failure to process work promptly, accurately, and with good judgment could result in the rights of complainants, respondents, and/or others, as set forth in the California Public Records Act, the Fair Employment and Housing Act, and other laws being jeopardized and/or compromised. Failure to use good judgment in handling sensitive and confidential information could result in violation(s) of individual privacy rights and Departmental policy. Failure to utilize diligence in gathering data, taking notes, or preparing reports could result in the public’s right to information being compromised or consequences to the Department from our federal partners. Failure to properly route emails and phone calls to appropriate personnel could result in reputational or legal damage to the Department.

Certification of the Employee:

I have read and understand the duties as described above. I meet the job requirements as described above and am capable of performing the essential functions with or without a reasonable accommodation.

_________________________________________________________  _______________________
Employee’s Signature                                     Date

_________________________________________________________  _______________________
Supervisor’s Signature                                    Date