

Department of Financial Protection and Innovation

Position Duty Statement

DFPI HRO 203 (Rev. 07-2021)

NAME	EFFECTIVE DATE
CLASSIFICATION TITLE Financial Institutions Manager	POSITION NUMBER 410-X50-4104-XXX
WORKING TITLE Financial Institutions Manager	DIVISION/OFFICE/UNIT/SECTION CCFPL/Supervision and Registration of New Covered Persons
BARGAINING UNIT M01	GEOGRAPHIC LOCATION

General Statement: Under the general direction of the Deputy Commissioner of Supervision and Registration of New Covered Persons, with guidance from the Senior Deputy Commissioner of Consumer Financial Protection, the Financial Institutions Manager (FIM) is responsible for registering, monitoring, and examining New Covered Persons, for the Supervision and Registration of New Covered Persons unit. Duties include, but are not limited to, the following:

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

35% Examination of New Covered Persons (E)

Plans, directs, and manages the registration, supervision, and examination activities of New Covered Persons under the California Consumer Financial Protection Law (CCFPL). Manages the preparation of examination reports to New Covered Persons, memoranda to staff members, letters to registrants and public members on various matters relating to the regulation of the CCFPL. Reviews completed examination reports for accuracy. Determines unfair, deceptive, and abusive practices through the examination, review of complaints, research, and market monitoring of New Covered Persons. Reviews and determines when an administrative action (e.g., desist and refrain) is warranted. Makes recommendations for employee disciplinary actions to the Deputy Commissioner when warranted. Works with staff to prepare the referral memo with documentation and assists counsel during administrative hearings. Provides expert opinion in the law and assists staff to correctly interpret the law and changes to it.

30% Communication and Liaison (E)

Assists in the implementation of the new Supervision and Registration of New Covered Persons Program. Responds to inquiries from industry members, staff, and the public regarding the CCFPL; represents the Department at industry group meetings or conferences, including representing the commissioner through oral

presentations/speeches and participating in industry panel discussions; communicates with industry members, consumer advocate groups, and other state and federal regulators, as needed. Provides information on administrative actions taken against a registrant to other governmental agencies. Ensures that public information is properly included in the Department's website.

10% Complaints (E)

Provides staff assistance in resolving complaint issues and resolves the most complex and/or politically sensitive complaints (i.e., complaints from the Legislature and/or the Governor's Office).

10% Background Checks (E)

Reviews and analyzes negative information discovered in required background checks of officers, directors, stockholders, and all other registrant personnel, and communicates with these individuals when necessary and appropriate and makes the final employment eligibility determination. Makes recommendations to the Deputy Commissioner regarding whether or not Enforcement action to bar a person from employment, management or control of any New Covered Person is warranted.

5% Legislation and Rule Changes (E)

Reviews new or amended laws or legislation to determine impact to the program and ensures compliance with existing laws and legislation by incorporating new policy/procedures or changes in existing policies/procedures. Recommends changes to existing CCFPL rules and regulations. Prepares supporting analysis and drafts language for proposal. Reviews and provides input on legislation that is proposed by the industry and other interested groups. Provides staff with legislation updates and provides input to create new examination procedures, if necessary.

5% Reporting/Annual Assessments

Provides information for the Commissioner's monthly executive report to agency; reviews all written correspondence and makes revisions as necessary, before the correspondence is sent out. Determines and imposes yearly administrative assessment fees and penalties for late or non-payment of those fees. Provides expert consultation and guidance to Executive staff in the CCFPL program areas and keeps them apprised of new and/or amended policies and procedures.

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

B. Supervision Received

The Financial Institutions Manager reports directly to and receives the majority of assignments from the Deputy Commissioner of Supervision and Registration of New Covered Persons; however, direction, guidance and assignments may also come from the Senior Deputy Commissioner of Consumer Financial Protection.

C. Supervision Exercised

The position has the responsibility for the direct supervision of five (or more) examiners and professional staff. Additional staff may be added in subsequent years as program grows.

D. Administrative Responsibility

Incumbent must have the ability to complete individual performance appraisals; supervise, train, and motivate staff to achieve maximum effectiveness; apply effective principles of budget preparation and control, personnel management, business management, public administration, and regulatory administration; establish and maintain cooperative working relationships with officials and staff members, public agencies, and interested community and professional groups; establish procedures and plan program activities; direct and supervise the work of technical, professional, and clerical staff. Have a working knowledge of department administrative practices and procedures.

E. Personal Contacts

Daily contact with DFPI employees and other governmental agencies, including other state's regulators, federal regulators, attorney general office, industry groups, national organizations, consumer advocates and other CA agencies. Interacts with other programs within the department. Frequent contact with new and potential registrants.

Periodically meets with general public at conferences and events. Works with consumers to resolve complaints. Periodically works with DOJ to set up and maintain background check processes. Periodically meets with various members of executive staff to provide recommendations, answers questions as the subject matter expert for this program, provides updates and information on strategic goals.

Has some direct contact with Administration and Legislature during Budget Change Proposal (BCP) process. Attends hearings and answer questions.

F. Actions and Consequences

If the incumbent does not perform the position's duties as specified, the public is not getting the protection they have a right to and deserve. California could lose opportunity to lead at a national level to promote change that would benefit Californians. If the incumbent does not perform the duties as specified, it could place a greater burden on and cost to the enforcement team; and create bad employee morale that could lead to increased turnover which is inefficient and costly to the department.

G. Work Conditions/Physical/Functional Requirements

Work remotely and/or in an office setting in the Sacramento, San Francisco, Los Angeles, or San Diego area.

Frequently:

- Sitting at a desk, in a chair, and in front of a computer screen.
- Moving/walking about the office and standing or sitting during in meetings.
- Operating office equipment such as: multi-line telephone console, cell phone, computer, copy machine, fax.
- Utilizing MS Teams to connect with DFPI staff during remote working.
- Bend (neck and waist), push, pull and twist (neck and waist).
- Perform repetitive hand motion, simple grasping, fine manipulation, pushing and pulling with right and left hands.

Occasionally:

- Reaching (above and below shoulder level).
- Traveling via private or public transportation (i.e., driving automobile, airplane, etc.). including overnight travel inside California may be required.
- Lifting and carrying up to 20 pounds.
- Climbing stairs, kneel, and squat.

H. Other Information

The duties require incumbent to visit registered companies, which requires the ability to travel.

Demonstrate leadership and program planning ability; emotional maturity and stability; objective understanding of the mission of the Department.

Knowledge of state and federal consumer protection laws and regulations.

Ability to communicate effectively, both verbally and written; exercise good judgment in decision-making; manage time and resources efficiently; work well with others and handle changing priorities.

CONFLICT OF INTEREST

This position is subject to Title 16, section 3830 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.

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