DUTY STATEMENT

Employee Name: 
Position Number: 580-140-5795-011
Classification: Attorney III
Tenure/Time Base: Limited-Term/Full-Time
Working Title: Attorney III
Work Location: 1415 L Street, Sacramento, CA 95814
Collective Bargaining Unit: R02
Position Eligible for Telework (Yes/No): Yes
Center/Office/Division: Office of Legal Services
Branch/Section/Unit: Public Health Programs

All employees shall possess the general qualifications, as described in California Code of Regulations Title 2, Section 172, which include, but are not limited to integrity, honesty, dependability, thoroughness, accuracy, good judgment, initiative, resourcefulness, and the ability to work cooperatively with others.

This position requires the incumbent to maintain consistent and regular attendance; communicate effectively (orally and in writing) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment; complete assignments in a timely and efficient manner; and adhere to departmental policies and procedures.

All California Department of Public Health (CDPH) employees perform work that is of the utmost importance, where each employee is important in supporting and promoting an environment of equity, diversity, and inclusivity, essential to the delivery of the department’s mission. All employees are valued and should understand that their contributions and the contributions of their team members derive from different cultures, backgrounds, and life experiences, supporting innovations in public health services and programs for California.

Competencies

The competencies required for this position are found on the classification specification for the classification noted above. Classification specifications are located on the California Department of Human Resources’ Job Descriptions webpage.

Job Summary

This position supports CDPH’s mission and strategic plan by handling the more complex contract and administrative legal work for the Center for Infectious Diseases and other programs as assigned.

The Attorney III is responsible for conducting legal research and providing legal and policy advice on administrative, procedural, and regulatory issues and projects that have a significant impact on public health and health policy, and any political impact on the Department; advising the Department on general principles and application of contract law, the law governing the administration of state agencies, and issues involving other applicable statutes and regulations such as the Administrative Procedure Act (APA), Bagley-Keene Act, and California Public Records Act (PRA); applying applicable statutes and regulations to policies and procedures of the Department including reviewing those policies and rendering advice on such matters; coordinating with the Department’s Centers, the Directorate, and the Office of Legislative and Governmental Affairs (LGA), while also proposing, developing, drafting/amending, and/or providing technical assistance on legislation and regulations.
affecting the Department; and providing legal advice and drafting assistance for major Department procurements, including the review of Requests for Proposal (RFP), Requests for Application (RFA) and the review of various other agreements.

The incumbent works under the general direction of an Assistant Chief Counsel (ACC) on the Public Health Programs (PHP) team within the Office of Legal Services (OLS).

### Special Requirements

- **Conflict of Interest (COI)**
- Background Check and/or Fingerprinting Clearance
- Medical Clearance
- Travel:
- **Bilingual:** Pass a State written and/or verbal proficiency exam in
- **License/Certification:** Membership in good standing with the California State Bar
- Other:

### Essential Functions (including percentage of time)

- **40%** Provides oral and written legal analysis to key decision makers within and outside of the Department, including staff within Department programs, the OLS Deputy Director and Chief Counsel, and the Director of CDPH. Analyzes state and federal laws regarding application and resolution of conflicts and provides verbal and written advice to the programs within CDPH. Conducts legislative analyses. Reviews contracts, notices, bill analyses, regulations, decision memorandum, and other documents of legal consequence. The Attorney III is required to directly advise the Director, Executive Staff, upper management, and the California Health and Human Services (CHHS) Agency as needed and under the direction of the ACC for the PHP Team within OLS.

- **30%** Undertakes legal research in the more complex areas of both federal and state law and prepares specialized legal opinions regarding difficult legal issues. Serves as a legal advisor to CDPH on the more complex legal issues that arise, along with assisting in responding to PRA requests. Coordinates with other OLS attorneys to ensure consistent legal interpretation, strategy, and advice on such issues.

- **15%** Coordinates and directs litigation involving Department programs, including consultation with Deputy Attorneys General assigned to cases and field staff involved in cases.

- **10%** Meets with program management, as needed, to provide immediate oral advice regarding topical matters. May be designated to respond to inquiries from the Governor’s Office, the CHHS Agency, the Press Office, other state agencies, and the public on assigned issues and projects.

### Marginal Functions (including percentage of time)

- **5%** Provides legal services to the Department on other matters as directed. Performs other work-related duties as required.
I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties and have provided a copy of this duty statement to the employee named above.

I have read and understand the duties and requirements listed above, and am able to perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation may be necessary, or if unsure of a need for reasonable accommodation, inform the hiring supervisor.)

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**HRD Use Only:**
Approved By: Alyssa Ballesteros-Agulo 9/9/2022