



STATE OF CALIFORNIA

**SHADED AREA FOR HUMAN RESOURCES ONLY**

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|-------------|------------------------|
| <b>RPA:</b> | <b>EFFECTIVE DATE:</b> |
|-------------|------------------------|

**DUTY STATEMENT**

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| <b>1. AGENCY</b><br>Public Employment Relations Board      | POSITION NUMBER (Agency - Unit - Class - Serial)                   |
| <b>2. UNIT NAME AND CITY LOCATED</b><br>Administrative Law | <b>3. CLASS TITLE</b><br>Administrative Law Judge                  |
| <b>4. WORKING HOURS/SCHEDULE TO BE WORKED</b>              | <b>5. SPECIFIC LOCATION ASSIGNED TO</b>                            |
| <b>6. PROPOSED INCUMBENT</b>                               | <b>7. CURRENT POSITION NUMBER (Agency - Unit - Class - Serial)</b> |

YOU ARE A VALUED MEMBER OF THE BOARD'S TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND PRODUCTIVITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY AND WITH RESPECT ARE IMPORTANT TO EVERYONE WHO WORKS WITH YOU.

**8. MISSION OF THE ORGANIZATIONAL UNIT/CONCEPT OF THE POSITION**  
Under the general direction of the Chief Administrative Law Judge, the incumbent presides over videoconference and/or in-person quasi-judicial representation and unfair practice administrative hearings, conducts settlement conferences, renders proposed decisions and orders, and, upon request, provides valued input into other administrative law judge's work product. Travel is required in order to preside over hearings throughout California. This position will include travel by air, car, and/or public transportation.

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|--|-------------------------------------|
| <b>9. Percentage of time performing duties</b> | <b>RESPONSIBILITIES OF POSITION</b> |
|--|-------------------------------------|

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|  | <p><u>Summary of Position</u></p> <p>Under the general direction of the Chief Administrative Law Judge, the Administrative Law Judge (ALJ) presides over videoconference and/or in-person administrative hearings regarding unfair practices and representation disputes under PERB's and the State Mediation and Conciliation Service's (SMCS) jurisdiction, prepares proposed decisions and conducts settlement conferences, all in compliance with the Administrative Adjudication Bill of Rights (Government Code Section 11425.10, et seq.), PERB statutes, PERB Regulations and relevant legal standards. The ALJ shall, upon request, provide input and advice to other ALJs as to their work product.</p> <p>The position is designated under the Conflict of Interest Code. The position is responsible for making, or participating in the making of, governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete a Fair Political Practices Commission Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.</p> |
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**11. SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE**

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| <b>SUPERVISOR'S NAME (Print)</b> | <b>SUPERVISOR'S SIGNATURE</b> | <b>DATE</b> |
|----------------------------------|-------------------------------|-------------|

**12. EMPLOYEE'S STATEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT**

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise to balance the workload.

|                                |                             |             |
|--------------------------------|-----------------------------|-------------|
| <b>EMPLOYEE'S NAME (Print)</b> | <b>EMPLOYEE'S SIGNATURE</b> | <b>DATE</b> |
|--------------------------------|-----------------------------|-------------|



# DUTY STATEMENT

| 9. Percentage of time performing duties | RESPONSIBILITIES OF POSITION   |
|---|--|
| 45%                                     | <p><b><u>Essential Functions</u></b></p> <p><b><u>Preparing and Issuing Proposed Decisions and Orders</u></b></p> <p>Prepares and issues proposed decisions and orders in each case following a quasi-judicial hearing or submitted motion(s). The process of preparing a proposed decision includes: reviewing pleadings, motions, post-hearing briefs, hearing notes, the transcript of the proceeding(s), evidence admitted at the hearing; researching and analyzing applicable laws, decisions, and regulations and employing legal requirements and standard PERB decision format to ensure proposed decisions are completed in a timely fashion. Maintains current understanding of PERB decisional law, statutes, and regulations, and proficiency in standard online legal research tools and application of computer and software applications and databases.</p>                    |
| 25%                                     | <p><b><u>Conducting Quasi-Judicial Hearings</u></b></p> <p>Conducts complex quasi-judicial hearings for the Division of Administrative Law and the State Mediation and Conciliation Service by presiding over the witness testimony and legal arguments, ruling on the admission of evidence and procedural motions, taking notes, setting up and proficiently operating hearing videoconference and recording equipment, establishing schedules for further proceedings to manage assigned cases and ensure the creation of a comprehensive and complete official record, in compliance with the Administrative Adjudication Bill of Rights and PERB Regulations, relevant legal standards and PERB policies. Conducts self in all dealings, personal and professional, in a manner compliant with the Administrative Adjudication Code of Ethics, Government Code Section 11475, et seq.</p> |
| 10%                                     | <p><b><u>Conducting Prehearings and Settlement Conferences</u></b></p> <p>Handles and/or conducts prehearing motions, prehearing conferences, mediations, settlement conferences by reviewing pleadings, motions, and position statements, researching and analyzing applicable laws, regulations and decisions, and submitting rulings and orders in accordance with PERB Regulations. Conducts timely technical review of proposed decisions prepared by other administrative law judges in a wide variety of cases in order to ensure consistency and the quality of the proposed decision.</p>   |
| 10%                                     | <p><b><u>Providing Input and Training to other ALJs</u></b></p> <p>Provides valuable input and advice to other ALJ's, upon request, as to another ALJ's work product or hearing/prehearing situation. Provide training to other ALJ's as to a specific subject matter area or procedural circumstance.</p>   |



# DUTY STATEMENT

| 9. Percentage of time performing duties | RESPONSIBILITIES OF POSITION   |
|---|--|
| 5%                                      | <p><u>Management and Organization of Caseload</u></p> <p>Maintains an organized caseload and associated workload including a need for time off calendar to write proposed decisions. Clearly and timely communicates scheduling and ethical conflicts and constraints with the Chief Administrative Law Judge.</p>   |
| 5%                                      | <p><u>Travel</u></p> <p>Travels to and from PERB offices and other locations with required equipment and materials in order to conduct quasi-judicial hearing, prehearing and settlement conferences. Coordinates and schedules hearings and mediation locations as appropriate.</p> <p><b><u>Knowledge and Abilities</u></b></p> <p><i>Knowledge of:</i> State and federal rules, regulations, and laws; areas of law applicable to the department and the types of adjudication assigned; legal principles and their application, conduct of hearing proceedings and the provisions of the Administrative Procedures Act; leading court decisions in California and the United States Supreme Court; rules of evidence governing such procedure and the laws relating to serving notices, taking depositions, and issuing subpoenas; legal research; court decisions interpreting the powers of administrative boards and agencies; principles and theories of administrative law and the judicial review of administrative actions; principles and objectives of effective public administration and an understanding of the uses of proper administrative procedures in furthering these objectives; legal terms and forms in common use; and conduct of proceedings in California and federal trial and appellate courts and before administrative bodies.</p> <p><i>Ability to:</i> Interpret and apply provisions of state and federal rules, regulations, and laws; perform legal research; conduct fair and impartial hearings in a manner that will obtain all pertinent evidence and secure confidence and respect; maintain a fair and impartial attitude of mind and manner, exercise judgement without bias or prejudice; prepare summaries of facts and render decisions or make recommendations based on such facts; analyze difficult and complex legal problems and apply legal principles and precedents to particular sets of facts; communicate effectively; both orally and in writing; analyze situations accurately and adopt an effective course of action; establish and maintain cooperative and respectful relationships with those contacted in work.</p> |



# DUTY STATEMENT

9. Percentage of time performing duties

## RESPONSIBILITIES OF POSITION

### Desirable Qualifications

- Excellent oral and written communication skills.
- Dependability and excellent attendance record.
- Excellent interpersonal skills.
- Excellent active listening skills.
- Ability to effectively handle stress and deadlines.
- Judicial temperament and professional personality.
- Ability to conduct self in all dealings, personal and professional, in a manner compliant with the Administrative Adjudication Code of Ethics Government Code Section 11475 et.seq.
- Experience with computers, Word and Windows software.
- Ability to maintain mutually respectful relationships with support staff.
- Willingness and ability to travel to offsite locations to conduct hearings.

### Work Environment

- Work at computer station for extended periods of time
- Maneuver materials and equipment weighing up to 40 lbs.
- Effectively handle stress and deadlines in a fast paced environment.
- Use of fax, copiers, audio-visual, teleconference, and other office equipment.
- Willingness to work a standard 8:00 a.m. to 5:00 p.m. schedule.

### Required Qualifications

- Active membership in The State Bar of California.