

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

CLASSIFICATION:

Attorney III

POSITION NUMBER:

800-310-5795-035

DIVISION/BRANCH/REGION: (UNDERLINE ALL THAT APPLY)

Legal Division/IT and Administrative Litigation Branch

BUREAU/SECTION/UNIT: (UNDERLINE ALL THAT APPLY)

Information, Privacy & Audits

SUPERVISOR'S NAME:

Amy Lindsey-Doyle

SUPERVISOR'S CLASS:

Assistant Chief Counsel

SPECIAL REQUIREMENTS OF POSITION (CHECK ALL THAT APPLY):

- ☒ Designated under Conflict of Interest Code.
- ☐ Duties require participation in the DMV Pull Notice Program.
- ☐ Requires repetitive movement of heavy objects.
- ☐ Performs other duties requiring high physical demand. (Explain below)
- ☐ None
- ☒ Other (Explain below)

Employees assigned to work in the Legal Division are required to obtain a criminal record background clearance by the Department of Justice and the Federal Bureau of Investigation.

I certify that this duty statement represents an accurate description of the essential functions of this position.

I have read this duty statement and agree that it represents the duties I am assigned.

SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S SIGNATURE

DATE

SUPERVISION EXERCISED (Check one):

- ☒ None ☐ Supervisor ☐ Lead Person ☐ Team Leader

FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position DIRECTLY supervises.

Total number of positions for which this position is responsible:

FOR LEADPERSONS OR TEAM LEADERS ONLY: Indicate the number of positions by classification that this position LEADS.

May act as lead for an Attorney I

MISSION OF ORGANIZATIONAL UNIT:

The Legal Division's Information, Privacy & Audits Bureau within the Information, Technology & Administrative Litigation Branch is dedicated to providing legal advice and services to the Department's Human Resource Services Bureau and Department Divisions. The Legal Division's Information, Privacy & Audits Bureau works closely with the Office of the Attorney General, Department of Human Resources, and the State Personnel Board.

CONCEPT OF POSITION:

The Attorney III performs the more complex and sensitive legal work of the Department relating to human resources. As one of the more experienced attorneys, the Attorney III must be well versed in the laws, rules and regulations regarding human resources. As an expert in the laws related to human resources issues, the incumbent consults with and advises departmental managers on issues including: employment, EEO, Workers' Compensation, Reasonable Accommodation, whistleblower complaints, and related matters and represents the Department at hearings before various tribunals such as the State Personnel Board, California Unemployment Insurance Appeals Board, and the Division of Labor Standards Enforcement and others.

A. RESPONSIBILITIES OF POSITION:

35% - Drafts, analyzes, and reviews investigative reports; criminal background histories; pleadings and legal briefs for difficult and complex personnel actions; develops evidence, strategies, and tactics in the application of evidentiary rules, hearsay exception statutes, and other trial-related theory, in order to litigate a wide range of complex cases to take legal administrative actions before the State Personnel Board and other tribunals. Directs the work of the assigned paralegals and legal support staff in the preparation of legal files in advance of hearings. May provide training to new attorney hires and Department managers.

30% - Provides departmental management with legal advice regarding, and representation on, sensitive and complex employment matters in the areas of human resources, including but not limited to disciplinary matters, equal employment opportunity, discrimination/harassment, and public records.; researches, interprets and provides legal opinions concerning federal and state laws and regulations related to employment in state government; provides legal advice to the Director, Chief Deputy Directors, and Deputy Directors in the area of law governing employment in state government.

25% - Serves as the Department's liaison to the Office of the Attorney General and represents the Department's position in complex employment legal proceedings by participating in court hearings and pre-trial matters, including but not limited to motions, discovery and settlement negotiations.

10% - Performs other appropriate legal assignments as required.

B. SUPERVISION RECEIVED:

The Attorney III reports to and receives direction from an Assistant Chief Counsel and Senior Assistant Chief Counsel and has independence and discretion to perform his/her duties without routine review.

C. ADMINISTRATIVE RESPONSIBILITY:

The Attorney III is responsible for receipt and timely completion of assignments in his/her areas of specialization.

D. PERSONAL CONTACTS:

The Attorney III has extensive contacts within and outside the Department. As an expert in the laws relating to human resources, the incumbent consults and advises the department's Director, Deputy Directors and managers on discrimination/harassment issues, special issues and adverse actions and also consults with Deputy Attorneys General of the Department of Justice, on preparation for litigation in which the Department is a party.

E. ACTIONS AND CONSEQUENCES:

The Attorney III personally deals with the more difficult and complex issues and adverse actions. Failure to provide sound legal advice and exercise good judgment could subject the Department to litigation or compliance action with significant adverse fiscal and policy consequences.

F. OTHER INFORMATION:

The Attorney III is expected to travel (including overnight travel out of town) and arrange schedule to perform duties and meet the objectives of the program. Employees assigned to the Legal Division are subject to a criminal record background check clearance by the Department of Justice and the Federal Bureau of Investigation. This position is eligible for telework.

(Rev. 01.2024 - JL)