

DUTY STATEMENT



☐ CURRENT
☒ PROPOSED

CIVIL SERVICE CLASSIFICATION Deputy Labor Commissioner I			WORKING TITLE Public Works - Field Investigator		
PROGRAM NAME Division of Labor Standards Enforcement				UNIT NAME Public Works	
ASSIGNED SPECIFIC LOCATION San Jose				POSITION NUMBER 400-262-9502-xxx	
BARGAINING UNIT R02	WORK WEEK GROUP 2	BILINGUAL POSITION Yes	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK Yes	

General Statement

Under direction of a Deputy Labor Commissioner III in the Labor Commissioner's Office (LCO) of the Public Works Unit (PW), Labor Employment Task Force (LETf) and/or the Private Attorneys General Act (PAGA) program(s) the incumbent is responsible for the investigation and enforcement of prevailing wage laws and regulations, apprenticeship standards, skilled and trained workforce requirements, contractor and project registration requirements, Industrial Welfare Commission orders and laws covering workers' compensation insurance coverage and labor laws under the jurisdiction of the State Labor Commissioner. Public Works may also work in partnership with other government entities on the investigation and prosecution of criminal violations. **Bilingual duties are required**.

Candidates must be able to perform the following essential functions with or without reasonable accommodations.

Percentage of Time Spent	Duties <u>Essential Job Functions</u>
45%	Plans and conducts investigations, including analyzing payroll records and related source documents to determine compliance with public works law, prevailing wage rate requirements, skilled and trained workforce requirements and apprenticeship standards under strict statutory time constraints. Conducts surveillance, inspects places of employment and/or worksites to investigate compliance with state labor laws and other related statutes as required. Contacts public entities who award public works contracts and contacts contractors to obtain information necessary to determine compliance. Examines witnesses effectively, takes affidavits, collects evidence and undertakes other duties as required. Interprets statutes, regulations and relevant case laws and decisions objectively to prepare reports that include accurate summaries of evidence, and makes factual findings and conclusions to justify application of law to those facts. Conducts audits of employer records. Advises employers of violations and verifies payment of wages owed.
25%	Issues civil wage and assessments, citations and/or stop orders to contractors and/or awarding bodies who fail to comply with the law. Conducts conferences with affected parties to resolve disputes. Prepares, participates, and presents findings in administrative hearings. Investigates criminal violations of the labor laws and prepares referrals for criminal actions as well as debarment against violators. Assists in all civil and criminal legal proceedings.

DUTY STATEMENT



10%	Meets with employers, employees, public entities, stakeholders and their representatives to provide education on public works laws and regulations including, but not limited to creating handouts and PowerPoint presentations as well as participating as a speaker at outreach events. Responds verbally and in writing to technical inquiries from the regulated public. Collaborates with and/or assists other offices, Federal, State, and/or local agencies and other investigators to exchange information and coordinate activities.
10%	Utilizes written and verbal Spanish language proficiencies to communicate with parties regarding case inquiries and/or requests, including, but not limited to, case status inquiries, requests to reopen claims, and requests to review the administrative record. Conducts meetings with parties using verbal Spanish language proficiencies in order to facilitate exchange of information and/or settlement of a dispute. Interacts with the public in general utilizing verbal Spanish language proficiencies, such as during Public Information Duty and/or while conducting outreach or educational presentations to members of the public or stakeholders.
Percentage of Time Spent	Marginal Job Functions
10%	Performs Public Information Duty (PID) for the Division's public counter by telephone, direct contact or electronic mail by providing information about regulations, policies, procedures, and programs within the Division. Evaluates information about workplace conditions and provides information about potential violations and available laws to address these violations as well as all claim-filing alternatives. In addition to conducting research online or in relevant databases, communicates with other programs and/or agencies as needed to identify relevant information about employer's identity, location or operation, including verification of workers' compensation coverage. Refers cases to respective programs and coordinates real time application of recovery tools. Preliminarily communicates with employer or their representative verbally or in writing to address allegations, resolve dispute or advance the claim. Directs the public to available resources online or otherwise provides informational materials to workers and employers. Responds to inquiries by the public regarding case status by communicating appropriate information available in Salesforce or communicating with respective team member to obtain status. Participates in claim filing clinics, including assists the public with completing various claim forms and provides information about local advocates that provide free legal services. Enters all claims received from into Salesforce database. Performs other job-related duties, including takes messages, schedules appointments, transfers calls, and greets visitors.

Conduct, Attendance, and Performance Expectations

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

Supervision Received

The incumbent works under direction of the Deputy Labor Commissioner III that oversees that office or region; however, some assignments may come from other DLSE management.



Supervision Exercised

None.

Work Environment, Special Requirements/Other Information, Physical Abilities, Additional Requirements/Expectations, and Personal Contacts

Work Environment

The duties of this position are conducted both in an office and in field setting. The incumbent is required to travel for field operations and trainings. The incumbent will be using a state vehicle, laptop computer, cellular phone, and other equipment necessary to conduct on-site inspections and investigations. The assigned vehicle will be parked at a department or designated location. While in the field, the incumbent may be exposed to ongoing construction and extreme weather conditions.

Special Requirements/Other Information

A Willingness to travel and work irregular hours.

Physical Abilities

The incumbent will be required to remain in a stationary position for long periods of time while in the office and/or while driving to and from field activities. The incumbent will also traverse various ground surfaces and/or buildings while managing between 5-10 lbs of equipment (laptop or tablet, portable printer, charger, etc.,) during field activities.

Additional Requirements/Expectations

A sympathetic understanding of labor problems; sound judgment; reliability; impartiality; tact; firmness; patience; neat personal appearance; willingness to travel and work irregular hours. The incumbent must possess good decision making skills, initiative, and resourcefulness to complete tasks. The incumbent must: adhere to the Division's policies and procedures; maintain acceptable attendance and report to work on time; work under changing priorities and deadlines; • be available and willing to work flexible hours; • be able to communicate effectively both orally and in writing; complete assignments in a timely and efficient manner; work in both a team environment and independently. Confidentiality and discretion are required due to the nature of the documents and information being handled.

Ensures the reliability of transportation for completing investigative and enforcement activities by adhering to vehicle maintenance schedules and fleet protocols.

Personal Contacts

The incumbent will need to interact with groups of individuals from various socioeconomic and cultural backgrounds in an impartial, tactful, patient, and professional manner. These groups include, but are not limited, to the following: workers, employers and their representatives, the public, stakeholder, other governmental agencies and partners, and staff members from other units within the Division.

DUTY STATEMENT



Employee Acknowledgment

I have read and understand the duties listed above and certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform these assigned duties as described above with or without reasonable accommodation. If you believe a reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for a reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Medical Management Unit in the Human Resources Office.

Employee Name

Employee Signature

Employee Sign Date

Supervisor Acknowledgment

I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with the employee and provided the employee with a copy of this duty statement.

Supervisor Name

Supervisor Signature

Supervisor Sign Date

HUMAN RESOURCES OFFICE APPROVAL

C&S Analyst Initials

Approval Date

DUTY STATEMENT



Employee Name

Employee Signature

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