



DUTY STATEMENT

SHADED AREA FOR HUMAN RESOURCES ONLY

INSTRUCTIONS: Refer to the Essential Functions Duty Statement Preparation and Construction Manual for Instructions

RPA:

EFFECTIVE DATE:

1. AGENCY Public Employment Relations Board	POSITION NUMBER (Agency - Unit - Class - Serial) 315-007-5778-xxx	
2. UNIT NAME AND CITY LOCATED Office of the General Counsel	3. CLASS TITLE Attorney	
4. WORKING HOURS/SCHEDULE TO BE WORKED 8:00am – 5:00pm	5. SPECIFIC LOCATION ASSIGNED TO	
6. PROPOSED INCUMBENT	7. CURRENT POSITION NUMBER (Agency - Unit - Class - Serial)	
<p>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.</p>		
8. BRIEFLY (1 - 3 sentences) DESCRIBE THE POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS Under the direction of the Attorney Supervisor, the incumbent provides a full range of legal services, including investigation of unfair practice charges, representation cases, investigation and litigation of request for injunctive relief, and representation of the Board in general litigation.		
9. Percentage of time performing duties	10. Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. (Use additional sheet if necessary)	
45%	<p>Incumbents are attorneys in various levels who have displayed an interest in labor law, administrative law and civil and appellate litigation. They have the ability to independently and effectively perform legal work in various levels of complexity and produce a top quality product. They work with discretion and handle cases in trial and appellate courts. They work with, at the direction of, and provide advice to the General Counsel and Deputy General Counsel, and advise the Members of the board, as appropriate, on public sector labor relations issues.</p> <p>ESSENTIAL FUNCTIONS</p> <p>To evaluate unfair practice charges filed with PERB, provide legal representation regarding final Board decisions and other matters, and seek appropriate injunctive relief, while following the collective-bargaining statutes enforced by PERB, the Regional Attorney will perform the following duties:</p> <p><u>Unfair Practice Charges</u></p> <p>The position of Regional Attorney, acting with some independence and responsibility, provides a full-range of legal services in investigating unfair practice charges. Duties include:</p> <ul style="list-style-type: none"> • Investigating facts contained in the charge • Performing legal research • Communicating with parties orally and in writing • Preparing and issuing dismissals of charges, warning letters, unfair practice complaints, and agenda memos • Mediate informal settlement conferences to resolve unfair practice charge complaints • Determine compliance with final Board decisions 	



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9. Percentage of time performing duties	10. Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. <i>(Use additional sheet if necessary)</i>
<p>25%</p> <p>20%</p> <p>10%</p>	<p>ESSENTIAL FUNCTIONS, CONT.</p> <p><u>Litigation</u> The position of Regional Attorney at PERB takes a role in various levels (dependent on incumbent's range) of complexity of issues pending before the courts. Duties include:</p> <ul style="list-style-type: none"> • Drafting pleadings, motions, and briefs using office-wide document management application • Presenting evidence and argument in trial courts, including complaints for temporary restraining orders and preliminary injunctions, writ defenses, subpoena enforcement, and compliance actions • Reviewing factual administrative records of Board decisions, performing legal research, drafting appellate briefs, and presenting courtroom oral argument <p><u>Injunctive Relief</u> The position of Regional Attorney is responsible for requests for injunctive relief. Duties include:</p> <ul style="list-style-type: none"> • Review declarations from witnesses and other documents • Perform legal research and drafting comprehensive legal memos that analyze the facts and applicable law <p><u>Representation</u></p> <ul style="list-style-type: none"> • Investigate representation petitions and conduct elections • Mediate informal settlement conferences and preside over formal hearings <p><u>KNOWLEDGE & ABILITIES</u></p> <p><i>Knowledge of:</i> Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.</p> <p><i>Ability to:</i> Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.</p>



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	<p><u>DESIRABLE QUALIFICATIONS</u></p> <ul style="list-style-type: none"> • Ability to analyze legal principles and precedents related to California public sector labor law, and apply them to complex legal problems. • Act as a legal advisor to executive management on complex and sensitive matters. • Demonstrates a high degree of integrity and confidentiality on sensitive issues and uses sound judgment in decision making. • Knowledge of the mission, goals, and functions of the Public Employment Relations Board. • Strong knowledge of public sector labor law, including administrative law and procedure, appellate advocacy, superior court law and motion practice, and the California Public Records Act. • Ability to communicate effectively with others as demonstrated by strong written and verbal communication skills. • Knowledge and experience in facilitating mediations. • Ability to manage competing priorities and ability to negotiate difficult situations with diplomacy and tact. <p><u>ADDITIONAL QUALIFICATIONS</u></p> <ul style="list-style-type: none"> • Work at computer for extended periods of time. • Ability and skill to use a personal computer and the suite of Microsoft Office applications. • Maneuver materials or boxes of files weighing up to 35 lbs. <p><u>SPECIAL PERSONAL CHARACTERISTICS</u></p> <ul style="list-style-type: none"> • 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. • Willingness to travel, tact, judicial temperament, neat personal appearance, professional personality and normal hearing. • Experience with computers, Word and Windows software. • Ability to maintain mutually respectful relationships with support staff. <p><u>REQUIRED QUALIFICATIONS</u></p> <p>Active membership in The State Bar of California.</p>	
11. SUPERVISOR'S STATEMENT: <i>I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE</i>		
SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE
12. EMPLOYEE'S STATEMENT: <i>I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT</i>		
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.		
EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE	DATE