

DUTY STATEMENT



☒ **CURRENT**
☐ **PROPOSED**

CIVIL SERVICE CLASSIFICATION Attorney		WORKING TITLE Attorney I		
PROGRAM NAME Office of the Director			UNIT NAME Legal (North)	
ASSIGNED SPECIFIC LOCATION Sacramento			POSITION NUMBER 400 – 111-5778-017	
BARGAINING UNIT R02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under the direction of the Chief Counsel of the Office of the Director Legal Unit (OD Legal) and the Assistant Chief Counsels, Attorneys (Ranges A and B) represent the Director of the Department of Industrial Relations (DIR), the Department, and division chiefs and managers in a variety of subject areas within the responsibility and jurisdiction of the Department. Responsibilities include, among others, representing the Director in workers' compensation cases involving special funds administered by the Director, representing the Department in internal DIR personnel matters, and providing legal advice and representation in public works, Public Records Act, litigation, and other matters concerning a wide variety of legal issues that may arise in the operation of the Department. Attorneys (Ranges A and B) are entry level attorneys who are assigned progressively more difficult professional legal work as their experience level increases. Attorneys are not expected to have any prior substantive knowledge of the subject areas of the Department, but are expected to be able to perform competently as an entry level attorney, and to be capable of learning new material and skills and to grow and develop their professional abilities over time, commensurate with years of experience. Essential functions of this position are to accomplish assigned legal work in the specific areas outlined below, under supervision and seeking instruction and guidance as necessary; to communicate effectively both orally and in writing, as required for the specific job duties, including by drafting correspondence and legal briefs; to appear in workers' compensation administrative proceedings as assigned; to appear in other civil and administrative proceedings as assigned; to communicate in a professional, respectful and productive manner with opposing counsel, clients, stakeholders, colleagues, and the public; to travel as necessary and as assigned; and to demonstrate good judgment and act with high ethical standards. The ability to travel for a short duration (one to two days) is required for this position.

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>
35%	Represent the Director of DIR as Administrator of the Subsequent Injuries Benefits Trust Fund (SIBTF) in workers' compensation cases at Division of Workers' Compensation District Offices, which are the trial level courts for the Workers' Compensation Appeals Board (WCAB), as well as in Petition for Reconsideration proceedings before the WCAB, and in any judicial review proceedings in the Court of Appeal and California Supreme Court.
25%	Represent the Director of DIR as Administrator of the Uninsured Employers Benefits Trust Fund (UEBTF) in workers' compensation cases at Division of Workers' Compensation District Offices, which are the trial level courts for the Workers' Compensation Appeals

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	Board (WCAB), as well as in Petition for Reconsideration proceedings before the WCAB, and in any judicial review proceedings in the Court of Appeal and California Supreme Court.
25%	Provide legal analysis, advice and representation to the Director and the Department as a member of a practice area team in one or more of the following subject areas, as assigned, and based on the operational needs of the unit: 1) researching, analyzing and making recommendations to the Director on requests for public works coverage determinations, handling administrative appeals from those decisions, and defending the decisions of the Director in writ litigation when necessary; 2) representing the Department in internal employment law and personnel matters, including proceedings before the State Personnel Board, Equal Employment Opportunity Commission, and California Civil Rights Department, and in related civil litigation; 3) representing the Department with respect to Public Records Act requests and any related litigation; 4) advising the Director and the Department with respect to matters involving the Information Practices Act, privacy, and contracts of all kinds; 5) reviewing and drafting recommended decisions on appeals from Labor Commissioner's decisions in retaliation complaint investigations; 6) representing the Director, the Department, and division chiefs in state and federal civil litigation, as assigned, working with a more experienced attorney; and 7) preparing legislative bill analysis documents and advising the Director with respect to rulemaking, legislation, and general policy issues.
10%	Represent the Director of DIR in workers' compensation cases related to the Return To Work Supplement Program (RTWSP) and Death Without Dependents cases.
Percentage of Time Spent	Marginal Job Functions
5%	Other assignments and duties as required based on operational needs of the Department and Legal Unit.

Conduct, Attendance, and Performance Expectations

This position requires professionalism, organization, productivity, and a willingness to learn new subject areas. Attorneys handle cases and other legal work as assigned, under supervision, and with training, guidance and oversight by more experienced attorneys, team leaders, and OD Legal management. Attorneys are expected to have entry level attorney skills, and to develop knowledge and expertise over time in the subject matter areas handled by OD Legal. Attorneys are expected to be able to produce legal briefs and other written work product as assigned, with training, support and supervision. All attorneys within OD Legal are expected to conduct themselves ethically, to behave in a professional manner at all times while representing the Department, to demonstrate good judgment, to maintain appropriate confidentiality, and to treat others with respect and courtesy. Under the applicable Bargaining Unit 2 MOU, which applies to all attorneys in OD Legal, "employees are expected to work all hours necessary to accomplish their assignments and fulfill their responsibilities. Employees will normally average forty (40) hours of work per week including paid leave; however, work weeks of a longer duration may occasionally be necessary." This is a full-time position. Short distance and duration travel is required. Some amount of regular telework is a possibility, in consultation with a supervisor and consistent with DIR telework policy.

Supervision Received

Attorney I's work under the direction and supervision of an Assistant Chief Counsel, and receive indirect

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supervision from the Chief Counsel.

Supervision Exercised

None.

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

Work Environment

This is a full-time position located in the Department of Industrial Relations, Office of the Director Legal Unit ("OD Legal"), located at 160 Promenade Circle, Suite 330, in Sacramento, California. The building is located in a commercial office park; OD Legal is located on the 3rd Floor, adjacent to the Sacramento Workers' Compensation "Board." Employees in this position work in offices, at desks, and are required to work extensively on computers as necessary for the drafting of letters, briefs and other documents, and for research, email communication, file review, training and other purposes.

Attorneys are expected to handle their own word processing, and secretarial support is generally limited to the finalization and filing process. This position requires occasional in-state travel, either locally in the area, or for one to two-day overnight trips within California, based on assignments, and as determined according to the needs of the Department. This is a full-time, Monday through Friday, position. Attorneys are expected to work all hours as necessary to accomplish their assignments, and although they will generally average a 40-hour week, longer work hours may occasionally be required. There is some flexibility as to the specific work schedule, which will be determined after hire in consultation with the supervisor. As noted, some amount of regular telework is a possibility.

Special Requirements/Other Information

Employees in this position must be a member of the California Bar and qualified to practice law in California. The Attorney classification does not require any prior years of experience as an attorney.

Physical Abilities

This position requires extensive use of a computer for word processing, online file and document review, email, legal research, court filings, court appearances, and other purposes. The position also requires frequent and lengthy use of the telephone and videoconferencing platforms.

Additional Requirements/Expectations

This position requires occasional travel of short duration, either locally within the Sacramento Area, or for one or two-night stays in other locations within California.

Personal Contacts

This position requires extensive contact with: other attorneys and staff in OD Legal; the Assistant Chief Counsels and Chief Counsel; personnel in other divisions of the DIR; workers' compensation administrative law judges; opposing counsel and other parties in workers' compensation matters; opposing counsel, co-counsel, and/or other parties in civil litigation; stakeholders; and members of the public.

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

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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