



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)	
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. BRIEFLY (1 - 3 sentences) DESCRIBE THE POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS Under the general direction of the Supervising Attorney, the incumbent provides a full-range of legal services, including investigation of unfair practice charges, representation cases, investigation and litigation of requests 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. <i>(Use additional sheet if necessary)</i>		
45%	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 Members of the Board, as appropriate, on public sector labor relations issues. ESSENTIAL FUNCTIONS 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, staff counsel will perform the following duties: <u>Unfair Practice Charges</u> The position of Staff Counsel, acting with some independence and responsibility, provides a full range of legal services in investigating unfair practice charges. Duties include: • 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 memoranda • Advises on legal issues arising in connection with elections and other representational matters. • Performs legal research and writes opinions • Travel occasionally statewide		



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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>
25% 25% 5%	ESSENTIAL FUNCTIONS CONTINUED <u>Litigation</u> The position of Staff Counsel at PERB takes a role in various levels (dependent on incumbent's range) of complexity of issues pending before the courts. Duties include: • 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 <u>Injunctive Relief</u> The position of Staff Counsel is responsible for requests for injunctive relief. Duties include: • Reviewing declarations from witnesses and other documents • Performing legal research and drafting comprehensive legal memoranda that analyze the facts and applicable law <u>Legislation/Regulation</u> The position of Staff Counsel may assist regarding preparation and promulgation of administrative regulations and perform legislative research and bill review. <u>REQUIRED QUALIFICATIONS</u> Active membership in the State Bar of California <u>KNOWLEDGE & ABILITIES</u> <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. <i>Ability to:</i> Perform research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; present statements of fact, law, and argument clearly and logically; draft statutes; prepare correspondence involving the explanation of legal matters; analyze situations accurately and adopt an effective course of action.
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