

## DUTY STATEMENT



☒ **CURRENT**

☒ **PROPOSED**

<b>CIVIL SERVICE CLASSIFICATION</b> Deputy Labor Commissioner I			<b>WORKING TITLE</b> Field Investigator	
<b>PROGRAM NAME</b> Division of Labor Standards Enforcement			<b>UNIT NAME</b> Labor Commissioner's Office (LCO)/ Bureau of Field Enforcement (BOFE)	
<b>ASSIGNED SPECIFIC LOCATION</b> Fresno			<b>POSITION NUMBER</b> 400-566-9502-602	
<b>BARGAINING UNIT</b> R02	<b>WORK WEEK GROUP</b> 2	<b>BILINGUAL POSITION</b> No	<b>CONFLICT OF INTEREST FILER</b> Yes	<b>BACKGROUND CHECK</b> No

### General Statement

Under direction of a Deputy Labor Commissioner III in the State Labor Commissioner's Office (LCO) of the Bureau of Field Enforcement (BOFE), 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 the Industrial Welfare Commission orders and laws covering workers' compensation insurance coverage, child labor, cash pay, unlicensed contractors, as well as group claims involving minimum wage and overtime. BOFE may also work in partnership with other government entities on the investigation and prosecution of these group claims.

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

<b>Percentage of Time Spent</b>	<b>Duties <u>Essential Job Functions</u></b>
35%	Plans logistics, schedules and directs on-site field visits to support labor law investigations to ensure businesses comply with State labor laws and the Industrial Commission (IWC) orders. Conducts labor enforcement actions by issuing Notices to Discontinue and/or Orders to Appear documents, subpoenas, interrogatories, accurate stop orders, civil penalty citations and wage citations for violations found pursuant to the labor code and IWC orders. Inspects, reviews, and analyzes employment, payroll, corporate and business financial records various spreadsheets, labor codes, IWC orders, factual data collected through interviews, documentary evidence and surveillance to determine compliance with State labor laws. Participates in conferences and interviews with employees, employers, labor organizations and their representatives to determine if labor law violations have occurred. Locates, interviews, and takes affidavits of workers, witnesses and complainants in person or by telephone in accordance with Division policies and procedures as part of the collection of evidence process. Reviews and analyses the accuracy of findings (decisions rendered by Hearing Officers in the Wage Claims Adjudication (WCA) unit as a result of appeals to labor law citations) uploaded to the Salesforce database or in a hard copy format in order to identify any clerical errors and/or other inconsistencies. Initiates criminal action as necessary by referring cases to the Labor Commissioner Office's Criminal Investigation Unit.

## DUTY STATEMENT



30%	Represents the Division in investigatory and appeal hearings and/or meetings by providing testimony, and presenting findings of inspections and investigations. Files various court actions and legal documents to initiate and/or in response to civil proceedings for compliance with various labor laws and regulations of the State and IWC orders. Prepares evidence for case presentations at administrative hearings to support and defend issued labor law citations. Proactively reviews case management system to identify pending cases and ensure timely processing of all assigned hearings pursuant to the Labor Code or other applicable laws. Conducts confiscation in the garment manufacturing industry by recording the quantities, types, and sizes of garments confiscated and seizing the garment, documents investigations with accurate and objective case notes grounded in fact and evidence; conducts follow-up inspections as necessary.
25%	Serves as a liaison to establish and preserve good relationships with the general public by answering questions from concerning relevant state labor laws and procedures in order to ensure that compliance is observed. Meets with employers, employees, and their respective representatives to advise and educate about compliance with State labor laws and IWC orders. Meets with employee organizations (e.g., unions, advocacy groups) to discuss and/or resolve labor issues that arise from labor violations. Participates and instructs participants at court hearings and/or conferences to inform them about their rights, the process and proved the opportunity to settle the labor dispute. Attends trainings as required for ongoing professional development.
Percentage of Time Spent	Marginal Job Functions
5%	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. Conducts research on the internet and databases to identify employer information. 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 the case management system database or by communicating with respective team members to obtain status. Participates in claim filing clinics, including assisting the public with completing various claim forms and providing information about local advocates that provide free legal services. Enters all claims received into the case management system database.
5%	Performs other job-related duties, including taking messages, scheduling appointments, transferring calls, and greeting 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

## DUTY STATEMENT



assignments in a timely and efficient manner; and adhere to departmental policies and procedures. Ensures the reliability of transportation for completing investigative and enforcement activities by adhering to vehicle maintenance schedules and fleet protocols.

### 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 Division of Labor Standards Enforcement management or designee

### Supervision Exercised

None.

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

#### Work Environment

High volume fast paced work environment that serves the public in person and over the phone. Duties are primarily performed in a climate-controlled office setting possibly in a high-rise building; cubicle or shared workspace under artificial light, utilizing computer screens and other office equipment; may drive a state vehicle for field work, trainings and other related work. While in the field, exposure to dirt, odors, noise, fumes, uneven surfaces, stairs, high-rise buildings, extreme weather conditions, and fast-moving equipment may occur.

#### Special Requirements/Other Information

A willingness to travel and work irregular hours.

#### Physical Abilities

This position requires the ability to remain in a stationary position for long periods of time and work at a computer for extended periods of time and to safely move or transport office supplies and equipment weighing up to 25 pounds.

#### Additional Requirements/Expectations

The Incumbent routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times. The Incumbent is expected to demonstrate rapid progress in learning the fundamentals of the job.

Ideal candidates will possess a sympathetic understanding of labor problems; sound judgment; reliability; impartiality; tact; firmness; patience; neat personal appearance. 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
- 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

## DUTY STATEMENT



Confidentiality and discretion are required due to the nature of the documents and information being handled.

### 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: low-wage workers, employers and their representatives, the public, other governmental agencies and partners, and staff members from other units within the Division.

### 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



☐ CURRENT

☒ PROPOSED

<b>CIVIL SERVICE CLASSIFICATION</b> Labor Compliance Representative			<b>WORKING TITLE</b> Entry Level Field Investigator	
<b>PROGRAM NAME</b> Division of Labor Standards Enforcement			<b>UNIT NAME</b> Labor Commissioner's Office (LCO)/ Bureau of Field Enforcement (BOFE)	
<b>ASSIGNED SPECIFIC LOCATION</b> Fresno			<b>POSITION NUMBER</b> 400 – 584-9483-xxx	
<b>BARGAINING UNIT</b> R01	<b>WORK WEEK GROUP</b> 2	<b>BILINGUAL POSITION</b> No	<b>CONFLICT OF INTEREST FILER</b> Yes	<b>BACKGROUND CHECK</b> No

### General Statement

Under supervision of a Deputy Labor Commissioner III, the incumbent assists professional staff in the State Labor Commissioner's Office of the BOFE program with investigation and enforcement of the Industrial Welfare Commission orders and laws covering workers' compensation insurance coverage, child labor, cash pay, unlicensed contractors, as well as group claims involving minimum wage and overtime. The incumbent may also work in partnership with other government entities on the investigation and prosecution of these group claims under supervisor guidance.

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>
40%	Assists professional staff with less complex inspections and investigations including the analysis of completed payroll audits and employee interviews. Performs field visits with professional staff and conducts routine inspections and investigations of workplaces in order to verify compliance. Independently performs assignments of less complexity, including directly interviewing employees, employers, or working with their representatives to determine facts. Analyzes and evaluates evidence and information obtained during the course of an inspection or investigation to determine if labor law violations have occurred. Interprets and applies rules and regulations contained in State labor laws and Industrial Welfare Commission orders in order to identify workplace compliance. Gathers and analyzes information, including employment, payroll, corporate, and business financial records to determine if labor law violations have occurred such as if paid wages are below the minimum wage, verify business entities in order to issue Order to Appear documents and subpoenas to obtain other relevant documents. Participates in conferences and interviews with employees, employers, labor organizations, and their representatives to determine if labor law violations have occurred. Prepares recommendations to management identifying appropriate course enforcement action consistent with information obtained during the inspection or investigation.
35%	Assists professional staff in initiating civil or criminal action including the issuance of accurate citations and stop orders. Assesses and collects civil penalties through citations based on audit findings of violations of the labor code and sections of Industrial Welfare Commission orders with the assistance of professional staff.

## DUTY STATEMENT



	Enforces State labor laws and Industrial Welfare Commission orders by assisting with meeting and educating employers, employees, and their representatives; advises employers of violations and orders corrections when necessary, and conducts follow-up inspections as necessary to ensure continued labor law compliance. Participates in informal hearings by providing testimony and presenting findings of inspections and investigations. Assists with confiscations in the garment manufacturing industry by recording the number and type of garments, and seizing the garments.
15%	Participates with outreach efforts in person or remotely to educate community partners and stakeholders regarding various State labor laws and Industrial Welfare Commission orders. Completes administrative duties including end-of-month reports via excel spreadsheets or inputs information directly from inspection reports to the internal databases for review by the Deputy Labor Commissioner III or designees to identify advancement of case action items. Completes mileage logs in a database for review by the Deputy Labor Commissioner III or designees. Conducts case reviews throughout the field investigation process in order to more efficiently manage assigned caseload. Attends and participates in continuous training to enhance labor law enforcement skills, legal comprehension, calculation methods, and application in order to improve investigatory expertise as required. Actively participates in All Staff training meetings, unit meetings, and regional meetings, as well as division and unit training. Prepares and provides training for staff.
Percentage of Time Spent	Marginal Job Functions
5%	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. Conducts research on the internet and databases to identify employer information. 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 the case management system database or by communicating with respective team members to obtain status. Participates in claim filing clinics, including assisting the public with completing various claim forms and providing information about local advocates that provide free legal services. Enters all claims received into the case management system database.
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### 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. Ensures the reliability of transportation for completing investigative and enforcement activities by





adhering to vehicle maintenance schedules and fleet protocols.

### **Supervision Received**

Under the supervision of the Deputy Labor Commissioner III (DLC III/Senior Deputy).

### **Supervision Exercised**

None.

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

#### **Work Environment**

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Supervisor Name

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Supervisor Signature

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Supervisor Sign Date

### HUMAN RESOURCES OFFICE APPROVAL

\_\_\_\_\_  
C&S Analyst Initials

\_\_\_\_\_  
Approval Date