

DUTY STATEMENT

 CURRENT PROPOSED

CIVIL SERVICE CLASSIFICATION Attorney		WORKING TITLE Attorney		
PROGRAM NAME Occupational Safety and Health Appeals Board			UNIT NAME Legal Unit	
ASSIGNED SPECIFIC LOCATION Sacramento			POSITION NUMBER 400 – 800-5778-002	
BARGAINING UNIT R02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under direction of the Chief Counsel and Assistant Chief Counsel in the Legal Unit of the Department of Industrial Relations, Occupational Safety and Health Appeals Board (OSHAB), the Attorney identifies and implements regulatory changes and reviews and prepares case summaries in order to advise Board Members on the merits of Administrative Law Judges' (ALJ) decisions and case appeals.

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%	<p>RECONSIDERATIONS:</p> <p>Advises and counsels the Board on Petitions for reconsideration while attending Board meetings. Reviews Petitions for reconsiderations, assesses merits, and recommends actions prior to developing and drafting the Board's Decisions After Reconsiderations (DARs).</p> <p>Determines timeliness of petitions by verifying the date the document was received against applicable law.</p> <p>Recommends to either grant or deny petitions after researching case's of merits. Drafts document in accordance with granting or denying petition using personal computer and accessing the Board's OASIS file management system.</p> <p>Drafts orders granting reconsiderations using the Board's OASIS file management system and a personal computer.</p> <p>Researches and drafts Denial of Petitions for Reconsideration and Decisions After Reconsideration using Board's OASIS management file system and a personal computer describing in full evidence relied upon and detailed reasons for the result.</p> <p>Examines record, including exhibits and tapes/transcripts from hearings, researches Board precedent as needed for new and pending reconsideration matters.</p>

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	Prepares a comprehensive briefing package in cases under reconsideration scheduled for the taking of additional evidence or oral argument, upon request by the Board.
20%	<p>COURT CASES:</p> <p>Upon the filing of a Petition for Writ of Mandate, challenging a Board order or decision after reconsideration in Superior Court:</p> <p>Assists in developing strategy and tactics for each case following California Rules of Civil Procedure.</p> <p>Prepares answers to the writ petition using a personal computer and the Board's OASIS system.</p> <p>Reviews administrative record, researches and prepares response brief using a pc, OASIS file management system and related legal cases.</p> <p>Drafts judgments and petitions for cost.</p> <p>Calendars and tracks court dates and deadlines.</p> <p>Travels as needed to represent the Board in Superior Court throughout California.</p>
20%	<p>LEGAL ADVISOR:</p> <p>Reviews all ALJ Orders and Decisions and recommends adoption, amendment, or reconsideration to the Board.</p> <p>Researches and advises three-member Board on conflict-of-interest questions, administrative judicial ethics and open meeting law rules and procedures.</p> <p>Advises the Board on probable actions/legal reaction to proposed Board actions or policies.</p>
10%	<p>RULEMAKING:</p> <p>Identifies and implements clarifying substantive regulatory changes to the Rules of Practice and Procedures of the Board.</p> <p>Drafts, prepares, and submits all documentation needed for regulatory changes to Board Rules of Practice and Procedure through Office of Administrative Law.</p> <p>Assures Board compliance with all aspects of Administrative Procedures Act rulemaking process, including compliance with Labor and Workforce Development and other control agency procedures.</p>
Percentage of Time Spent	Marginal Job Functions
5%	OTHER DUTIES:



Attends Board meetings as required.
Assists with other legal work as needed.

Conduct, Attendance, and Performance Expectations

Accepts assignments willingly and performs work in a professional, satisfactory manner and completes assignments on time.

Familiarizes yourself with office procedures, rules, and regulations and be able to answer routine questions, staying apprised of current changes in laws related to your position.

Completes all work assignments by their deadlines except under unusual circumstances.

Attends scheduled meetings, arriving on time.

Works as a team member in a respectful and courteous manner, works well with the public.

Communicates clearly when speaking or writing.

Keeps your supervisor informed of problems as they develop; when addressing a problem, provide possible solution(s).

Maintains confidentiality of all conversations, events, etc., that occur in your office.

Learns and follows proper use of your assigned equipment; uses computer, fax machines, and photocopy as instructed and without abusing the equipment.

Supervision Received

The incumbent works under direction of the Chief Counsel and the Assistant Chief Counsel.

Supervision Exercised

None

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

Incumbent may work in an office or home/remote office setting. Building has air conditioning with elevator access. Incumbent will have a private office with natural and artificial lighting.

Standard work hours are 8:00 a.m. to 5:00 p.m. The incumbent works 40 hours per week on average.

Special Requirements/Other Information

Knowledge of: 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.

Ability to: 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.

Must possess active membership in the California State Bar.

Physical Abilities

May be required to use a personal computer or laptop to complete daily work assignments. Incumbent must travel to Superior Court locations throughout the state as needed and sit in a court environment up to several hours a day.

Additional Requirements/Expectations

Maintain professional decorum
Express thoughts and ideas respectfully
Treat all employees with respect
Possess good verbal and written communication skills

Personal Contacts

Will interact with Board Members, other staff, members of Superior Courts and other legal staff members.

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

DUTY STATEMENT**HUMAN RESOURCES OFFICE APPROVAL**

MJ

C&S Analyst Initials

1/7/2026

Approval Date