State of California
Department of
Industrial Relations
EST. 1927

DUTY STATEMENT

☒ CURRENT

☐ PROPOSED

CIVIL SERVICE CLASSIFICATION	WORKING TITLE
Attorney III	Attorney III

PROGRAM NAME	UNIT NAME
Office of the Director	Anti-Fraud Unit

ASSIGNED SPECIFIC LOCATION	POSITION NUMBER
Oakland	400 – 105-5795-002

BARGAINING UNIT	WORK WEEK GROUP	BILINGUAL POSITION	CONFLICT OF INTEREST FILER	BACKGROUND CHECK
R02	SE	No	Yes	No

General Statement

Under the general direction of the Chief Counsel of the Office of the Director Legal Unit (OD Legal) and the Assistant Chief Counsel, of the Anti-Fraud Unit, Attorney III represents the Director of the Department of Industrial Relations, the Administrative Director of the Division of Workers' Compensation (DWC), and the Department in combating all forms of workers compensation fraud and protecting the welfare of injured workers. Attorney III is expected to perform high-level work on a consistent basis and with independent and sound judgment. Essential functions of this position are to perform competently as a mid-level attorney in the specific job duties identified below; to accomplish assigned legal work with a minimum of supervision and to exercise broad discretion, while also taking and following direction from the Chief Counsel and Assistant Chief Counsel, Anti-Fraud Unit; to communicate effectively both orally and in writing, as required for the specific job duties, including by producing well-written legal briefs; to appear in workers' compensation, civil or administrative courts as necessary and as assigned; to communicate in a professional, respectful and productive manner with opposing counsel, clients, stakeholders, colleagues, and the public; to provide clear instruction and guidance, and work collaboratively with nonlegal staff; 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 three 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 **Essential Job Functions**
40%	Represent the Department in special lien adjudication proceedings brought under Labor Code section 139.21 involving allegations of fraud and other misconduct by doctors and other medical professionals providing services to injured workers in the workers' compensation system. Provide legal analysis, advice and representation of the Department before the Workers' Compensation Appeals Board (WCAB) in workers' compensation cases litigated and adjudicated in the District Offices of the WCAB, including through any Petitions for Reconsideration (appeals) to the WCAB, and any judicial review in the Court of Appeal or California Supreme Court. This includes legal research and writing, appearing at hearings, developing and delivering cogent legal arguments, conducting discovery, and calling and examining witnesses at administrative trials, introducing exhibits, cross examining opposing witnesses, and rebutting evidence.

20%	Represent the Administrative Director of the DWC in hearings requested by criminally convicted medical providers who contest their suspension from providing services in the workers' compensation system under Labor Code section 139.21. This involves presentation of evidence to an assigned hearing officer by introducing exhibits, and calling and examining witnesses and cross examining opposing witnesses, as necessary. This may also involve defending the Administrative Director in Superior Court if a suspended medical provider files a writ challenging an order of suspension, by answering the writ, preparing the administrative record for filing with the Superior Court, preparing a brief in opposition to the writ, and presenting an oral argument defending the Administrative Director's order.
15%	Represent the Director of the DIR, the Administrative Director of the DWC, and the Department in state and federal civil litigation, as assigned, and generally working in a two-person team led by a more experienced attorney, involving challenges to the constitutionality of statutory anti-fraud provisions in workers' compensation law.
10%	Analyzes data, court documents, and public records relating to workers' compensation fraud and potential basis for medical provider suspensions and works with other Anti-Fraud Unit staff and local and federal law enforcement agencies to gather and analyze evidence of suspected misconduct.
10%	Assist Special Investigator and Research Data Analysts with identifying all liens filed by or on behalf of a criminally convicted medical services provider in individual workers' compensation cases to determine which individual cases should be consolidated for purposes of special lien proceedings.
Percentage of Time Spent	**Marginal Job Functions**
5%	Perform other job-related assignments and duties as required based on the operational needs of the Department and Legal Unit.

Conduct, Attendance, and Performance Expectations

This position requires a high degree of professionalism, independence, organization, and productivity. Attorney III's manage a caseload and independently perform mid-level attorney work, exercising initiative, judgment and discretion. Attorney III's are expected to have solid mid-level of experience as an attorney, to be able to develop and deliver cogent legal arguments, develop expertise over time in one or more of the subject areas of this position, and to consistently produce high quality work product, including well-written briefs and other written work product as required, with a minimum of supervision, while accepting and following direction from lead attorneys, the Chief Counsel (or designee) and the Assistant Chief Counsel, Anti-Fraud Unit, and client and Department leadership. 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, 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 a full-time position.

Supervision Received

The incumbent will work under the general direction of the Chief Counsel of the Office of the Director Legal Unit and supervision of the Assistant Chief Counsel of the Anti-Fraud Unit.

Supervision Exercised

No supervising duties

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

Work Environment

The incumbent will work in an office setting with natural and artificial lighting in an air-conditioned office building with elevator access. The incumbent is required to work extensively on the computer as necessary for email communication, research, and other purposes.

Special Requirements/Other Information

The incumbent must demonstrate the ability to establish and maintain cooperative working relationships with staff at all levels both within and outside of DIR to complete work assignments. The incumbent must demonstrate the ability to use the Internet, email, desktop applications and presentation software to complete assignments.

Physical Abilities

The ability to use a computer, telephone, and other office equipment such as copiers and scanners is necessary. The incumbent will be required to travel occasionally. The position requires the ability to remain in a stationary position for prolonged periods of time and to work for extended periods of time and to move and transport office items in a safe manner.

Additional Requirements/Expectations

The incumbent must handle sensitive and confidential materials and matters in a professional manner and establish cooperative working relationships with others.

Personal Contacts

The incumbent has daily contact with other staff within the DIR Anti-Fraud Unit, OD Legal and also has contact frequently with staff in other DIR Divisions and Units.

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
DC	2/9/2026