



## Duty Statement

Request for Personnel Action (RPA) Number 2526-01497	Effective Date
Classification Title Attorney IV	Position Number 564-410-5780-001
Working Title Attorney IV	Bureau and Section Litigation Bureau

Our mission is to help taxpayers file timely and accurate tax returns and pay the correct amount to fund services important to Californians. To support this mission, FTB employees strive to develop in CalHR's Core Competencies: Collaboration, Communication, Customer Engagement, Digital Fluency, Diversity and Inclusion, Innovative Mindset, Interpersonal Skills, and Resilience. Core competencies are the knowledge, skills, and behaviors which are foundational to all state employees regardless of classification.

### General Statement

Under the general direction of the Assistant Chief Counsel, Litigation Bureau, at the advanced journey level the incumbent independently provides extensive consultative services to the department on novel and highly complex legal issues as they relate to policies and practices of various programs of the Franchise Tax Board (FTB). The incumbent has extensive involvement in program and policy formulation related to these programs. The incumbent exercises broad discretion in handling and directing the most complex and sensitive employment and labor law workloads.

### Essential Functions

Percentage	Description
45%	Render legal advice and opinions to departmental Executive Management regarding the formulation of FTB policies and procedures pertaining to employment or labor related issues. Provide advice and counsel to FTB program managers and the Business and Human Resources Bureau of the Administrative Services Division regarding novel or sensitive employment and labor law issues including, but not limited to, employee discipline, the Family Medical Leave Act, the California Family Rights Act, and worker's compensation. Review FTB's policies and procedures, Adverse Actions, EEO Administrative determination and Memorandums of Understanding with various unions to ensure legal sufficiency.
35%	Develop strategy and tactics in complex disputes or litigation pertaining to employment or labor related disputes. Litigate novel and/or the most sensitive and difficult employment law issues, representing FTB before various administrative agencies such as the State Personnel Board and the California Department of Human Resources. Draft stipulated dispositions, or prepare legal pleadings and motions, conduct discovery and investigations, and orally argue legal positions before the administrative agencies.
15%	Research novel employment and labor related issues as well as confidentiality requirements. Make determinations pertaining to the disclosure of employee information (including responding to external subpoenas) within departmental constraints under the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, and the Financial Privacy Act. Render legal advice and opinions regarding the development of FTB employee compliance-related policies, such as FTB's tax compliance requirements as well as employee responsibilities under the Fair Political Practices Act. Assist in the enforcement of such policies.

## Marginal Functions

Percentage	Description
5%	Participate as a member and/or chairperson in ongoing and/or ad hoc team(s) formed for the resolution of the most complex legal issues. Independently prepare detailed issue papers involving resolution of complex and sensitive issues of first impression. Represent the department in public forums including conferences, meetings of State and County Bar Associations, and similar conferences by Industry Supporting Organizations

### Signature Authorization

If I choose to sign this form electronically, I agree that my electronic signature is a legally binding equivalent to my handwritten signature on a paper form.

**Employee:** I confirm that I have read and understand the described duties and functions of this position.

_____ Name (Print)	_____ Signature	_____ Date
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**Supervisor:** I certify that the above information accurately represents the described duties and functions of this position.

_____ Name (Print)	_____ Signature	_____ Date
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## Duty Statement

Request for Personnel Action (RPA) Number 2526-01497	Effective Date
Classification Title Attorney III	Position Number 564-410-5795-xxx
Working Title Attorney III	Bureau and Section Litigation Bureau

Our mission is to help taxpayers file timely and accurate tax returns and pay the correct amount to fund services important to Californians. To support this mission, FTB employees strive to develop in CalHR's Core Competencies: Collaboration, Communication, Customer Engagement, Digital Fluency, Diversity and Inclusion, Innovative Mindset, Interpersonal Skills, and Resilience. Core competencies are the knowledge, skills, and behaviors which are foundational to all state employees regardless of classification.

### General Statement

Under the general direction of the Assistant Chief Counsel, Litigation Bureau, the general responsibility of this position is to serve as a full journey level attorney handling complex and sensitive legal work. The incumbent works independently to provide consultative services to the department as they relate to policies and practices of various programs of the Franchise Tax Board (FTB). The incumbent exercises broad discretion in handling complex and sensitive employment and labor law workloads.

### Essential Functions

Percentage	Description
45%	Provide advice and counsel to FTB program managers as well as the Business and Human Resources Bureau of the Administrative Services Division regarding complex employment and labor related legal issues including, but not limited to, employee discipline, the Family Medical Leave Act, the California Family Rights Act, and worker's compensation. Review FTB's policies and procedures, Adverse Actions, EEO Administrative determination and Memorandums of Understanding with various unions to ensure legal sufficiency.
35%	Handle complex and sensitive Human Resources and Personnel cases before various administrative agencies such as the State Personnel Board and the California Department of Human Resources. Draft stipulated dispositions or prepare legal pleadings and motions, conduct discovery and investigations, and orally argue legal positions before the administrative agencies.
15%	Research complex issues pertaining to employment and labor laws as well as confidentiality requirements. Make recommendations pertaining to the disclosure of employment information (including responding to external subpoenas) within departmental constraints under the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, and the Financial Privacy Act. Assist with the development and enforcement of FTB employee compliance policies such as FTB's tax compliance requirements as well as employee responsibilities under the Fair Political Practices Act.

### Marginal Functions

Percentage	Description
5%	Participate as a member and/or chairperson in ongoing and/or ad hoc team(s) formed for the resolution of the most complex legal issues. Independently prepare detailed issue papers involving resolution of complex and sensitive issues of first impression. Represent the department in public forums including conferences, meetings of State and County Bar Associations, and similar conferences by Industry Supporting Organizations.

**Signature Authorization**

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**Employee:** I confirm that I have read and understand the described duties and functions of this position.

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Name (Print)

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Signature

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Date

**Supervisor:** I certify that the above information accurately represents the described duties and functions of this position.

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Name (Print)

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Signature

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Date