

DUTY STATEMENT



CURRENT
 PROPOSED

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| CIVIL SERVICE CLASSIFICATION Administrative Law Judge | | WORKING TITLE Administrative Law Judge | | |
| PROGRAM NAME Occupational Safety and Health Appeals Board | | | UNIT NAME Sacramento | |
| ASSIGNED SPECIFIC LOCATION 2520 Venture Oaks Way, Ste 300 Sacramento, CA 95833 | | | POSITION NUMBER 400 – 800-6016-048 | |
| BARGAINING UNIT R02 | WORK WEEK GROUP E | BILINGUAL POSITION No | CONFLICT OF INTEREST FILER Yes | BACKGROUND CHECK No |

General Statement

Under the direction of the Supervising Administrative Law Judge, the Administrative Law Judge is responsible for the adjudication of administrative law hearings applying to the Occupational Safety and Health Appeals Board appeals matters. Conducts administrative law hearings throughout California but primarily on Zoom or another electronic platform. Travel will be necessary occasionally.

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

| Percentage of Time Spent | Duties Essential Job Functions |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40% | <p>Presides over and conducts hearings pertaining to employers' appeals of citations issued by the California Division of Occupational Safety and Health for alleged health and safety violations of California Code of Regulations, title 8, to determine whether the citations should be affirmed or vacated.</p> <p>Regulates the course of a hearing by instructing the parties of their rights and responsibilities, administering oaths to witnesses and language interpreters, ruling on evidentiary objections, and admitting witness testimony and evidence in accordance with the Appeals Board's regulations to determine all issues of law and facts of the case.</p> <p>Calls and examines parties or witnesses necessary to create a complete record of the hearing. Rules on the admissibility of evidence in accordance with rules of evidence to ascertain the truth and secure a just determination of the issues on appeal.</p> <p>Serves as the impartial adjudicator of disputes during hearings and conferences in a manner that adheres to California statutes, the Code of Judicial Ethics, Rules of Professional Conduct, and regulations of the Appeals Board.</p> <p>Takes accurate notes in hearings, status conferences, and settlement conferences from which decisions or orders can be efficiently written.</p> <p>Rules on parties' motions either verbally during a hearing or by issuing written</p> |

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| | <p>orders using Microsoft Word to resolve procedural or evidentiary disagreements between the parties.</p> <p>Sets up and monitors recording equipment prior to the hearing to ensure proper operation. Confirms that recording equipment is working properly before, during and at the conclusion of the hearing to ensure that the administrative record is clear and accurate for subsequent review.</p> <p>Instructs hearing participants at the beginning of the hearing on proper conduct in order to achieve a non-disruptive hearing.</p> <p>Manages briefing schedules using the Appeals Board’s electronic case management and scheduling system (OASIS) to ensure the timely submission of post-hearing briefs.</p> <p>Researches applicable laws pertaining to workplace health and safety through conventional and computer-assisted means in order to complete written decisions within the Board's required time frame.</p> <p>Drafts comprehensive, detailed, and logical written decisions by summarizing the evidence received and relied upon to make findings upon all facts involved in the appeal, using Microsoft Word and the Appeals Board’s electronic case management system, in order to provide the parties with a determination of the Appeals Board regarding the citations under appeal.</p> |
| 40% | <p>Assists parties in reaching a settlement of their appeal prior to hearing while presiding over pre-hearing conferences, status conferences and settlement conferences in order to timely and efficiently resolve appeals.</p> <p>Prepares written orders using Microsoft Word or email in order to regulate the course of the appeal proceedings.</p> <p>Prepares and issues timely settlement orders using the Appeals Board’s case management system to finalize the parties' terms of a negotiated agreement.</p> |
| 15% | <p>Attends and actively participates in Administrative Law Judge trainings, by either the Zoom video platform or in-person, in order to further the incumbent's knowledge, skills and abilities in conducting administrative hearings.</p> <p>Attends monthly Administrative Law Judge meetings on the Zoom video platform to discuss procedural issues, receive ongoing substantive training, and discuss ethical considerations.</p> <p>Prepares and participates in training presentations, either in person or using the Zoom video platform, to educate the various stakeholders regarding the Appeals Board’s procedures and recommended best practices.</p> <p>Performs other duties associated with the adjudication of appeals, which may include preparing special reports, performing legal research on novel issues, or participating in non-routine meetings as directed by the Presiding Judge to comply</p> |



with the statutory obligations of the Appeals Board.

| Percentage of Time Spent | Marginal Job Functions |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5% | Attends OASIS (case management system) meetings, as necessary, using the Zoom video platform, to ensure any automated system development/implementation conforms with the Appeals Board's Code of Regulations. Performs other job-related duties as assigned. |

Conduct, Attendance, and Performance Expectations

This position requires the incumbent to:

- Maintain consistent and regular attendance;
- Communicate effectively (both orally and in writing) while 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;
- Be willing to travel if necessary;
- Conduct oneself in a professional judicial manner;
- Operate audio, video and/or recording equipment while conducting a hearing;
- Adhere to departmental policies and procedures;
- Express thoughts and ideas respectfully;
- Lead others for job development purposes;
- Treat all employees with respect; and
- Understand principles and theories of administrative law and judicial review of administrative actions

Supervision Received

Under the direct supervision of the Presiding Administrative Law Judge.

Supervision Exercised

None

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

Work Environment

The incumbent will work in an air-conditioned office with artificial and natural lighting in a private office in a commercial building. When the incumbent is teleworking at their home office, the office space must meet DIR's health and safety telework standards as outlined in the department's telework agreement. The position requires that the incumbent work extensively with computers, sound recorders and other office equipment for drafting documents, conducting research, drafting email communications, and for other purposes.

Special Requirements/Other Information

Willingness to travel, display impartiality, have a judicial temperament, and communicate effectively.

Knowledge of: Legal principles and their application; principles and procedures of the Labor Code pertaining to occupational safety and health; State of California Occupational Safety and Health Plan; standards and orders of the Occupational Safety and Health Standards Board; operation procedures and enforcement policies of the Division of Occupational Safety and Health: medical, physiological

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and occupational safety and health; principles and theories of administrative law and judicial review of administrative actions; principles and objectives of effective public administration and understanding of the use of proper administrative procedures.

Ability to: perform legal research; analyze, appraise and apply legal principles, evidence and precedents to legal problems; make accurate summaries of evidence and prepare appropriate findings and conclusions of law and make recommendations based on those facts; conduct fair and impartial hearings in a manner that will obtain all pertinent evidence and secure confidence and respect; maintain a fair and impartial attitude; communicate effectively; and effectively contribute to the Board's goals and missions.

Physical Abilities

The incumbent will work 40 hours per week, Monday through Friday. The incumbent will work in an office environment with artificial light and temperature control. The incumbent will be required to use office equipment including, but not limited to, the Appeals Board electronic management and scheduling system (OASIS), a personal computer, telephones, recording devices and multi-function copy machines and printers. Some travel may be required by train, plane, or automobile to attend hearings, trainings, or meetings.

Additional Requirements/Expectations

Maintain professional decorum.

Personal Contacts

Will interact with staff members and hearing participants.

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