

DUTY STATEMENT



CURRENT
 PROPOSED

CIVIL SERVICE CLASSIFICATION Attorney		WORKING TITLE Staff Attorney for the State Labor Commissioner		
PROGRAM NAME Division of Labor Standards Enforcement		UNIT NAME Legal		
ASSIGNED SPECIFIC LOCATION TBD			POSITION NUMBER 400 – XXX-5778-XXX	
BARGAINING UNIT R02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under supervision of the Attorney Supervisor, the incumbent will represent the LCO and act as counsel, advising the Labor Commissioner and other public agencies, on California employment law. The incumbent is assigned to a variety of tasks such as litigation, negotiations, and legislative liaison work, hearings, legal research, legal opinion writing on cases and appeals. The incumbent works on and contribute to labor, employment rights-related matters. The ability to travel 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%	Independently presents civil, administrative and criminal cases involving unpaid wages; responsible for pre-trial discovery, drafts and briefs involving Labor Commissioner’s decisions on cases related to violations of labor laws and interpretations of union contracts; defends the Labor Commissioner’s Office in court actions, writs, and proceedings in both state and federal trial and appellate courts.
30%	Prepares pleadings, petitions, briefs and conducts litigation before the trial and appellate courts of California and the United States; performs legal research, assembles and evaluates evidence and timely litigation support.
10%	Provides legal consultation and serves as a hearing officer over controversies, appeals within the LCO’s statutory authority; assumes responsibility for preparation and filing of Administrative rules.
10%	Develops proposed legislation and prepares summaries of court decisions and laws enacted by the Legislature; Provides routine training to programmatic staff and stakeholders.
5%	Corresponds and consults with the Attorney General’s office on legal matters against the Labor Commissioner’s Office or its agents; Assists with legal review of documents and responses to Public Records Act and litigation.
Percentage of Time Spent	Marginal Job Functions
5%	Perform other job-related assignments, including those that support the operational needs of the organization.

Conduct, Attendance, and Performance Expectations

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This position requires a high degree of professionalism, independence, organization and productivity. A LCO Attorney manages a substantive caseload and independently performs entry to mid-level attorney work, exercising initiative and sound judgment. All attorneys within the LCO are expected to conduct themselves ethically, behave professionally at all times while representing the Division and Department and to demonstrate good judgment. Conduct shall be respectful and reflective of a professional team environment in accordance with the LCO's mission and vision. According to Bargaining Unit 2 MOU, "[e]mployees 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."

Supervision Received

Under supervision of an Attorney Supervisor. May receive direction or supervision from an Assistant Chief Counsel.

Supervision Exercised

None.

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

Work Environment

May work in high-rise building in downtown locations.
Must work in office. Workspace is a standard office in a smoke-free environment.

Special Requirements/Other Information

Active membership in The California State Bar

Physical Abilities

Must be able to remain stationary for at least 50% of the workday. Must be able to move or manage office equipment or similar weighing up to 15 pounds

Additional Requirements/Expectations

The Attorney is expected to travel via land and air (including overnight travel out of town) and arrange schedules to perform duties and meet the objectives of the program.

Personal Contacts

As needed, an Attorney will also have contact with the general public, California State and outside legal, program, court and agency staff via phone, email, in person, via presentation, video and mail. Such contact may include general, confidential, sensitive, technical and informative materials.

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

