

DUTY STATEMENT



CURRENT

PROPOSED

CIVIL SERVICE CLASSIFICATION Attorney IV		WORKING TITLE Staff Attorney for the State Labor Commissioner		
PROGRAM NAME Division of Labor Standards Enforcement		UNIT NAME Legal		
ASSIGNED SPECIFIC LOCATION San Francisco			POSITION NUMBER 400 – 503-5780-XXX	
BARGAINING UNIT R02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under the general direction of the Attorney Supervisor or the Assistant Chief Counsel and with broad discretion, the incumbent independently performs assignments consisting of the more complex, strategic and sensitive legal work of the LCO. The Attorney IV represents and acts as counsel in a medium-size State department whose legal work is difficult and legally advises the Labor Commissioner, other public agencies and the broad spectrum of California's employment and work forces. Incumbents in the Private Attorneys General Act (PAGA), Wage Claims Adjudication (WCA), Judgment Enforcement Unit (JEU) and Bureau of Field Enforcement (BOFE) programs are assigned litigation, negotiation, legislative liaison work, hearings, legal research, opinion writing and cases of great difficulty, likely to be appealed to the highest courts, and will likely serve as lead persons over the work of other attorneys. The incumbent possesses a strong desire to work on and contribute to labor, employment rights-related matters. The Attorney IV manages a very substantial and complex workload and is able produce high-quality work under short time frames on cases that may involve high-profile issues, including those with little precedent. The ability to travel as necessary and assigned 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%	Provides high-level legal, strategic, logistical analysis and advice, serves as a subject matter expert to the Labor Commissioner and the Division as a member or lead in one or more of these subject areas, as assigned and based on the operational needs of the unit: 1) wage and hour adjudication, administration, civil enforcement; 2) field investigation administration, citation, civil enforcement; 3) licensing and registration administration and enforcement; 4) retaliation investigation, administration, citation, civil enforcement; 5) public works and apprenticeship investigation, administration, citation, enforcement; 6) judgment enforcement; 7) statewide substantive training of personnel and outside stakeholders; 8) legislation, rulemaking, regulatory and policy analysis; 9) Public Records Act, Public Inquir(ies), PRA response litigation and privacy concerns. Assignments will involve addressing, resolving complex, novel, sensitive issues, with broad implication and will require expertise in lawyering skills and in one or more subject matter areas.

DUTY STATEMENT



	<p>May also routinely collaborate and advise other state agencies, officers, directors, high-level appointees, enforcement and judicial entities on issues that arise that may have implications for the LCO. Maintain an elevated level of subject matter expertise in one or more of these subject areas.</p> <p>Exercise leadership, including advisement, oversight, project management and direction on legal questions, litigation, legislative and policy strategies and training. The incumbent serves as a resource for lower level LCO attorneys to facilitate their learning as an attorney, a member of the LCO legal team. This may include advisement, training, curriculum creation and substantive and professional development. May also serve as practice team leads who help organize, monitor and track assignments to other attorneys, outside counsel and use their expertise to support the delivery of high quality legal services to the Division.</p>
35%	<p>Represent the State Labor Commissioner in difficult, technical and/or sensitive administrative, federal and state civil cases under various provisions of the Labor Code within her jurisdiction, including through any hearings, trials, writs, appeals, judicial review to the California or United States Supreme Courts. These cases may be opposed via well-experienced, specialized legal teams and may effect and/or effectuate broad, statewide changes in law, policies and industries falling within the LCO's jurisdiction. As a senior-level attorney, the incumbent carefully understands, responds and completes assigned tasks with these potentials in mind. Analyzes complex and sensitive legal problems, performs factual and legal research and prepares legal and other documents or reports, including memoranda, pleadings, motions, briefs, offensive and defensive discovery, subpoenas, settlement agreements, proposed court orders, orders, proposed legislation and regulations, all of which may include innovative theories without precedent, contain feasible alternative courses of action, criminal penalties, and the specialization in wage and employment-related law . Analyses will involve addressing, resolving intricate, novel, sensitive issues, with broad implication and will require a high level of knowledge and expertise as a practicing attorney and in one or more subject matter areas.</p>
15%	<p>Represent the Labor Commissioner, Division, Department and division chiefs in state and federal civil litigation, as assigned and generally working as the more senior attorney and lead in a two-or-more person team, involving the substantive areas within the jurisdiction of the LCO. As the senior attorney or team lead, the incumbent holds primary responsibility for concomitant Division or Department direction, policies and policy/enforcement implications, program application and/or changes, litigation strategy, and legislative action. This may likely include affirmative, statewide enforcement actions brought by the LCO and/or possible challenges to the constitutionality or validity of Labor Code provisions, Division practices, and/or enforcement of regulations.</p>
5%	<p>Prepares and develops legal memoranda, training material for Division staff and outside stakeholders. Conducts specialized, substantive training for programmatic staff, outside stakeholders.</p>
Percentage of Time Spent	Marginal Job Functions



5%

Perform other job-related assignments and duties as required based on operational needs of the Division and Legal Unit, including but not limited to serving as a hearing officer in administrative hearings in talent agency controversies, citation appeals, debarments and licensing and regulation due process hearings; participating in various interagency working groups, meeting with members of the public or community organizations, engaging in public outreach and educational activities, assisting in the publication and updating of substantive and procedural manuals, responding to communications or inquiries from members of the public, preparing reports, logs, legal staff budgets, conducting special projects for the Labor Commissioner, Division, Department and division chiefs.

Conduct, Attendance, and Performance Expectations

This position requires a high degree of professionalism, independence, organization, motivation, and productivity. The incumbent must communicate effectively both orally and in writing, as required for specific duties, including the consistent production of well-written and compelling legal pleadings and other written work product; to appear and perform competently with high expertise and professionalism in civil or administrative courts as necessary and assigned. LCO Attorney IVs independently perform the more complex and sensitive legal services with broad discretion. All attorneys within the LCO are expected to conduct themselves ethically, with integrity, to behave professionally while representing the Division 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. Under the Bargaining Unit 2 MOU, which applies to all attorneys in the LCO, “[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.” The ability to maintain consistent attendance, punctuality, initiative and dependability is required.

Supervision Received

Under the general direction of the Attorney Supervisor or Assistant Chief Counsel. May receive assignment or direction from an Assistant Chief Counsel.

Supervision Exercised

An Attorney IV does not supervise lower level attorney staff, but may act in a lead capacity.

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 their workday. Must be able to move or transport office items or similar weighing up to 15 pounds.

DUTY STATEMENT



Additional Requirements/Expectations

The Attorney IV 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 IV 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 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

RP

C&S Analyst Initials

05/01/2026

Approval Date