

Duty Statement – Workforce

Duty Statement

<input type="checkbox"/> Current <input checked="" type="checkbox"/> Proposed		
RPA Number:	Classification Title: Attorney	Position Number: 673-110-5778-015
Incumbent Name:	Working Title:	Effective Date: Click or tap to enter a date.
Tenure: Permanent	Time Base: Full-Time	Intermittent Hours Per Month:
Division/Office: Executive Office	Section/Unit: Legal Office	Reporting Location: Sacramento
Supervisor's Name: David Hults	Supervisor's Classification: Assistant Chief Counsel	CBID: R02
Confidential Designation: <input type="checkbox"/> Yes <input type="checkbox"/> No	Designated Position for Conflict of Interest: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Position Telework Eligible: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Supervision Exercised: <input checked="" type="checkbox"/> None <input type="checkbox"/> Lead		

General Statement

Under direction of an Assistant Chief Counsel, and under the general direction of the Deputy Counsel and Chief Counsel, this position is responsible for providing written and oral legal advice to CARB's executives, management, and staff on legal issues, many of them relating to California's climate change program. The attorney in this position will focus on developing, implementing, and enforcing regulations, including regulations related to climate change programs. This includes developing and drafting regulations and overseeing rulemaking material preparation to ensure regulations can withstand any subsequent legal challenges in both federal and State courts. These assignments will include legal support for the Carbon Capture, Storage, Utilization, and Removal Program, direct control requirements, and related programs.

Competencies

All employees are responsible for understanding and demonstrating the core competencies of collaboration, communication, customer engagement, digital fluency, diversity and inclusion, innovative mindset, interpersonal skills, and resilience.

Position Description

% of Time	Essential Functions
40%	Provide written and oral legal advice, statutory interpretations, and opinions on matters related to the development of regulations and programs, including those related to climate change programs. Assist staff and managers with all phases of the rulemaking process and program development and implementation. Ensure all legal requirements are met in rulemaking and planning processes, including

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	California Health and Safety Code provisions applicable to CARB, the California Administrative Procedure Act, California Environmental Quality Act, and the Bagley-Keene Open Meeting Act. Work closely with CARB staff and, as needed, officials from other federal and State government agencies during development of statewide climate strategies, regulations, and programs. Stay current on national and state developments related to areas of assignment, and conduct legal research to provide advice on legal issues related to state and national environmental law and policy.
20%	Work with other attorneys and Enforcement Division staff to investigate compliance with regulations and programs, including the climate change programs. Assist with negotiating and drafting settlement agreements. Assist with analyzing and identifying implementation issues that impede enforcement, and provide advice on drafting amendments to existing regulations or language for new regulations to ensure they can be effectively enforced and survive legal challenges in both federal and State courts.
20%	Assist in developing litigation strategy in any legal challenges to programs worked on, review pleadings and briefs, and coordinate response to any related discovery requests. Work with staff and the Public Records Act coordinator on records requests related to assigned programs. Review for release documents requested under the Public Records Act or through discovery.
10%	Draft, review, and comment on proposed legislation and assist with other legislative matters.

% of Time	Marginal Functions
5%	Represent CARB and appear in interdepartmental and external meetings, hearings, and training seminars. Travel between CARB headquarters and other offices (including Southern California), and occasionally out of state, as required.
5%	Perform other duties and assignments as directed by the Chief Counsel, Deputy Counsel, or Assistant Chief Counsel within the scope of the classification.

Typical Physical Conditions/Demands

This position requires frequent sitting, standing, walking, bending, and reaching. It also requires frequent use of hands, wrists, and fingers for keyboarding and document manipulation. Moving objects weighing up to 25 pounds may be necessary.

Typical Working Conditions

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The incumbent works in a smoke-free environment of a high-rise/multi-floor office building in an indoor office or cubicle.

Special Requirements of Position (Check all that apply):

<input type="checkbox"/> Duties may require pre-employment and routine screenings (background/criminal/fingerprint clearance, drug testing, fingerprinting, physical, etc.).
<input type="checkbox"/> Duties require participation in the DMV Pull Notice Program.
<input type="checkbox"/> Performs other duties requiring high physical demand. (Explain below)
<input type="checkbox"/> Requires repetitive movement of heavy objects and/or operation of heavy machinery or motorized vehicles.
<input type="checkbox"/> Travel up to _____ percentage
<input type="checkbox"/> Bilingual Fluency needed in _____(language)
<input type="checkbox"/> Other-

Supervisor Statement

I certify that this duty statement accurately describes 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:	Date: Date
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Employee Statement

I have discussed these duties with my supervisor and have been provided a copy of this duty statement. I certify that I have read, understand, and can perform the duties of this position either with or without reasonable accommodation*.

** Reasonable accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity. (If you believe reasonable accommodation is necessary, check yes. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Reasonable Accommodation Coordinator.)*

Do you need reasonable accommodation to perform the essential functions of this position? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Employee Name:	Employee Signature:	Date: Date