

DUTY STATEMENT



CURRENT
 PROPOSED

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| CIVIL SERVICE CLASSIFICATION Labor Compliance Representative | | WORKING TITLE Labor Compliance Representative | | |
| PROGRAM NAME Division of Labor Standards Enforcement | | UNIT NAME Public Works | | |
| ASSIGNED SPECIFIC LOCATION San Bernardino (PW) | | POSITION NUMBER 400 – 555-9483-xxx | | |
| BARGAINING UNIT R01 | WORK WEEK GROUP 2 | BILINGUAL POSITION No | CONFLICT OF INTEREST FILER Yes | BACKGROUND CHECK No |

General Statement

Under supervision of the Deputy Labor Commissioner Supervisor (Senior Deputy), within the Labor Commissioner’s Office (LCO) of the Public Works Unit (PW), the incumbent is assigned less complex quantified case investigations of basic public works prevailing wage, apprenticeship standards, skilled and trained workforce, and enforcement of public works contractor and project registration along with labor laws under the jurisdiction of the State Labor Commissioner; to include Industrial Welfare Commission Orders and workers' compensation insurance coverage. The incumbent meets with employers, workers and their representatives to educate on the state's prevailing wage laws, regulations, and other labor law requirements to achieve or maintain compliance.

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

| Percentage of Time Spent | Duties Essential Job Functions |
|---------------------------------|---|
| 40% | Conduct initial screening of complaints to determine if complaint falls within Division of Labor Standards Enforcement (DLSE) jurisdiction. Request information by contacting public entities, contractors and/or other related parties to obtain necessary information such as contract agreements, first bid advertisement, project specifications, etc. to determine compliance. Work with lead Deputy Labor Commissioners to conduct routine prevailing wage investigations and worksite inspections, including surveillance, on public, private, and government agencies such as Cal-OSHA, CSLB, and the EDD, to ensure compliance with state labor laws and related statutes. Assist professional staff interviewing workers as part of the wage assessment process to identify and determine extent of violations. Collect preliminary information such as payroll records, bid advertisement, contracts and project information for less complex investigations. Gather additional evidence as necessary such as proof of employer payments, trust fund contributions and wage deduction statements to determine correct prevailing wages required. Analyze and evaluate information/data obtained during an inspection or investigation. Enter information and data obtained into various spreadsheets utilized to determine compliance of public works law, prevailing wage requirements, skilled and trained workforce requirements and apprenticeship standards under strict statutory timelines. Educate employers and workers on prevailing wage laws, apprenticeship |

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| | standards, public works contractor and project registration and skilled and trained work force requirements as applicable. |
| 20% | Conduct informal conferences or meetings with employees, employers, labor organizations and their representatives to resolve wage and penalty disputes. Provide testimony and present investigation findings in administrative hearings when applicable. |
| 20% | Work with the Senior Deputy and lead investigator to prepare referrals for civil and criminal legal proceedings, including debarment action against violating contractors. Issue civil wage and penalty assessments with the assistance and guidance of the Senior Deputy or lead investigator. Issue civil citations and stop orders to contractors and contract awarding bodies failing to comply with state prevailing wage laws. Conduct follow-up inspections, as necessary, to determine extent of compliance with the provisions of the California Labor Code. |
| 15% | Conduct case review throughout the wage claims adjudication process to manage caseload. Complete investigative reports and end-of-month statistical reports. Enter in database, status updates for management and leadership upon request. Assist with the preparation of form letters, agreements, complaints, notices, and other legal forms or correspondence and issue such correspondence as required by law and regular office procedures. |
| Percentage of Time Spent | Marginal Job Functions |
| 5% | Provide public information duty by telephone, in-writing and in-person contact relating to state labor laws under the jurisdiction of the LCO. Assist in responding to public works inquiries received in the Public Works Mailbox by telephone, in-writing and in-person to less complex inquiries received. Perform other job-related duties as assigned. |

Conduct, Attendance, and Performance Expectations

A sympathetic understanding of labor problems; sound judgment; reliability; impartiality; tact; firmness; patience; neat personal appearance; willingness to travel and work irregular hours. The incumbent must possess good decision-making skills, initiative, and resourcefulness to complete tasks. The incumbent must: adhere to the Division's policies and procedures; maintain acceptable attendance and report to work on time; work under changing priorities and deadlines; be available and willing to work flexible hours; communicate effectively both orally and in writing; complete assignments in a timely and efficient manner; work in both a team environment and independently.

Confidentiality and discretion are required due to the nature of the documents and information being handled.

Ensures the reliability of transportation for completing investigative and enforcement activities by adhering to vehicle maintenance schedules and fleet protocols.

Supervision Received



The incumbent works under direction of the Deputy Labor Commissioner Supervisor overseeing the office or region; however, some assignments may come from other DLSE management.

Supervision Exercised

None.

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

Work Environment

Position duties are conducted both in an office and in field setting. Travel to field operations and trainings is required. The incumbent will use a state vehicle, laptop computer, cellular phone, and other equipment to conduct on-site inspections and investigations. The state vehicle will be parked at a departmental or designated location. When in the field, the incumbent may be exposed to ongoing construction and extreme weather conditions.

Special Requirements/Other Information

The incumbent will be required to travel for field operations and training. Willing to travel and work irregular hours are required when necessary.

Physical Abilities

The incumbent will be required to remain stationary for long periods of time while in the office and/or while traveling to and from field activities. The incumbent will also traverse various ground surfaces and/or buildings while managing between 5-10 lbs. of office equipment (laptop or tablet, portable printer, charger, etc.) during field activities.

Additional Requirements/Expectations

A sympathetic understanding of labor problems; sound judgment; reliability; impartiality; tact; firmness; patience; neat personal appearance; willingness to travel and work irregular hours. The incumbent must possess good decision-making skills, initiative, and resourcefulness to complete tasks. The incumbent must also adhere to the Division's policies and procedures; maintain acceptable attendance and report to work on time; work under changing priorities and deadlines; be available and willing to work flexible hours; be able to communicate effectively both orally and in writing; complete assignments in a timely and efficient manner; work in both a team environment and independently.

Confidentiality and discretion are required due to the nature of the documents and information being handled.

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Personal Contacts

The incumbent will need to interact with groups of individuals from various socioeconomic and cultural backgrounds in an impartial, tactful, patient, and professional manner. These groups include, but are not limited, to the following: workers, employers and their representatives, the public, stakeholders,

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other government agencies and partners, and staff members from other units within the Division.

Employee Acknowledgment

I have read and understand the duties listed above and certify 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 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