



Duty Statement

Request for Personnel Action (RPA) Number 2526-02382	Effective Date
Classification Title Attorney III	Position Number 564-410-5795-015
Working Title Attorney III	Bureau and Section Litigation Bureau

Our mission is to help taxpayers file timely and accurate tax returns and pay the correct amount to fund services important to Californians. To support this mission, FTB employees strive to develop in CalHR's Core Competencies: Collaboration, Communication, Customer Engagement, Digital Fluency, Diversity and Inclusion, Innovative Mindset, Interpersonal Skills, and Resilience. Core competencies are the knowledge, skills, and behaviors which are foundational to all state employees regardless of classification.

General Statement

Under the general direction of the Assistant Chief Counsel, Litigation Bureau, the incumbent is at the full journey level attorney handling complex and sensitive legal work independently. The incumbent works independently to provide consultative services to the department as they relate to policies and practices of various programs of the Franchise Tax Board (FTB). The incumbent exercises broad discretion in handling complex and sensitive employment and labor law workloads.

Essential Functions

Percentage	Description
30%	Provide advice and counsel FTB program managers as well as the Business and Human Resources Bureau of the Administrative Services Division regarding complex employment and labor relation legal issues including, but not limited to, employee discipline, the Family Medical Leave Act, the California Family Rights Act, worker's compensation, reviewing FTB's policies and procedures, and Memorandums of Understanding with various unions.
30%	Review complex adverse actions and rejections on probation. Represent FTB before various administrative agencies such as the State Personnel Board and the California Department of Human Resources, preparing stipulated dispositions or preparing legal pleadings and motions, conducting discovery and investigations, and orally arguing legal positions before the administrative agencies regarding complex personnel matters.
20%	Research complex issues pertaining to employment and labor laws as well as confidentiality requirements. Make recommendations pertaining to the disclosure of employment information (including responding to external subpoenas) within departmental constraints under the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, and the Financial Privacy Act. Assist with the development and enforcement of FTB employee compliance policies such as FTB's tax compliance requirements as well as employee responsibilities under the Political Reform Act.
15%	Research complex legal issues and make recommendations, pertaining to other matters falling within Litigation Bureau subject matters, including, but not limited to, contracts(including inter-agency agreements); confidentiality and disclosure of tax information(including responding to external subpoenas) as allowed or constrained by the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, the Political Reform Act, or other laws; conflicts of interest; power of attorney; data retention; accessibility & reasonable accommodation; and other legal matters. Represent the department or provide support to the Office of the Attorney General or out of state counsel regarding such matters.



Duty Statement

Request for Personnel Action (RPA) Number 2526-02382	Effective Date
Classification Title Attorney	Position Number 564-410-5778-XXX
Working Title Attorney	Bureau and Section Litigation Bureau

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General Statement

Under direction of the Assistant Chief Counsel, Litigation Bureau, and/or designated lead/supervisor, the incumbent may review, analyze, interpret, and apply laws, court decisions, and other legal authorities in the preparation of cases, opinions, and briefs; prepare legal documents, memoranda, digests, summaries, and reports; assist in the presentation of cases before courts and administrative bodies and independently present the less difficult cases; assist with the drafting of legislative measures and departmental rules and regulations; conduct legal research; and advise staff members regarding the legal effect of rules and regulations, proposed legislative measures, statutory law, court decisions, and administrative actions.

Essential Functions

Percentage	Description
30%	Assist with the preparation and provision of advice and counsel to Executive Management and the Personnel Management Division regarding employee discipline, the Family Medical Leave Act, the California Family Rights Act, worker's compensation, reviewing FTB's policies and procedures, and Memorandums of Understanding with various unions.
30%	Review the least complex adverse actions and rejections on probation. Represent FTB before various administrative agencies such as the State Personnel Board and the California Department of Human Resources, preparing stipulated dispositions or preparing legal pleadings and motions, conducting discovery and investigations, and orally arguing legal positions before the administrative agencies.
20%	Research and make recommendations with respect to overall departmental policies and practices regarding less difficult issues pertaining to employment and labor laws as well as confidentiality requirements. Make recommendations pertaining to the disclosure of employment information (including responding to external subpoenas) within departmental constraints under the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, and the Financial Privacy Act. Assist with the development and enforcement of FTB employee compliance policies such as FTB's tax compliance requirements as well as employee responsibilities under the Political Reform Act.
15%	Research less difficult legal issues and make recommendations, pertaining to other matters falling within Litigation Bureau subject matters, including, but not limited to, contracts(including inter-agency agreements); confidentiality and disclosure of tax information (including responding to external subpoenas) as allowed or constrained by the Revenue and Taxation Code, the Public Records Act, the Information Practices Act, the Political Reform Act, or other laws; conflicts of interest; power of attorney; data retention; accessibility & reasonable accommodation; and other legal matters. Represent the department or provide support to the Office of the Attorney General or out of state counsel regarding such matters.

Marginal Functions

Percentage	Description
5%	Participate as a member and/or chairperson in ongoing and/or ad hoc team(s) formed for the resolution of the most complex legal issues. Independently prepare detailed issue papers involving resolution of complex and sensitive issues of first impression. Represent the department in public forums including conferences, meetings of State and County Bar Associations, and similar conferences by Industry Supporting Organizations.

Signature Authorization

If I choose to sign this form electronically, I agree that my electronic signature is a legally binding equivalent to my handwritten signature on a paper form.

Employee: I confirm that I have read and understand the described duties and functions of this position.

Name (Print)

Signature

Date

Supervisor: I certify that the above information accurately represents the described duties and functions of this position.

Name (Print)

Signature

Date