

# DUTY STATEMENT



**CURRENT**  
 **PROPOSED**

<b>CIVIL SERVICE CLASSIFICATION</b> Attorney IV		<b>WORKING TITLE</b> Attorney IV – Privacy Officer		
<b>PROGRAM NAME</b> Office of the Director			<b>UNIT NAME</b> Legal (North)	
<b>ASSIGNED SPECIFIC LOCATION</b> Oakland			<b>POSITION NUMBER</b> 400 – 112-5780-033	
<b>BARGAINING UNIT</b> R02	<b>WORK WEEK GROUP</b> SE	<b>BILINGUAL POSITION</b> No	<b>CONFLICT OF INTEREST FILER</b> Yes	<b>BACKGROUND CHECK</b> No

## General Statement

Under the general direction of the Chief Counsel of the Office of the Director Legal Unit (OD Legal) and the Assistant Chief Counsels, Attorney IVs represent the Director of the Department of Industrial Relations, the Department, and division chiefs and managers in a variety of subject areas within the responsibility and jurisdiction of the Department. Attorney IVs have a high level of knowledge and expertise as practicing attorneys and independently perform the most complex and sensitive legal services provided by OD Legal, operating with broad discretion. Assignments will involve dealing with complex, novel and sensitive issues, and will require expertise in lawyering skills and in one or more subject matter areas, as well as the ability to work with and opposite opposing counsel and other external representatives who also have a high level of experience, expertise and skills.

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

<b>Percentage of Time Spent</b>	<b>Duties <u>Essential Job Functions</u></b>
35%	Serve as the Privacy Officer of the Department. The Privacy Officer is responsible for ensuring the Department complies with all applicable privacy and confidentiality laws, including the Information Practices Act of 1977, and all privacy and confidentiality policies of the State, including those described in the State Information Management Manual and the State Administrative Manual. Provide legal research, analysis, advice, recommendations, and representation to the Director and the Department on privacy issues. Serve as the lead of the privacy team, which advises the Director and the Department with respect to matters involving privacy issues and the Information Practices Act, and includes other matters to ensure the Department is complying with relevant privacy and confidentiality laws.

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	<p>The Privacy Officer will be responsible for managing the Department’s privacy program, which includes but is not limited to: reviewing and drafting policies related to privacy and security, reviewing and drafting various agreements for the sharing of information and data, responding to questions from the public and from Department staff regarding privacy. The Privacy Officer will also be responsible for providing privacy awareness training to the Department.</p>
<p>35%</p>	<p>The Privacy Officer will work closely with the Department’s Office of Information Services (OIS) and the Department’s Information Security Officer (ISO) to help safeguard confidential information and ensure the privacy rights of individuals are protected. Assess whether there has been a breach or other security incident that necessitates reporting or breach notices. Ensure that breach notices comply with the law and are sent out timely. Collaborate with OIS and ISO to complete Privacy Threshold Assessments and Privacy Impact Assessments. Assist with responding to California Department of Technology (CDT) audits. Review notices upon collection to ensure compliance with relevant law and policies. Ensure data security practices (e.g. logging, monitoring, and auditing practices) do not conflict with privacy requirements. Advise ISO and technology teams to anticipate potential privacy problems embedded in the use of emerging technologies. Perform other functions of a Privacy Officer as set forth in policies and guidelines published by CDT.</p>
<p>15%</p>	<p>Attorney IVs, including the Privacy Officer, will also be assigned at times to handle Public Records Act requests and litigation, the drafting of legislative bill analysis documents, and other special projects. Attorney IVs do not supervise other attorneys but may serve as a lead of the Privacy Team, assigning matters out to other team members, reviewing work product, and exercising subject matter expertise and leadership on legal questions and in the privacy practice areas.</p> <p>In addition, the Attorney IV- Privacy Officer may also be assigned to provide advice and counsel on another area of law, which may or may not be related to privacy issues, such as, without limitation: state contracting and procurement (including by drafting and reviewing contract documents as necessary); state record retention (advice on record retention schedules); legal ethics (advice on incompatible activities, required disclosures, acceptance of gifts), among others.</p>
<p>10%</p>	<p>Prepares written documents to provide information and/or direction on issues related to departmental programs and services such as amendments for legislation, department position letters on legislative bills, and other legal correspondence. Attends various stakeholder meetings on operations and/or policies with privacy impact and performs other miscellaneous administrative tasks. Acts as the expert privacy consultant in the review and development of Budget Change Proposals. Researches and stays abreast of emerging technologies and develops new methods and innovative solutions to address related privacy challenges throughout the department.</p>
<p><b>Percentage of Time Spent</b></p>	<p><b>Marginal Job Functions</b></p>



5%

Other assignments and duties as required based on operational needs of the Department and Legal Unit.

**Conduct, Attendance, and Performance Expectations**

This position requires a high degree of lawyering skills, professionalism, independence, organization, and productivity. Attorney IVs are senior level attorneys who independently manage a high volume of complex legal work, including a workers' compensation caseload, and who exercise a high level of professional initiative and responsibility, good judgment and sound discretion. Attorney IV's are expected to have highly-developed lawyering skills, expertise in one or more subject matter areas, and to consistently produce high quality work product, including well-written briefs and other written work product as required, with a minimum of supervision, while accepting and following general direction from the Chief Counsel and Assistant Chief Counsels, and client and Department leadership. All attorneys within OD-Legal are expected to conduct themselves ethically, to always behave in a professional manner while representing the Department, to demonstrate good judgment, and to treat others with respect and courtesy. Under the applicable Bargaining Unit 2 MOU, which applies to all attorneys in OD Legal, employees 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 the general direction of the Assistant Chief Counsel and Chief Counsel the Attorney IVs work with broad discretion, independence and minimal supervision. The immediate supervisor for this position is the Assistant Chief Counsel who manages the Oakland and Sacramento offices of OD Legal.

**Supervision Exercised**

Attorney IVs do not supervise lower-level attorney staff but may act in a lead capacity for a practice area team.

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

**Work Environment**

This position requires work in an office environment, being in a stationary position for long periods of time working at a computer. The position requires at least two days per week working in the office but allows for the possibility of telework on the remaining days, with the approval of the attorney's supervisor. Due to hybrid work arrangements, attorneys and other staff will extensively use telephone conference lines, video conferencing programs, Microsoft Teams, and Zoom. This position also requires appearances in workers' compensation courts and other civil and administrative courts. Some appearances will be remote; others will be in-person and may require travel. Essential functions of this position are to perform competently as a senior-level attorney in the specific job duties identified below; to accomplish assigned legal work with no or minimal supervision, exercising broad discretion, To communicate effectively both orally and in writing, as required for the specific job duties, including other complex and high level written work product; and as assigned; to communicate in a clear, professional, respectful and productive manner with judges, opposing counsel, Department leadership, stakeholders, colleagues, and the public; to travel as necessary and as assigned; and to demonstrate good judgment and to act with high ethical standards. The ability to travel for a short duration (one to two days is required for this position.



**Special Requirements/Other Information**

Attorney IVs must be a member of the California State Bar and have a minimum of six years of legal experience in the practice of law after admission to the Bar.

**Physical Abilities**

This position requires extensive use of a computer and telephone, and all the usual law office programs and technologies (Word for processing; Outlook for email and calendaring, etc.; Adobe Pro; and Westlaw, among others).

**Additional Requirements/Expectations**

Short duration (day trips or one - two-night stays) and/or short distance (within the Bay Area or Northern California) travel is required for this position.

**Personal Contacts**

This position requires extensive contact with: other attorneys and staff in OD Legal; the Assistant Chief Counsels and Chief Counsel; personnel in other divisions of the DIR; workers' compensation administrative law judges; opposing counsel and other parties in workers' compensation matters; opposing counsel, co-counsel, and/or other parties in civil litigation; stakeholders; and members of the public.

**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**

\_\_\_\_\_  
C&S Analyst Initials

\_\_\_\_\_  
Approval Date