

DUTY STATEMENT



CURRENT
 PROPOSED

CIVIL SERVICE CLASSIFICATION Special Investigator		WORKING TITLE Special Investigator		
PROGRAM NAME Office of the Director			UNIT NAME Legal Unit	
ASSIGNED SPECIFIC LOCATION Oakland				POSITION NUMBER 400- 112-8612-001
BARGAINING UNIT R07	WORK WEEK GROUP 2	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under the general supervision of the Supervising Special Investigator for the Department of Industrial Relations, Office of the Director Legal Unit (OD Legal), and the direction of the Assistant Chief Counsels and the Chief Counsel, the Special Investigator conducts independent investigations in workers' compensation cases in which OD Legal attorneys represent the Uninsured Employers Benefits Trust Fund (UEBTF), the Subsequent Injuries Benefits Trust Fund (SIBTF), and the Death Without Dependents Fund (DWD); conducts investigations related to civil litigation and administrative enforcement on employee/independent contractor classification issues (AB 5/AB 2257); and analyzes the application of and enforcement of rules, regulations and laws, as relevant to investigations. The Special Investigator is expected to conduct careful and thorough investigations in order to detect relevant evidence and background information concerning civil litigation and workers' compensation cases handled by the Legal Unit; investigate cases in which the worker asserts employee status rather than independent contractor status, pursuant to the ABC test; assist with discovery investigations in civil litigation and workers' compensation cases; locate and interview potential witnesses; gather documentary evidence; and prepare correspondence and written reports.

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

Percentage of Time Spent	Duties Essential Job Functions
45%	<p>Investigation Duties: Conducts investigations in the office using investigation techniques and Internet based databases, and on rare occasions in the field, to find evidence and to determine factual information related to UEBTF, SIBTF, and DWD workers' compensation cases and for civil and administrative litigation and enforcement related to employee misclassification issues (under the ABC test) for cases handled by attorneys in the Legal Unit.</p> <p>Identifies and investigates employers and owners of businesses alleged to employ the injured workers using Secretary of State and other public and non-public records to determine the correct name, legal capacity, address, and assets of the</p>

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employer, in order to support attorneys in their representation of the Director of the Department of Industrial Relations in her capacity as Administrator of the UEBTF and SIBTF.

Conducts skip traces, locates, and interviews witnesses (primarily by telephone) to obtain statements to verify the facts in workers' compensation cases using proper and effective interview techniques.

Obtains, evaluates, and verifies the evidence and the witness statements to determine whether an alleged injury arose out and in the course and scope of employment.

Investigates cases where the worker asserts employee status rather than independent contractor status using the ABC test.

Identify injured workers suspected of fraud in order to preclude payment of workers' compensation benefits on fraudulent claims by analyzing the evidence and arranging for video surveillance according to the laws and rules of evidence.

Determines whether a valid workers compensation policy was in effect on the date of injury.

Gathers documentary evidence, including medical reports, employment records, subpoenas records, assembles and preserves evidence for use at hearings, and coordinates service of process.

40%

Case Preparation Duties:

Prepares detailed reports of all investigations, findings, and recommendations for the attorneys representing the Director and/or the Department in civil court or in workers' compensation or other administrative proceedings. Drafts correspondence, declarations, and petitions in which evidence is evaluated and summarized.

Assists with discovery investigations and drafting of discovery responses in civil litigation. Communicates verbally and in writing with various interested parties and members of the public as necessary. Maintains accurate paper and electronic investigation case files including all the evidence, information, and correspondence sent and received during the investigation.

10%

Enforcement Duties:

Coordinates enforcement activities with other governmental agencies to combat the underground economy when violations of laws and regulations are identified. Refers and coordinates investigations with the Division of Labor Standards and Enforcement - Bureau of Field Enforcement for issuance of Stop Orders per Labor Code section 3710.1 when the employers are not in compliance with the Labor Code requirements.

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	Refers suspected cases of workers' compensation for insurance fraud to the Department of Insurance, the County District Attorney's Offices, and/or the Contractors State License Board. On rare occasions, may testify in court regarding the facts and evidence obtained during an investigation.
Percentage of Time Spent	Marginal Job Functions
5%	Other Investigations and assignments duties as required based on operational needs of the Department.

Conduct, Attendance, and Performance Expectations

This is a non-exempt, 40-hour per week position, requiring adherence to scheduled work hours, rest periods and meal breaks. The specific schedule will be determined with the Supervising Special Investigator. This is NOT a full-time teleworking position. The position requires a minimum of two days per week of work in the office. Some telework days may be considered after an initial training and on-boarding period, in the discretion of the supervisor. This position requires a high degree of professionalism, expertise, independence, organization, and productivity. The investigator is expected to have good judgment; good work habits; learn the laws and rules applicable to workers' compensation cases; have an enthusiastic attitude for the work; complete investigation reports timely and accurately; work efficiently and effectively under pressure; manage multiple cases; meet deadlines; demonstrate tact when dealing with members of the public; get along with others; and treat others with respect and courts.

Supervision Received

Special Investigators work independently under the general supervision of the Supervising Special Investigator and under the direction of the attorneys, Assistant Chief Counsels, and Chief Counsel.

Supervision Exercised

Special Investigators do not supervise other special investigators but may act in a lead capacity.

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

Work Environment

This position is headquartered in the Office of the Director Legal Unit, located in an office environment in the 22-story State office building located at 1515 Clay Street, Oakland, California.

This unit is currently located on the 7th floor. Employees in this position have their own offices, work at desks, and are required to work extensively on computers as necessary for the drafting of letters and other documents, and for research, email communication, file review, training and other purposes.

Partial telework schedules are available, after an initial training and on-boarding period, in the discretion of the supervisor. Investigators who telework part of the time may be required to share offices. This is an office rather than a field-work position. The investigative work is conducted primarily through Internet-based databases and services and online research, as well as through collecting and reviewing records, conducting telephone interviews, and other work performed from an office.

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Special Requirements/Other Information

This position has specific education and work experience requirements, as set forth in the Minimum Qualifications for this class on the CalHR website.

Physical Abilities

The ability to use a computer, telephone, and other office equipment such as copiers and scanners is necessary. The incumbent will be required to travel occasionally. The position requires the ability to remain in a stationary position for prolonged periods of time, work at a computer for extended periods of time and to move and transport office items in a safe manner.

Additional Requirements/Expectations

- The ability to write letters, reports, and memorandums clearly, in a professional tone and style, with a minimum of errors is required for this position.
- Applicants must have proficiency in the basic functions of Word and Microsoft applications.
- This position requires strong interpersonal skills and tact in dealing with members of the public.
- Prior experience working in a legal office and reviewing legal documents is preferred.
- Prior experience conducting investigations and drafting investigation reports is preferred.
- Prior experience doing internet research to obtain public records and/or conducting business entity searches to identify corporate status and ownership is also preferred.

Personal Contacts

This position requires extensive contact with: attorneys and staff in OD Legal; the Supervising Special Investigator, the Assistant Chief Counsels and Chief Counsel; personnel in other divisions of the DIR; opposing counsel and other parties in workers' compensation matters; 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 Diversity and Inclusion Office.

Employee Name

Employee Signature

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

Date



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HUMAN RESOURCES OFFICE APPROVAL

DC
C&P Analyst Initials

6/30/2026
Approval Date