

DUTY STATEMENT



☐ CURRENT
☒ PROPOSED

CIVIL SERVICE CLASSIFICATION Deputy Labor Commissioner II		WORKING TITLE RCI Hearing Deputy		
PROGRAM NAME Division of Labor Standards Enforcement			UNIT NAME Retaliation Complaint Investigation	
ASSIGNED SPECIFIC LOCATION San Diego			POSITION NUMBER 400 – 527-9536-XXX	
BARGAINING UNIT R02	WORK WEEK GROUP E	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under direction of the Deputy Labor Commissioner Supervisor (DLC Supervisor) in the State Labor Commissioner's Office (LCO) Retaliation Complaint Investigation (RCI) Unit, the Deputy Labor Commissioner II (Hearing Deputy) will act as lead investigator on the most complex and sensitive technical investigations. The Hearing Deputy directs and coordinates program activities; provides guidance, training, mentoring, and direction to staff; consults with fellow DLC II's and DLC Supervisors on the interpretation and application of laws, policies, and procedures; develops and delivers formal and on-the-job training; and serves in an acting supervisory capacity as needed to ensure operational continuity. The Hearing Deputy assesses and collects civil penalties or initiates civil or criminal action, and meets with employers, employees, and their representatives to advise them of and to secure compliance with state laws. The Hearing Deputy may inspect places of employment and employers' records to determine the extent of compliance with the provisions of laws under the jurisdiction of the LCO.

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

Percentage of Time Spent	Duties <u>Essential Job Functions</u>
45%	Conducts investigative hearings on various case matters pursuant to relevant Labor Code sections, including citation hearings, to verify and determine violations of law; holds citation appeals where civil penalties are assessed. Determines the extent of rule violation and evaluates all evidence presented including testimony, written statements, and records to make determinations. Performs the more complex, high level technical investigations; plans and conducts investigations to determine the extent of compliance with laws under the jurisdiction of the LCO that prohibit workplace retaliation; calculates lost wages; assesses and collects civil penalties in accordance with the law and under division policies and procedures. Completes complainant, respondent, and witness interviews by telephone or in-person and maintains accurate interview notes to document reasons for cause-finding or dismissal. Manages and conducts reviews of caseloads to effectively process and monitor cases from assignment through investigation and to closure; ensures regular, routine contact with the parties in assigned cases; updates and maintains case status reports in case management system database. Writes and prepares clear, concise, and accurate findings of fact in a timely manner and issues orders or decisions containing findings of fact, analyses, and conclusions of law in

DUTY STATEMENT



	accordance with the law and under division policies and procedures. Uploads documents provided by parties into case located in case management system as required. Prepares investigative reports, identifying elements of a prima facie case or retaliation. Initiates and completes reports outlining relevant details and submits reports to DLC Supervisor or legal unit for review, advice and approval. Analyzes evidence such as records and witness testimony and evaluates facts to identify causation elements. Calculates possible damages, using lost wages excel sheet and written Labor Code. Applies correct causation standard and prepares recommended findings. Reviews case files with DLC Supervisor or designee and legal department when additional feedback is required.
25%	Meets with employers, employees and their representatives to explain and interpret Labor Code sections. Advises employers of violations through written correspondence or notices as required by law. Prepares and serves written citations to employers found violating statutes that protect workers from engaging in protected activities. Participates in administrative hearings to defend appealed citations or Superior Court as a witness to present investigatory evidence as needed. Facilitates settlements and resolutions of disputes or claims with the parties either by telephone or at in-person conferences under division policies and procedures. Research existing policies, procedures, rules, related statutes, and court decisions pertaining to cases heard in preparation for hearings. Proactively reviews the case management system to identify pending cases and ensure timely processing of all assigned hearings pursuant to the Labor Code or other applicable laws.
15%	In a lead capacity role, directs and coordinates work related to the DLSE program; provides guidance, training, and/or direction to lower level staff and consults with fellow Deputy Labor Commissioner IIs and management regarding interpretation and application of rules, policies, and procedures relating to enforcement of the law and division policies and procedures; prepares and delivers formal and on-the-job training and mentoring; acts in the DLC Supervisor capacity for office coverage during absences and/or at the direction of a Deputy Labor Commissioner Regional Manager.
10%	Interprets and applies divisional administrative policies and procedures; prepares manuals, reports and correspondence for management in areas of responsibility; coordinates multi-office or multi-unit projects; and serves on the Division of Labor Standards Enforcement (DLSE) problem-solving and quality improvement teams; and other duties as required.
Percentage of Time Spent	Marginal Job Functions
5%	Performs Public Information Duty (PID) for the division's public counter by telephone, direct contact or electronic mail by providing information about regulations, policies, procedures, and programs within the division. Directs the public to available resources online or otherwise provides informational materials to workers and employers. Responds to inquiries by the public regarding case status by communicating appropriate information available in the case management system or communicating with respective team members to obtain status updates. Participates in claim filing clinics, including assisting the public with completing various claim forms and providing information about local advocates that provide

DUTY STATEMENT



free legal services. Enters all claims received from the case management system database. Performs other job-related duties, including taking messages, scheduling appointments, transferring calls, and greeting visitors.

Conduct, Attendance, and Performance Expectations

Work duties are expected to be performed productively and efficiently. Conduct shall be respectful and reflective of a professional team environment, and in accordance with the Labor Commissioner's Office mission and vision.

Communication shall be clear, concise, and timely with leadership, teammates, and the public we serve. Communication shall be in a manner that encourages open dialog to achieve mutual understanding, problem solve and build trust.

Trust is crucial to building a working relationship and team environment. Team members are expected to continually monitor their work, provide timely responses to the public in accordance with relevant policies and procedures, and practice decorum in such communication. Work challenges and the inability to meet deadlines are to be communicated immediately to leadership.

Team members are expected to report timely to their work shifts, work the required hours for their time base and in accordance with the position's work week group, abide by relevant attendance policies, and be mindful of the impact of one's attendance on the overall work of the program and team morale.

Supervision Received

Under the direction of a Deputy Labor Commissioner Supervisor.

Supervision Exercised

May serve as lead over Deputy Labor Commissioner I, Labor Compliance Representative, and/or lower-level staff.

The incumbent may also act in the Deputy Labor Commissioner Supervisor capacity for office coverage during absences and/or at the direction of the Deputy Labor Commissioner Supervisor, Deputy Labor Commissioner Regional Manager, or their designee.

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

Work Environment

The incumbent will spend most of their time working at their assigned district office. Their work area will be in an office or cubicle equipped with standard office equipment. Occasional travel to an off-site location may be required for meetings and/or training.

Special Requirements/Other Information

This position requires exceptional skill in dealing with the public and in coordinating the activities of other Labor Commissioner's Office units in team enforcement efforts in addition to providing outreach services to educate the public and our community partners. The incumbent will be expected to demonstrate a commitment to the mission and the vision of the Labor Commissioner's Office for the highest public good.

Physical Abilities

This position requires the ability to remain in a stationery position and work at a computer for extended periods of time and to safely move, transport, and/or manipulate office supplies and

DUTY STATEMENT



equipment weighing up to 25 pounds.

Additional Requirements/Expectations

The incumbent is expected to be able to work independently in a fast-paced team environment, and to work well with the public and co-workers.

Personal Contacts

The incumbent will routinely engage with members of the public, claimants, and employers and may participate in outreach events to educate the public on California Labor Code laws.

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

CD

C&S Analyst Initials

07/13/2026

Approval Date