

DUTY STATEMENT

Classification: Attorney III
Job Title: Attorney III
Name: (First, Last)
Scheme/Class Code OA82-5795
Position Number: 047-5795-002
Reports to
FLSA Status: WWG E
Division: Executive Division
Location Office of Legal Affairs and Regulations
Primary Assignment: (Brief Description of primary assignment)

JOB OBJECTIVES:

Under the general supervision/direction of Attorney Supervisor the Attorney III, provides legal advice to Department management in a variety of subject areas and functions including: interpretation of Federal and State laws and regulations, State Civil Service laws, California Public Records Act, Information Practices Act, vocational rehabilitation, contracts, civil rights. Specific duties include, but are not limited to:

ESSENTIAL JOB FUNCTIONS:

Performs the following duties: (duties should be displayed in order of percentage of time with the highest percentages of time at the top. Percentages of time should not exceed 50% for any one duty.)

25% Independent Legal Counsel to the Human Resources Branch & State Civil Service Discipline

Provides independent legal advice to the Human Resources Branch with minimal supervisory oversight. Advises HR management on a wide range of personnel matters, including performance management, workplace complaints, corrective actions, policy interpretation, FMLA/CFRA issues, and employee relations.

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Additionally, provides legal counsel to HR management on State civil service disciplinary actions. Reviews and drafts Notices of Adverse Action, medical terminations, and other disciplinary or corrective measures to ensure compliance with statutory and regulatory requirements. Represents the Department in State Personnel Board hearings, settlement conferences, pre-hearing motions, and related litigation matters.

25% Independent Legal Counsel to the Office of Civil Rights (OCR)

Provides independent legal advice and support to the Office of Civil Rights with minimal oversight. Reviews and advises on Equal Employment Opportunity Commission (EEOC) and California Civil Rights Department (CRD) position statements, ensuring factual accuracy, legal sufficiency, and compliance with federal and state civil rights laws. Reviews discrimination, harassment, and retaliation investigations for legal adequacy, procedural compliance, and risk exposure. Provides guidance on reasonable accommodation and interactive process obligations, departmental EEO policies, Title II and Title VII requirements, and statewide civil rights mandates. Advises OCR leadership on complex and sensitive matters involving employee complaints, investigations, and compliance issues.

10% Vocational Rehabilitation Program Legal Counsel

Provides written and oral legal analyses, opinions, and guidance related to vocational rehabilitation program operations. Interprets and applies the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and relevant state laws and regulations affecting program eligibility, service delivery, and compliance.

10% Regulations and Rulemaking

Provides legal advice and assistance in drafting, revising, and promulgating regulations. Ensures regulatory packages comply with the Administrative Procedure Act, are legally defensible, and align with program needs. Assists program staff in developing regulatory language and navigating procedural requirements.

10% Public Records Act, Subpoenas, and Information Practices Act

Responds to California Public Records Act (PRA) requests, subpoenas, investigatory inquiries, and Information Practices Act requests. Advises staff on disclosure obligations, exemptions, confidentiality protections, privilege considerations, and risk mitigation. Reviews records for legal sufficiency and required redactions.

- 10% Business Enterprises Program (BEP) / Randolph-Sheppard Act
Provides legal advice and consultation regarding the Randolph-Sheppard Act and state laws regulating the Business Enterprises Program.
Represents the Department in BEP evidentiary hearings, arbitrations, and administrative proceedings. Advises program staff on vendor disputes, regulatory interpretation, contract compliance, and program operations.

MARGINAL JOB FUNCTIONS:

- 10% Performs other related duties, including, but not limited to additional legal work as assigned, including special projects, cross-program consultation, policy review, and emerging legal issues impacting Department operations.

Travel: Up to 5% travel may be required to attend forums, conferences or trainings or meetings.

All Times: Communicate effectively in a professional, tactful, respectful manner with individuals from varied experiences, perspectives and backgrounds, by telephone, email and other technologies as well as in-person; provide excellent customer service to both internal and external customers; ensure the timely completion of assignments; attempt to resolve individual concern at the lowest possible level; offer other dispute resolution options, and elevate to next level if needed; use initiative, problem solving skills, organizational skills, good judgment, and resourcefulness.

Work Environment and Physical Requirements

The majority of the work will take place in one of the following locations with consumers, the public, colleagues, and other stakeholders: a DOR open office setting in a cubicle environment, offsite in the community, at events and various

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partner locations, and/or at an approved alternate work location. The incumbent must have the ability to work in an office setting for up to 40 hours per week and remain at a workstation for extended periods while utilizing a personal computer, peripherals, and other office equipment with or without accommodation. The incumbent will be working in an office setting with both natural and artificial lighting. Strong interpersonal skills are required to interact effectively with consumers, the public, colleagues, and other stakeholders.

Note: It is the policy of the Department of Rehabilitation to provide equal employment opportunity to qualified individuals with disabilities through compliance with FEHA and ADA (where it would result in broader protection of the civil rights of an applicant or employee with a disability).

I have read, understand, and agree to perform the above listed duties and all duties typically performed by this classification. I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others and in a state of health consistent with the ability to perform the assigned duties as described above with or without reasonable accommodations.

(Employee's Name)

Date

(Supervisor's Name and Title)

Date

Original: Employee's Official Personnel File
Copies: Employee and Supervisor's drop file

DUTY STATEMENT

Classification: Attorney I
Job Title: Attorney I
Name: (First, Last)
Scheme/Class Code OA82-5778
Position Number: 047-5778-003
Reports to
FLSA Status: WWG E
Division: Executive Division
Location Office of Legal Affairs and Regulations
Primary Assignment: (Brief Description of primary assignment)

JOB OBJECTIVES:

The Attorney I, under the supervision of the Attorney Supervisor, advises managers, supervisors, and staff of the laws and policy relating to employment, authority of the Department, promulgating regulations, records, and public contracting. These laws include the Civil Service Act, Americans with Disabilities Act, Fair Employment and Housing Act, Unruh Civil Rights Act, California Public Records Act, Information Practices Act, Rehabilitation Act of 1973, as amended, Randolph Sheppard Act, Welfare and Institutions Code section 19000 et seq., and Public Contract Code. The essential functions include but are not limited to:

ESSENTIAL JOB FUNCTIONS:

Performs the following duties:

30% Provides accurate, thoroughly researched advice through well-written documents and other modes of communication to Department management and staff regarding civil service laws and regulations, including the Americans with Disabilities Act. In the less complex personnel matters, writes and reviews Notices of Adverse Action, Medical Actions, and other personnel matters and represents the Department at State Personnel Board hearings. Provides advice, including written

memoranda, on Unemployment Insurance, Workers' Compensation, and Reasonable Accommodation matters.

- 25% Advises managers in the Vocational Rehabilitation and Employment Division, Specialized Services Division, and Vocational Rehabilitation Policy and Resources Division on to state and federal laws governing the rights, responsibilities, and processes related to the vocational rehabilitation. This includes advising on draft administrative review decisions and memoranda in preparation of administrative hearings before an impartial hearing officer and advice regarding changes in regulations and promulgating regulations.
- 15% Advises managers and staff on and responds to subpoenas, California Public Records Act requests, and requests for personal information.
- 15% Provides representation of the Department's Business Enterprises Program for the Blind in administrative hearings.
- 10% Advises managers and staff in relation to contracts and grants, including review of solicitations, contract and grant award, and contract review.

MARGINAL JOB FUNCTIONS:

- 5% Performs other related duties, including, but not limited to attending meetings and trainings as needed. Performs other duties as required.

Travel: Up to 5% travel may be required to attend forums, conferences or trainings or meetings.

All Times: Communicate effectively in a professional, tactful, respectful manner with individuals from varied experiences, perspectives and backgrounds, by telephone, email and other technologies as well as in-person; provide excellent customer service to both internal and external customers; ensure the timely completion of assignments; attempt to resolve individual concern at the lowest possible level; offer other dispute resolution options, and elevate to next level if needed; use initiative, problem solving skills, organizational skills, good judgment, and resourcefulness.

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Work Environment and Physical Requirements

The majority of the work will take place in one of the following locations with consumers, the public, colleagues, and other stakeholders: a DOR open office setting in a cubicle environment, offsite in the community, at events and various partner locations, and/or at an approved alternate work location. The incumbent must have the ability to work in an office setting for up to 40 hours per week and remain at a workstation for extended periods while utilizing a personal computer, peripherals, and other office equipment with or without accommodation. The incumbent will be working in an office setting with both natural and artificial lighting. Strong interpersonal skills are required to interact effectively with consumers, the public, colleagues, and other stakeholders.

Note: It is the policy of the Department of Rehabilitation to provide equal employment opportunity to qualified individuals with disabilities through compliance with FEHA and ADA (where it would result in broader protection of the civil rights of an applicant or employee with a disability).

I have read, understand, and agree to perform the above listed duties and all duties typically performed by this classification. I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others and in a state of health consistent with the ability to perform the assigned duties as described above with or without reasonable accommodations.

(Employee's Name)

Date

(Supervisor's Name and Title)

Date

Original: Employee's Official Personnel File
Copies: Employee and Supervisor's drop file