

DUTY STATEMENT



☐ CURRENT
☒ PROPOSED

CIVIL SERVICE CLASSIFICATION Attorney, Assistant Chief Counsel			WORKING TITLE Assistant Chief Counsel		
PROGRAM NAME Office of the Director				UNIT NAME Legal (North)	
ASSIGNED SPECIFIC LOCATION Oakland				POSITION NUMBER 400 – 112-5871-007	
BARGAINING UNIT M02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No	

General Statement

Under the general direction of the Chief Counsel of the Office of the Director-Legal Unit (ODL), the Attorney, Assistant Chief Counsel (ACC) plans, directs, coordinates, and reviews the work of Attorneys, Supervisor I, Special Investigators, and other staff in the regional offices of ODL. The ACC directs work in multiple substantive areas of law, including: workers' compensation law, California Prevailing Wage Law and public works law, Shelley-Maloney Apprentice Labor Standards Act, California Public Records Act, Information Practices Act, Fair Employment and Housing Act, State Civil Service Act and State Personnel Board rules, and anti-retaliation law, among others. The ACC is responsible for providing legal advice, consultation, and opinions to management on complex and sensitive legal and policy issues.

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>
40%	Supervises the work of ODL staff to ensure effectiveness and compliance with all relevant laws. Plans, assigns, directs, coordinates, and reviews work product, and ensures timeliness and quality of legal research, analysis, writing, and advocacy in all matters. Helps set the vision and strategic direction to ensure ODL is consistently aligned with the Director's Office's goals and objectives. Oversees and directs the work of teams that provide legal advice and representation to the Uninsured Employers Benefits Trust Fund and Subsequent Injuries Benefits Trust Fund, Division of Apprenticeship Standards, Human Resources Office, Contracts and Procurement Unit, Training Unit, Diversity and Inclusion Office, Office of Self Insurance Plans, Office of the Director - Research Unit, among others, involving a variety of practice areas, including but not limited to: civil litigation in state and federal courts, including before appellate courts and the Supreme Court; administrative litigation before the State Personnel Board and Workers' Compensation Appeals Board; administrative proceedings involving citations, assessments, certificate revocations, program registration withdrawals, either as prosecutor or hearing officer; legislative bill analysis; rulemaking; responding to requests under the Public Records Act, drafting and negotiating contracts, data sharing agreements, and other memoranda of understanding; preparing determinations and opinion letters. Provides ongoing guidance and direction to regional office team with respect to all legal matters. Effectively manages

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	performance of regional office staff, by providing clear direction and guidance to staff prior to the start of assignments, communicating and ensuring understanding of objectives, quality expectations, and time constraints. Independently manages assignments and projects and monitors workload and performance to ensure timely completion and quality product, including through allocating the appropriate resources and obtaining necessary approvals, to ensure work comports with expectations and deadlines. Regularly conducts case reviews and holds team meetings, sets goals and objectives for legal matters and evaluates case outcomes with members of ODL team. Monitors and ensures adequate coverage for legal matters and appearances when assigned staff are absent. May also provide indirect supervision to legal support staff as needed. Provides written staff performance appraisals and counseling staff when necessary.
20%	Oversees the day-to-day operations of the regional offices of ODL. Develops and implements internal policies and procedures and helps secure tools for the most efficient operation of the regional office, including actively seeking to enhance office operational capacity, through strategic planning, innovation, and process improvement, to comport with best practices. Takes a lead role in facilitating the design, implementation, and monitoring of ODL's workforce plan to develop the workflow as well as succession planning. Tracks caseload to ensure that workload is appropriately and equitably distributed and monitors workflow of all legal matters, creating and providing reports concerning status of significant cases as requested by the Chief Counsel. Prepares reports to the Chief Counsel regarding activities, progress, needs, challenges, and strategies to address issues and strengthen ODL's operations overall. Drafts and helps finalize budget change proposals for ODL. Provides case, workload, and budget information to the Chief Counsel, the Director, and as required, to the Department of Industrial Relations' Budget Unit, Department of Finance and the Legislature to ensure continued functioning of existing programs.
20%	Provides advice on civil rights in the areas of discrimination and labor and employment matters and general Department policy: proposes policy on anti-discrimination practices, reasonable accommodation, employee electronic information, incompatible activities, and press and employee speaking engagements; development and monitoring of system of investigation of complaints as well as training; in addition, miscellaneous policy-making assignments. Oversees and provides direction to the Public Records Act Oversight Unit, including developing policies and procedures on responding to requests for public records, ensuring accurate recordkeeping to provide request data to the Director, Labor Agency, and Governor's Office.
15%	Proposes and reviews pending legislation to implement policy initiatives, drafts and supervises the drafting of legislation and legislative analyses, negotiates with parties interested in legislation. As directed by the Chief Counsel, interfaces with Agency and Governor's Office regarding policy initiatives and pending legislation, and attends and testifies at legislative committee meetings. Proposes, reviews and oversees the drafting of administrative rules and participates in the public rulemaking process in the effort to draft and implement policy initiatives in rulemaking process. Litigates the most difficult and sensitive issues in both state and federal court and before state and federal agencies.

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Percentage of Time Spent	Marginal Job Functions
5%	Perform other job-related duties as required to fulfill ODL objectives.

Conduct, Attendance, and Performance Expectations

The ACC must maintain a high level of integrity, professionalism, confidentiality, thoroughness and accuracy; must exercise initiative and discretion. The ACC must act in a honest, fair, and ethical manner; work independently and adhere to department/division policies and procedures. The ACC is expected to be professional, courteous, and work cooperatively with all levels of the division and department's staff and the public.

Supervision Received

The ACC works under the general direction of the Chief Counsel of the Office of the Director - Legal Unit.

Supervision Exercised

The ACC supervises Attorney Supervisor, Attorney, Supervising Special Investigator, Supervisor I, and Legal Support Supervisor I and provides managerial oversight to a regional office of ODL.

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

Work Environment

The incumbent works in an air-conditioned office building with natural and artificial lighting. Incumbents in this position have their own office, work at desks and are required to work extensively on computers as necessary to accomplish their duties.

Special Requirements/Other Information

Must be a member of the California Bar and qualified to practice law in California.

Physical Abilities

The ability to use a computer, telephone, and other office equipment such as copiers and scanners is necessary. The incumbent may be required to travel occasionally.

Additional Requirements/Expectations

The incumbent must handle sensitive and confidential materials in a professional manner. The incumbent must demonstrate the ability to establish and maintain cooperative working relationships with staff at all levels both within and outside of ODL.

Personal Contacts

The ACC in this position may have contact with other attorneys and staff in ODL, other DIR divisions, opposing counsel, judges and staff in civil court, court reporters, and members of the public.

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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