



DUTY STATEMENT

SHADED AREA FOR HUMAN RESOURCES ONLY

INSTRUCTIONS: Refer to the Essential Functions Duty Statement Preparation and Construction Manual for Instructions

RPA:

EFFECTIVE DATE:

1. AGENCY Public Employment Relations Board		POSITION NUMBER (Agency - Unit - Class - Serial)	
2. UNIT NAME AND CITY LOCATED Office of the General Counsel		3. CLASS TITLE Attorney	
4. WORKING HOURS/SCHEDULE TO BE WORKED		5. SPECIFIC LOCATION ASSIGNED TO TBD	
6. PROPOSED INCUMBENT		7. CURRENT POSITION NUMBER (Agency - Unit - Class - Serial) 315-007-5778-xxx	
YOU ARE A VALUED MEMBER OF THE BOARD'S TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND PRODUCTIVITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY AND WITH RESPECT ARE IMPORTANT TO EVERYONE WHO WORKS WITH YOU.			
8. BRIEFLY (1 - 3 sentences) DESCRIBE THE POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS Under the general direction of the Attorney Supervisor, the incumbent provides a full range of legal services, including investigation of unfair practice charges, representation cases, investigation and litigation of requests for injunctive relief, and representation of the Board in litigation.			
9. Percentage of time performing duties	10. Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. <i>(Use additional sheet if necessary)</i>		
60%	Incumbents are attorneys in various levels who have displayed an interest in labor law, administrative law, and civil and appellate litigation. They have the ability to independently and effectively perform legal work at various levels of complexity and produce a top-quality product. They work with discretion and handle cases in trial and appellate courts. They provide advice to the General Counsel and Deputy General Counsel, and at the direction of the General Counsel and Deputy General Counsel, may advise members of the Board itself, as appropriate, on public sector labor relations issues. ESSENTIAL FUNCTIONS To evaluate unfair practice charges and representation matters filed with PERB, provide legal representation regarding final Board decisions and other matters, and seek appropriate injunctive relief, while following the collective-bargaining statutes enforced by PERB. Attorneys will perform the following duties: <u>Unfair Practice Charges</u> Acting with some independence and responsibility, provides a full range of legal services in investigating and mediating unfair practice charges. Duties include: • Investigating facts contained in the charge • Performing legal research • Communicating with parties orally and in writing • Preparing and issuing dismissals of charges, warning letters, unfair practice complaints, agenda memos, and other correspondence • Serving as the mediator in informal settlement conferences		



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9. Percentage of time performing duties	10. Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. <i>(Use additional sheet if necessary)</i>
	ESSENTIAL FUNCTIONS, CONT. <u>Representation Matters</u> Investigate representation petitions and requests for impasse determination. Duties include: - Investigating facts, performing legal research relevant to pending representation matters, and drafting orders to show cause, administrative determinations or proposed decisions - Conducting representation elections or formal hearings <u>Litigation</u> Takes a role at various levels (dependent on incumbent's range) of complexity of issues pending before the courts. Duties include: - Drafting pleadings, motions, and briefs and presenting evidence and argument in trial courts, including complaints for temporary restraining orders and preliminary injunctions, writ defenses, subpoena enforcement, and compliance actions - Reviewing factual administrative records of Board decisions, performing legal research, drafting appellate briefs, and presenting oral argument - Traveling occasionally for court appearances <u>Injunctive Relief</u> Investigates requests for injunctive relief. Duties include: - Reviewing witness declarations and other documents - Performing legal research and drafting comprehensive legal memos <u>Rulemaking and Legislation</u> Assists with preparing and promulgating administrative regulations and performing legislative research and bill review. <u>Required Qualifications</u> Active membership in the State Bar of California <u>Knowledge and Abilities</u> <i>Knowledge of:</i> Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; federal and state statutes and rules; rules of professional conduct; principles of administrative trial and hearing procedure and rules of evidence; court procedures; legal terms and forms in common use; statutory and case law literature and authorities; professional and ethical rules as they relate to the practice of law; appellate proceedings; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; and provisions of laws and Government Code sections administered or enforced.



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9. Percentage of time performing duties	10. Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. <i>(Use additional sheet if necessary)</i>
	Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence and memoranda involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; independently present difficult and complex cases before Administrative Law Judges; prepare, present, and handle legal cases; direct the work of clerical and professional assistants; edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness; analyze situations accurately and adopt an effective course of action; reason logically; exercise good judgment; effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same; independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts; independently present difficult and complex cases before administrative bodies.
11. SUPERVISOR'S STATEMENT: <i>I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE</i>	
SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE DATE
12. EMPLOYEE'S STATEMENT: <i>I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT</i>	
The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise to balance the workload.	
EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE DATE