State of California
Department of
Industrial Relations
EST. 1927

DUTY STATEMENT

☒ **CURRENT**

☐ **PROPOSED**

CIVIL SERVICE CLASSIFICATION	WORKING TITLE
Deputy Labor Commissioner I	Retaliation Complaint Investigator
PROGRAM NAME	**UNIT NAME**
Division of Labor Standards Enforcement	Retaliation Complaint Investigation
ASSIGNED SPECIFIC LOCATION	**POSITION NUMBER**
San Diego	400 – 527-9502-xxx

BARGAINING UNIT	WORK WEEK GROUP	BILINGUAL POSITION	CONFLICT OF INTEREST FILER	BACKGROUND CHECK
R02	2	No	Yes	No

General Statement

Under general supervision of the Deputy Labor Commissioner Supervisor (Senior Deputy) in the State Labor Commissioner's Office (LCO) Retaliation Complaint Investigation (RCI) unit, the Deputy Labor Commissioner I (DLC I) interviews witnesses, takes affidavits, collects evidence, and investigates claims to determine the extent of compliance with, and to resolve disputes arising under, State labor laws and Industrial Welfare Commission orders. The DLC I assess 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 DLC I 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. Additionally, the incumbent is expected to advance their investigations through early engagement and resolution of retaliation claims through restorative strategies. Further, the incumbent will collaborate with other programs and stakeholders to advance industry-specific early engagement and restorative strategies through a trauma informed lens.

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

Percentage of Time Spent	Duties **Essential Job Functions**
40%	Plans and conducts investigations to determine the extent of compliance with laws under the jurisdiction of the Labor Commissioner's Office (LCO) that prohibit workplace retaliation, including through the application of early engagement and restorative strategies. 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 notes of interviews 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 on case management system. Uploads documents provided by parties into case located on case management system as required. Facilitates settlements and resolutions of disputes or claims with the parties, either by telephone or at in-person conferences, under division policies and procedures.

20%	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. Make presentations before a variety of public groups to promote early compliance and to enhance public understanding of enforcement activities and restorative solutions to workplace challenges 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.
15%	Prepares investigative reports, identifying elements of a prima facie case or retaliation. Initiates and completes reports outlining relevant case details and submits reports to the Senior Deputy or legal unit for review, advice, and/or 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 finding. Reviews case files with the Senior Deputy or designee and legal unit when additional feedback is required.
15%	Reviews initial complaints and attachments to assess whether case is to be assigned for investigation. Reviews evidence and searches Labor Commissioner and public databases to gather additional required information to issue written determinations of found violations.
Percentage of Time Spent	**Marginal Job Functions**
5%	Performs other job-related duties as required, such as actively participating in All Staff meetings, unit meetings, and regional meetings, as well as division and unit training. Prepares and provides training for staff. Conducts field investigations as needed. Travel to district offices or for fieldwork as required.
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. Evaluates information about workplace conditions and provides information about potential violations and available laws to address these violations, as well as all claim-filing alternatives. In addition to conducting research online or in relevant databases, communicate with other programs and/or agencies as needed to identify relevant information about employer's identity, location, or operation, including verification of workers' compensation coverage. Refers cases to respective programs and coordinates real time application of recovery tools. Preliminarily communicates with employer or their representative verbally or in writing to address allegations, resolve dispute, or advance the claim. Directs the public to available resources, online or otherwise, and provides informational materials to workers and employers. Responds to inquiries by the public regarding case status by communicating appropriate information available in case management system or by communicating with respective team members to obtain status. Participates in claim filing clinics, including

	assisting the public with completing various claim forms and providing information about local advocates that provide free legal services. Enters all claims received from 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 to the overall work of the program and team morale.

Supervision Received

Under general supervision of the Deputy Labor Commissioner Supervisor.

Supervision Exercised

None.

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

Work Environment

The incumbent will spend most of the time working at their assigned district office. The incumbent's work area will be a cubicle equipped with standard office equipment. Overtime and 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 vision of the Labor Commissioner's Office for the highest public good.

Physical Abilities

This position requires the ability to remain stationary and work at a computer for extended periods of time and to safely move, transport, and/or manipulate office supplies and equipment weighing up to 25

pounds.

Additional Requirements/Expectations

Employees are expected to be able to work independently in a fast-paced team environment and to work well with the public and colleagues.

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	09/15/2026
C&S Analyst Initials	Approval Date