DUTY STATEMENT

☐**CURRENT** ☒**PROPOSED**

RPA Number: **HRC0005554**	Classification Title: **Attorney III**	Position Number: **835-217-5795-701**
Incumbent Name:	Working Title: **Attorney III**	Effective Date:
Tenure: **Permanent**	Time Base: **Full Time**	Intermittent Hours Per Month:
Division/Office: **Legal Affairs Office**	Section/Unit: **Beverage Container Recycling Program Unit**	Reporting Location: **Sacramento, Ca**
Supervisor's Name: **Shanon Pavao**	Supervisor's Classification: **Attorney Supervisor**	CBID: **R02**
Confidential Designation: ☐YES ☒NO	Designated Position for Conflict of Interest: ☒YES ☐NO	Position Telework Eligible: ☒YES ☐NO
Supervision Exercised: ☒None ☐Lead ☐Managerial ☐Supervisory		

Human Resources Use Only:	
HR Analyst Approval:	**Date:**

General Statement:
This position requires the incumbent to maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely and efficient manner; and adhere to department policies and procedures regarding attendance, leave, and conduct.

Position Description:
Under direction of the Attorney Supervisor within the Beverage Container Recycling Unit, the Attorney III is responsible for independently handling their own workload. The Attorney III will be required to maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely and efficient manner; and, adhere to department policies and procedures regarding attendance, leave, and conduct. Some of these duties will require in-person presence. Specific duties include, but are not limited to:

Essential Functions (including percentage of time):

30% Independently prepare cases, advise and represent the Department in complex administrative actions including administrative hearings and settlement negotiations. Provide litigation support to the Attorney General's Office for civil and criminal proceedings.

20% Independently analyze legal issues, prepare memoranda, briefs, and letters to program participants, stakeholders, and other attorneys. Analysis of legal issues includes research and analysis of state and federal case law, bills, statutes, regulations and procedures associated with the Beverage Container Recycling and Litter Reduction Act and Chapter 5 of Title 14 of the California Code of Regulations. Issues raised may be in the areas of civil law, administrative law, regulatory laws, contracts, constitutional law, property law (including intellectual property), criminal law, and tort law.

20% Independently review and respond to California Public Records Act requests.

20% Advise Department personnel regarding all aspects of the Beverage Container Recycling Program. Work with the Executive Office, Divisions, and program staff to develop policies, procedures, and regulations in order to implement the Beverage Container Recycling & Litter Reduction Act.

Marginal Functions (Including a percentage of the time):

5% Other duties as assigned. Travel may be required locally and within the state.

5% Perform general administrative functions incidental to the essential functions of the position and the Legal Office.

Typical Physical Conditions/Demands:
The job requires extensive use of a personal computer and the ability to sit/stand at a desk, utilize a phone, and type on a keyboard for extended periods. Ability to lift 15 pounds, bend, and reach above

shoulders to retrieve files and/or documents.

Typical Working Conditions:
The incumbent works in a high-rise office building in an enclosed, non-windowed office cubicle in a smoke-free environment. The work schedule is Monday through Friday. Mandatory overtime, including evening and weekend work, may be necessary during the year end closing process or when the department is mission tasked.

Special Requirements of Position (Check all that apply):
☐ Duties performed may require pre-employment and/ or routine screenings (background/criminal/fingerprint clearance, drug testing, fingerprinting, physical, etc.).
☐ Duties require participation in the DMV Pull Notice Program.
☐ Performs other duties requiring high physical demand. (Explain below)
☐ Requires repetitive movement of heavy objects and/or operation of heavy machinery or motorized vehicles.
☐ Other (Explain below)

Explanation:

Incumbent:
Classification: Attorney III
Position Number: 835-217-5795-701

Supervisor Statement

I certify this duty statement represents an 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	Date

Employee Statement

I have discussed these duties with my supervisor and have been provided a copy of this duty statement. I certify I have read, understand, and can perform the duties of this position either with or without reasonable accommodation*.

**A Reasonable accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity. (If you believe reasonable accommodation is necessary, check yes. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Reasonable Accommodation Coordinator.)*

Employee Name	Employee Signature	Date