State of California
Department of
Industrial Relations

DUTY STATEMENT

☐ **CURRENT**

☒ **PROPOSED**

CIVIL SERVICE CLASSIFICATION	WORKING TITLE
Attorney	Staff Attorney

PROGRAM NAME	UNIT NAME
Division of Labor Standards Enforcement	Legal

ASSIGNED SPECIFIC LOCATION	POSITION NUMBER
Salinas	400 – 536-5778-xxx

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

General Statement

Under direction of the Attorney Supervisor, the incumbent will represent the Labor Commissioner's Office and act as counsel, advising the Labor Commissioner and the public on California employment law. The incumbent is assigned to a variety of tasks involving litigation, negotiations, advice and counsel, legislative liaison work, hearings, trials, legal research, legal opinions, legal writing on cases and appeals. The incumbent works on contributing to labor and employment rights-related matters. The ability to travel is required for this position.

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

Percentage of Time Spent	Duties **Essential Job Functions**
40%	The incumbent represents the Labor Commissioner in administrative hearings and civil proceedings in cases involving unpaid wages, minimum labor standards, licensing, retaliation, public works issues and other violations of the Labor Code; responsible for providing legal counsel to the Labor Commissioner and staff on jurisdictional issues and application of the law; prepare cases for administrative hearings and civil litigation, including but not limited to pre-trial discovery, law and motion, legal pleadings, and trial practice; represents the Labor Commissioner at administrative hearings and trials, including drafting briefs related to decisions issued by the Labor Commissioner; defends the Labor Commissioner's Office in state and federal court actions, including writs and appeals; prepares staff memoranda and performs staff training as requested; and may also represent employees in court or arbitration proceedings.
30%	Prepares pleadings, petitions, briefs and conducts litigation before the trial and appellate courts of California and the United States; propounds and responds to civil discovery; performs legal research, assembles and evaluates evidence, and prepares witnesses for depositions, hearings and trials.
10%	Provides legal consultation and serves as a hearing officer over talent agency controversies, licensing hearings and citation appeals within the LCO's statutory authority; assumes responsibility for preparation and filing of administrative rules.

10%	Develops proposed legislation and prepares summaries of court decisions and laws enacted by the Legislature; Provides routine training to program staff and stakeholders.
5%	Corresponds and consults with the Attorney General's office, outside agencies and stakeholders on legal matters against the Labor Commissioner's Office or its agents; Assists with legal review of documents and responses to Public Records Act and litigation. Prepares and reviews outreach materials and participates in division and agency outreach events.
Percentage of Time Spent	**Marginal Job Functions**
5%	Perform other job-related assignments, including those that support the operational needs of the organization.

Conduct, Attendance, and Performance Expectations

This position requires a high degree of professionalism, independence, organization and productivity. A LCO Attorney manages a substantial caseload and performs entry to mid-level attorney work, exercising initiative and sound judgment. All attorneys within the LCO are expected to conduct themselves ethically, behave professionally at all times while representing the Division and Department and to demonstrate good judgment. Conduct shall be respectful and reflective of a professional team environment in accordance with the LCO's mission and vision. According to Bargaining Unit 2 MOU, "[e]mployees are expected to work all hours necessary to accomplish their assignments and fulfill their responsibilities. Employees will normally average forty (40) hours of work per week including paid leave; however, work weeks of a longer duration may occasionally be necessary."

Supervision Received

Under direction of an Attorney Supervisor. May receive direction from an Assistant Chief Counsel.

Supervision Exercised

None.

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

Work Environment

May work in high-rise building in downtown locations. Must work in office. Workspace is a standard office in a smoke-free environment.

Special Requirements/Other Information

Active membership in The California State Bar

Physical Abilities

Must be able to remain stationary for at least 50% of the workday. Must be able to move or

manage office equipment or similar weighing up to 15 pounds

Additional Requirements/Expectations

The Attorney is expected to travel via land and air (including overnight travel out of town) and arrange schedules to perform duties and meet the objectives of the program.

Personal Contacts

As needed, an Attorney will also have contact with the general public, California State and outside legal, program, court and agency staff via phone, email, in person, via presentation, video and mail. Such contact may include general, confidential, sensitive, technical and informative materials.

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

RP	10/20/2025
C&S Analyst Initials	Approval Date