

Current     Proposed

<b>Classification Title</b> Labor Relations Counsel II	<b>Division/Unit</b> Legal Division
<b>Working Title</b> Labor Relations Counsel	<b>IT Domain</b> (if applicable)
<b>Position Number</b> 363-400-6093-XXX	<b>Effective Date</b>
<b>Name</b>	<b>Date Prepared</b> March 4, 2019

## CalHR Mission and Vision

The California Department of Human Resources (CalHR) is responsible for all issues related to employee salaries and benefits, job classifications, civil rights, training, exams, recruitment and retention. For most employees, many of these matters are determined through the collective bargaining process managed by CalHR.

**Our Vision:** To be the premier leader and trusted partner in innovative human resources management.

**Our Mission:** To provide exceptional human resources leadership and services with integrity, respect and accountability to state departments and all current and prospective employees.

## General Statement

Under the direct supervision of an Assistant Chief Counsel (ACC), and under the general supervision of the Chief Counsel and Deputy Chief Counsel, the Labor Relations Counsel II (LRC II) is an experienced journey-level attorney performing more difficult legal work with increased independence and responsibility. The LRC II provides increasingly more complex representation of CalHR and other state departments in various areas of labor and employment law. Under the direction of a senior attorney or an ACC, the LRC II may be assigned matters of greater difficulty, complexity and of a sensitive nature. Duties include, but are not limited to, the following:

## Job Functions

[Essential (E) / Marginal (M) Functions]:

- 60%    Independently conduct hearings that include those of increased difficulty. Assist in more complex arbitration hearings regarding collective bargaining agreement disputes, and in administrative forums such as, but not limited to unfair practice charges and representation issues before the Public Employment Relations Board, personnel actions before the State Personnel Board, and non-merit statutory appeals before CalHR's Statutory Appeals Unit. (E)
  
- 20%    Research and analyze issues, including those that are more difficult, and communicate legal advice and opinions in both written and oral form to internal CalHR divisions and client departments in various areas of law, including but not limited to labor and employment law. The LRC II will be assigned legal issues that include more complex and sensitive matters. The LRC II may assist in or provide legal opinions to the Director, the California Government Operations Agency (GovOPS), the Governor's Office, or other high-ranking officials. (E)

- 5% Prepare bill and other legislative analyses; assist or respond to Public Records Act requests; draft and/or revise policies, proposed legislation, and proposed regulations. (E)
- 5% Assist in and conduct civil litigation in state and federal court, in such matters as petitions to compel arbitration, petitions to vacate arbitration decisions, petitions for writ of mandates regarding departmental decisions, laws, or rules, and court actions arising from litigation in administrative forums. (E)
- 5% Conduct training. (M)
- 5% Perform other duties as required consistent with division needs. (M)

## **Supervision Received**

The LRC II reports directly to and receives the majority of their assignments from the ACC; however, direction and assignments may also come from the Chief Counsel and the Deputy Chief Counsel. The LRC II performs as an experienced journey-level practitioner and operates with increasing independence and greater responsibility than attorneys at the lower levels.

## **Supervision Exercised**

None.

## **Special Requirements / Desirable Qualifications**

The duties of this position are performed indoors. The employee's workstation is located at 1515 "S" Street building and is equipped with standard or ergonomic office equipment, as appropriate. Travel may be required to attend meetings or training classes.

Active membership of the State Bar of California is required.

The LRC II is expected to communicate effectively, both verbally and in writing, have an ability to pay attention to details, and be flexible in changing work assignments and meeting timelines and deadlines with little to no notice.

The LRC II will be required to regularly travel throughout the state, which may include going to correctional facilities, state hospitals, and other state facilities. Travel requirements may include overnight travel.

The LRC II is expected to operate standard office equipment such as, but not limited to, a personal computer (desktop or laptop), copier and scanning equipment, word processing software, document management software, and billing software. The LRC II may be required to care and/or move case materials such as files, documents, boxes, and books.

## **Working Conditions**

The duties of the LRC II are primarily performed indoors, but may require work outdoors as needed to investigate or prepare cases for hearing, and other job-related duties. The LRC II may also be required to work varied hours and in excess of 40 hours per week to perform the functions of the job and to meet timelines, including, as needed, working on weekends and/or holidays.

## **Attendance**

Must maintain regular and acceptable attendance at such level as is determined at the Department's sole discretion. Must be regularly available and willing to work the hours the Department determines are necessary or desirable to meet its business needs.

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.\*** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Personnel analyst.)

*\*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.*

Duties of this position are subject to change and may be revised as needed or required.

<b>Employee Signature</b>	<b>Employee Printed Name</b>	<b>Date</b>

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

<b>Supervisor Signature</b>	<b>Supervisor Printed Name</b>	<b>Date</b>

Current     Proposed

<b>Classification Title</b> Labor Relations Counsel I	<b>Division/Unit</b> Legal Division
<b>Working Title</b> Labor Relations Counsel	<b>IT Domain</b> (if applicable)
<b>Position Number</b> 363-400-6092-XXX	<b>Effective Date</b>
<b>Name</b>	<b>Date Prepared</b> March 4, 2019

## CalHR Mission and Vision

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**Our Vision:** To be the premier leader and trusted partner in innovative human resources management.

**Our Mission:** To provide exceptional human resources leadership and services with integrity, respect and accountability to state departments and all current and prospective employees.

## General Statement

Under the direct supervision of an Assistant Chief Counsel (ACC), and under the general supervision of the Chief Counsel and Deputy Chief Counsel, the Labor Relations Counsel I (LRC I) is an experienced working-level attorney performing legal work of average difficulty with increased independence and responsibility. The LRC I provides representation on matters of average difficulty and complexity to CalHR and other state departments in various areas of labor and employment law. Under the direction of a senior attorney or an ACC, the LRC I may be assigned more difficult and complex matters. Duties include, but are not limited to, the following:

## Job Functions

[Essential (E) / Marginal (M) Functions]:

- 60%    Independently conduct hearings of average difficulty. Assist in more complex hearings in arbitration regarding collective bargaining agreement disputes, and in administrative forums such as, but not limited to unfair practice charges and representation issues before the Public Employment Relations Board, personnel actions before the State Personnel Board, and non-merit statutory appeals before CalHR's Statutory Appeals Unit. (E)
- 20%    Research and analyze average to increasingly more difficult legal issues, and communicate legal advice and opinions in both written and oral form to internal CalHR divisions and client departments in various areas of law, including but not limited to labor and employment law. (E)
- 10%    Prepare legislative analyses; assist or respond to Public Records Act requests; and draft and/or revise policies, proposed legislation, and proposed regulations. (E)

- 5% Assist in and conduct civil litigation in state and federal court, in such matters as petitions to compel arbitration, petitions to vacate arbitration decisions, petitions for writ of mandates regarding departmental decisions, laws, or rules, and court actions arising from litigation in administrative forums. (E)
- 5% Perform other duties as required consistent with division needs. (M)

## **Supervision Received**

The LRC I reports directly to and receives the majority of their assignments from the ACC; however, direction and assignments may also come from the Chief Counsel and the Deputy Chief Counsel. The Assistant Chief Counsel makes assignments, monitors priorities and deadlines, and assists the incumbent with usual situations that do not have clear objectives. The incumbent plans and carries out successive steps and resolves problems and deviations in accordance with instructions, policies, and accepted practices. The supervisor reviews the work for substance, technical adequacy and conformance with practice and policy and the law.

## **Supervision Exercised**

None

## **Special Requirements / Desirable Qualifications**

The duties of this position are performed indoors. The employee's workstation is located at 1515 "S" Street building and is equipped with standard or ergonomic office equipment, as appropriate. Travel may be required to attend meetings or training classes.

Active membership of the State Bar of California is required.

The LRC I is expected to communicate effectively both orally and in writing, have an ability to pay attention to details, and be flexible in changing work assignments and meeting timelines and deadlines with little to no notice.

The LRC I will be required to regularly travel throughout the state, which may include going to correctional facilities, state hospitals, and other state facilities. Travel requirements may include overnight travel.

The LRC I is required to operate standard office equipment such as, but not limited to a personal computer (desktop or laptop), copier and scanning equipment, word processing software, document management software, and billing software. The LRC I may be required to carry and/or move case materials such as files, documents, boxes, and books.

## **Working Conditions**

The duties of the LRC I are primarily performed indoors, but may require work outdoors as needed to investigate or prepare cases for hearing, and other job-related duties. The LRC I may also be required to work varied hours and in excess of 40 hours per week to perform the functions of the job and to meet timelines, including, as needed, working on weekends and/or holidays.

## **Attendance**

Must maintain regular and acceptable attendance at such level as is determined at the Department's sole discretion. Must be regularly available and willing to work the hours the Department determines are necessary or desirable to meet its business needs.

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Duties of this position are subject to change and may be revised as needed or required.

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