

State of California  
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

**POSITION DUTY STATEMENT**

BU: 2, 7, & Non-represented

EMPLOYEE:	CLASS TITLE: Attorney III	HEADQUARTERS: Mather Campus
PROGRAM/UNIT: Office of Policy & Admin, Legal Affairs, Legal Services I unit	POSITION / CONTROL NUMBER: 163-112-5795-004 / CN 10009	CBID: R02
TENURE: Permanent	TIME BASE: FT	WORK WEEK GROUP: SE
EFFECTIVE DATE:	RANGE (IF APPLICABLE): N/A	PROBATIONARY PERIOD: <input type="checkbox"/> 6 Mos. <input checked="" type="checkbox"/> 12 Mos. <input type="checkbox"/> N/A
IMMEDIATE SUPERVISOR:	CONFLICT OF INTEREST CATEGORY: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DMV PULL PROGRAM: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>1. SUPERVISION RECEIVED: The Attorney III is under the general direction of the Assistant Chief Counsel, Legal Services Division.</p>		
<p>2. SUPERVISION EXERCISED: N/A</p>		
<p>3. PHYSICAL DEMANDS (SEE ADDITIONAL PAGES) The incumbent must be able to negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals and organizations and maintain the confidence and respect of others; and work effectively under pressure.</p>		
<p>4. PERSONAL CONTACT (WHO THE EMPLOYEE MAY BE IN CONTACT WITH WHILE PERFORMING DUTIES): The incumbent will interact frequently with a variety of California Governor's Office of Emergency Services (Cal OES) staff from many areas including executive, other state departments and outside public entities. Occasionally the position may interact with control agencies such as the Department of Finance or various legislative committees.</p>		
<p>5. ACTIONS AND CONSEQUENCES (AS RELATED TO DUTIES PERFORMED): Communication in the Legal Services Division is sensitive and material products must be timely and carefully prepared to ensure that issues are addressed and penalties and/or other significant consequences are avoided.</p>		

6. EMERGENCY OPERATIONS – ACTIVATION/OPERATIONAL ASSIGNMENT 100%:

When requested to fill an operational assignment and until demobilized, the following duties will be performed and your regular duties may temporarily cease:

When not on-call, standby or Duty Officer status, if called upon by Cal OES Management (including contact from the California State Warning Center), you are required to make contact as soon as possible.

Shall be required to work in the State Operations Center (SOC), Regional Emergency Operations Center (REOC), Joint Field Office (JFO), Area Field Office (AFO), Local Assistance Center (LAC), or other location to provide assistance in emergency response and recovery activities. All staff is required to complete operational related training and participate in one of three Readiness Teams that rotate activation availability on a monthly basis if not assigned to an Operational Branch (e.g., Fire/Law/Region). May be required to participate in emergency drills, training, and exercises.

Staff need to work effectively under stressful conditions; work effectively & cooperatively under the pressure of short leave time; work weekends, holidays, extended and rotating shifts (day/night). Statewide travel may also be required for extended periods of time and on short notice.

While fulfilling an operational assignment it is important to understand that you are filling a specific "position" and that position reports to a specific Incident Command System (ICS) hierarchy. This is the chain of command that you report to while on this interim assignment.

On Call/Standby/Duty Officer (if applicable)

If assigned on-call, standby or as a Duty Officer, you are required to be ready and able to respond immediately to any contact by Cal OES Management (including contact from the California Warning Center) and report to work in a fit and able condition if necessary as requested.

7. JOB DESCRIPTION/GENERAL STATEMENT:

Under the general direction of the Assistant Chief Counsel, Legal Services Division the Attorney III independently performs the most complex and sensitive legal assignments, and serves as the expert/lead attorney in the Cal OES Legal Services Division.

The position requires a high level of expertise on the demanding legal issues that affect Cal OES, ability to act with minimal supervision, and consistently exercise independent professional discretion on a diverse variety of problematic and complex legal issues and strategies. The legal advice provided may possibly have significant public safety, policy, and fiscal ramifications outside of the department and state government.

Percent of Time	ESSENTIAL FUNCTIONS
30%	<p><b>(E) Complex Program Advice and Legal Opinions</b></p> <p>Provide essential expert and complex legal research and analyses to support the unique programs of Cal OES. This includes developing presentations, difficult opinions, complex legal briefs, and memorandums of understanding to address the wide breadth of programmatic public safety issues under the purview of Cal OES. The incumbent will exercise a high level of knowledge regarding the legal authorities and responsibilities of all Cal OES programs, including emergency response, mutual aid, fire suppression, law enforcement, disaster recovery, hazardous materials, environmental quality, hazard mitigation, criminal justice, victim's assistance, interstate assistance, and national security. Finally, the responsibility requires the ability to recognize the programmatic implications of the legal guidance provided.</p>
25%	<p><b>(E) Support to Policy Makers</b></p> <p>Provide expert legal assistance, legal review, and legal strategies to support the deliberations and policy decisions of the Cal OES Executive staff. This includes providing confidential advice on sensitive policy considerations; representing the Office of the Director and Executive staff in negotiations with local and state agencies, federal agencies, and national associations. Reviewing the legal implications of legislation which influences the department and negotiating with legislative staff; providing legal review of public records requests; developing long-term legal strategies to support the department's mission; serving as the department's liaison to the Governor's Legal Affairs Office; and, providing legal counsel to various commissions, task forces, and advisory committees under the purview of the department, including but not limited to compliance with the Bagley-Keene Act where applicable. This will also include representing Cal OES' legal position before a variety of commissions, advisory groups, and other tribunals.</p>
25%	<p><b>(E) Personnel and Administrative Support</b></p> <p>Support and ensure the satisfactory legal resolution of sensitive and confidential issues raised by the department's personnel, labor, equal opportunity, contracting, business services, fiscal, worker's compensation, and grants management functions. This includes providing sound advice and skilled representation on personnel matters from informal stages through administrative hearings (including at State Personnel Board, California Department of Human Resources, Equal Opportunity Employment Commission, Employment Development Department, and California Civil Rights Department), and appeals to higher courts; advice and review on complex contract and procurement matters; interpretation of labor contracts; advice and counsel regarding applicable state and/or federal equal opportunity, civil rights, and disability laws, including reasonable accommodation and return-to-work issues; clarification of state and federal grants administration issues; guidance and review of department regulations for compliance with the Administrative Procedures Act; and, advice and review on the department's compliance with the Information Practices Act and Public Records Act.</p>

5%	(E) Liaises with the Office of Attorney General on potential and pending litigation. Supports and ensures the satisfactory legal resolution of litigation and other legal matters.
5%	(E) Reviews, monitors, and directs internal audits and legal review to ensure compliance with federal procedures and regulations concerning grants and the distribution of emergency funds throughout the state for disaster prevention, mitigation and recovery.
5%	(E) Provide response and recovery support during and following disasters, including drafting and/or reviewing proclamations, executive orders, and requests for federal assistance; provides support to task forces; ensures adequate legal staffing at the Joint Field Office, when appropriate.
<i>Percent of Time</i>	MARGINAL FUNCTIONS
5%	<p><b>(M) Other Related Duties</b></p> <p>The incumbent will perform other related duties as required to fulfill the Cal OES mission, goals and objectives. Additional duties may include, but not be limited to: (a) assisting where needed within the program, which may include special assignments; (b) complying with general State and Cal OES administrative reporting requirements (i.e. completion of time sheets, project time reporting, travel requests, travel expense claims, work plans, training requests, individual development plans, etc.); and (c) attendance at staff meetings.</p>

**PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS**

<b>Activity</b>	<b>Not Required</b>	<b>Less than 25%</b>	<b>25% to 49%</b>	<b>50% to 74%</b>	<b>75% or More</b>
VISION: Reviewing mail; preparing various forms; proofreading documents; reading printed material, computer screens, and handwritten materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HEARING: Answering telephones; receiving verbal information from outside sources; understanding verbal instruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SPEAKING: Receiving visitors; answering inquiries and providing verbal information or instruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MOVEMENT: Delivering material to others; picking up materials from others; copying; faxing; distributing information; filing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SITTING: At a computer terminal or desk; conferring with employees.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STANDING:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BALANCING:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONCENTRATING: Reviews and reads records/documents, researches, composes, analyzes, compiles, and updates technical documents; multi-tasking; prepares various forms and documents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMPREHENSION: Understanding needs of co-workers, clients; understands procedures and practices; Understands laws, regulations related to their work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING INDEPENDENTLY: Possesses ability to work independently as well as a team member, have good interpersonal and communication skills, ability to follow directions, take initiative, assume responsibility, and exercise good judgment and tact. Must be able to work alone without much guidance or interaction or interaction from other staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
LIFTING UP TO 10 LBS. OCCASIONALLY:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS**

<b>Activity</b>	<b>Not Required</b>	<b>Less than 25%</b>	<b>25% to 49%</b>	<b>50% to 74%</b>	<b>75% or More</b>
LIFTING UP TO 20 LBS. OCCASIONALLY AND/OR 10 LBS. FREQUENTLY:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIFTING UP TO 20-50 LBS. OCCASIONALLY AND/OR 25-50 LBS. FREQUENTLY:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FINGERING: Pushing buttons on telephone; typing; copying.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
REACHING: Answering phones.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CARRYING: Distributing mail; reports; stocking supplies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CLIMBING: Stairs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BENDING AT WAIST:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KNEELING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PUSHING OR PULLING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HANDLING: Documents, manuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OPERATING EQUIPMENT: Computer; telephone; copy machine; fax.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING INDOORS:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING OUTDOORS:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING IN CONFINED SPACE: Enclosed office environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## OTHER INFORMATION

Must have knowledge of the state and related federal laws, rules, regulations, policies, and procedures. Must exercise good writing skills; follow oral and written directions, be responsive to the needs of the public and employees of Cal OES and other agencies; analyze situations and take effective action using initiative, resourcefulness, and good judgment. May need to work with limited supervision.

Consistent with good customer service practices and the goals of the Cal OES Strategic Plan, the incumbent is expected to be courteous and provide timely responses to internal and external customers, follow through on commitments, and solicit and consider internal and external customer input when completing work assignments.

## SIGNATURES

### Certification of Applicant/Employee

*Note – If any concerns with performing the duties of this position with or without reasonable accommodation, discuss your concerns with the hiring supervisor, who in turn, will discuss with the Reasonable Accommodation Coordinator.*

*I 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 the assigned duties as described above with or without reasonable accommodation.*

*I have read and discussed these duties with my supervisor:*

\_\_\_\_\_  
*Employee's Signature*

\_\_\_\_\_  
*Date*

*I certify that the above accurately represents the duties of the position:*

\_\_\_\_\_  
*Supervisor's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Civil Service Title*