

# Department of Consumer Affairs

## Position Duty Statement

HR-41 (Revised 7/2015)

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| Classification Title                   | Board/Bureau/Division                     |
|--|---|
| Associate Governmental Program Analyst | Board of Barbering and Cosmetology        |
| Working Title                          | Office/Unit/Section / Geographic Location |
| Complaint Analyst                      | Enforcement Unit / Sacramento             |
| Position Number                        | Name and Effective Date                   |
| 636-110-5393-802                       |   |

**General Statement:** Under the direction of the Staff Services Manager I (SSM I) in the Enforcement Unit, the Associate Governmental Program Analyst (AGPA) independently reviews complaints and conducts administrative investigations against Board of Barbering and Cosmetology licensees. Duties include, but are not limited to, the following:

### A. Specific Assignments [Essential (E) / Marginal (M) Functions]

#### **60% (E) Case Management and Analysis**

Independently reviews incoming complaints relating to consumer harm, unlicensed activity, and health and safety to determine the most appropriate action to address alleged violation. Evaluates complaint and inspection histories to determine violation or complaint patterns. Requests inspections, generates correspondence to request more information from the complainant or respondent, and refers complaints to the Division of Investigation (DOI). (30%)

Independently reviews and evaluates incoming inspection and/or DOI reports and photographs along with any supplemental report information obtained to determine appropriate disciplinary action. (15%)

Responds in writing and/or by telephone to the most complex complaints regarding barbering, cosmetology, and electrology from consumers, licensees, and other enforcement entities. Interprets and explains business and professions code and Board regulations to consumers, licensees, and other enforcement or governmental agencies. (10%)

Performs internal administrative functions such as monitoring caseload using monthly enforcement reports and case aging reports to ensure efficiency and compliance with Consumer Protection Enforcement Initiative (CPEI) recommendations. (5%)

#### **15% (E) Administrative Investigation**

Independently identifies, gathers, assembles, evaluates, and preserves complainant, witness, licensee, and expert statements and other evidence used in administrative discipline. Independently reviews all evidence obtained during investigation for sufficient facts that support a violation of the law. Prepares concise, detailed reports of the events of an investigation, which includes documenting evidence and statements from witnesses, and a general synopsis to ensure the findings are fully supported by facts and other evidence. Recommends appropriate action to the SSM I.

Communicates in writing and/or by telephone with the Attorney General's Office, Division of Investigation, other jurisdictional agencies (including law enforcement), complainants, and licensees during the investigation of cases.

**15% (E) Discipline**

Organizes licensing and inspection history documentation for transmittal of cases to the Attorney General's Office. Consults with the Deputy Attorney General during case preparation, settlement negotiations, hearings, and testifies at hearings. Reviews all legal documents prepared by the Deputy Attorney General before for accuracy before they are served.

Provides discipline recommendations to the SSM I and Deputy Attorney General. Negotiates settlements for disciplinary cases. Evaluates proposed decisions prepared by the Administrative Law Judge for accuracy.

**5% (E) Complaint Statistics**

Researches complaint, enforcement, and inspection violation patterns. Recommends policies and procedures for complaint mediation and enforcement activities to ensure that appropriate action is taken and to ensure consistency in those actions. Develops referral sources for both jurisdictional and non-jurisdictional complaints.

**5% (M) Meetings**

Represents the Enforcement Unit at meetings and/or conferences and prepares and delivers presentations on enforcement-related issues and activities.

**B. Supervision Received**

The AGPA works under the direction of the Staff Services Manager I of the Enforcement Unit and may also receive direction from the Staff Services Manager II, Deputy Executive Officer, and the Executive Officer.

**C. Supervision Exercised**

None.

**D. Administrative Responsibility**

None.

**E. Personal Contacts**

The AGPA has daily contact with licensees, consumers, and all levels of Board Staff. The AGPA has regular contact with Department of Consumer Affairs staff, Offices of the Attorney General and Administrative Hearings staff, legal offices, and law enforcement agencies.

**F. Actions and Consequences**

Failure to exercise good judgment in responding to requests for information and handling sensitive and confidential issues could result in information being released to unauthorized persons, which would be a violation of the Government Code. Mishandling of consumer complaints may hinder the disciplinary process and result in consumer harm.

**G. Functional Requirements**

The incumbent works 40 hours per week partially in an office setting with artificial light and temperature control, and partially at their home office, if desired. Daily access to and use of a personal computer and telephone is essential. Sitting and standing requirements are consistent with office work.

**H. Other Information**

The AGPA is assigned to work on a broad range of governmental and managerial problems associated with the Enforcement Unit. They must be able to reason logically and exercise good judgment, gain and maintain knowledge of the statutes and regulations applicable to barbering, cosmetology and electrology schools and establishments and the Administrative Procedures Act, and accurately document and report information based on written and verbal observations. The AGPA may be assigned to develop written procedures, review analytical studies and surveys, formulate policies and program alternatives, make recommendations to the SSM I on enforcement issues, analyze proposed legislation that may affect the Enforcement Unit, participate in or act as a lead on teams, conferences, or task forces on larger studies, and represent the Board or Department. The AGPA must be able to accurately assign priorities to multiple projects at any given time and always remain flexible. The AGPA must possess strong writing skills. Weekend, evening work, and overtime may be required. Travel throughout an assigned geographical area by various methods of transportation may be required.

**Conflict of Interest (COI)**

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1, and within 30 days of leaving office.

**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 Health & Safety analyst.)

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Employee Signature

Date

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Employee's Printed Name, Classification

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

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Supervisor Signature

Date

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Printed Name, Classification

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