

**DUTY STATEMENT**

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Employee Name: TBD	Current Date: TBD
Classification: Attorney III	Position #: 673-110-5795-XXX
Division/Office: Executive Office	CBID: R02
Section: Legal Office	
Supervisor Name: Pippin Brehler	Supervisor Classification: Assistant Chief Counsel

I certify that this duty statement represents an accurate description of the essential functions of this position.	
Supervisor:	Date:

I have read this duty statement and agree that it represents the duties I am assigned.	
Employee:	Date:

**SPECIAL REQUIREMENTS OF POSITION (IF ANY):**

- Designated under Conflict of Interest Code.
- Duties performed may require pre-employment physical.
- Duties performed may require drug testing.
- Duties require participation in the DMV Pull Notice Program.
- Requires the utilization of a 32-pound self-contained breathing apparatus.
- Operates heavy motorized vehicles.
- Requires repetitive movement of heavy objects.
- Works at elevated heights or near fast moving machinery or traffic.
- Performs other duties requiring high physical demand. (Explain below):
- Duties require use of hearing protection and annual hearing examinations.

**SUPERVISION EXERCISED**

<input checked="" type="checkbox"/> None	<input type="checkbox"/> Lead Person
<input type="checkbox"/> Supervisor	<input type="checkbox"/> Team Leader

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FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position DIRECTLY supervises: N/A

Total number of positions in Section/Branch/Office for which this position is responsible: N/A

FOR LEADPERSONS OR TEAM LEADERS ONLY:

Indicate the number of positions by classification that this position LEADS: N/A

MISSION OF SECTION: The Legal Office provides the highest level of legal support to the Board Members, Executive Office, and staff of the California Air Resources Board (CARB) on a variety of complex topics related to the control of air pollution (criteria pollutants, toxic air contaminants, and greenhouse gases), including, but not limited to: adoption, interpretation, implementation and enforcement of State and federal environmental laws and regulations, litigation in conjunction with the Attorney General's Office, personnel matters, contracts, conflicts of interest, hearing procedures, and proposed legislation. The Legal Office maintains the primary responsibility for assisting CARB staff in the development of regulations and the documentation necessary to support their adoption. The Legal Office also provides legal assistance to California's 35 Air Pollution Control and Air Quality Management Districts.

CONCEPT OF POSITION: Under the general direction of the Assistant Chief Counsel and the Chief Counsel, this position is anticipated to be involved in difficult and complex litigation, negotiations, legislative analysis, administrative and judicial hearings, legal research and opinion drafting; rendering legal advice to CARB management; responding to legal correspondence; developing strategies and tactics in complex disputes or litigation; and will coordinate their actions with other CARB attorneys, CARB management and program staff, and other state and local agencies to reach CARB's objectives.

The Attorney III will focus on developing, implementing, and enforcing regulations related to both CARB's mobile source and climate programs. The incumbent will be responsible for providing oral and written legal advice to CARB's executives, management, and staff on legal issues arising during regulation development, implementation, and enforcement of various air quality programs. Key functions of this position are to advise on requirements of the Administrative Procedures Act and the California Environmental Quality Act, to coordinate with federal and State agencies, to interpret specific statutory and regulatory provisions, to review legal aspects of staff reports, letters, guidance, and other documents, to provide legal assistance to support Board actions, and to provide legal assistance to staff and the Attorney General's office when a regulation is challenged.

The Attorney III will also focus on enforcing and defending CARB criteria pollutant, toxics and climate regulations, and assisting CARB staff with consideration of enforcement in the drafting of regulations, regulatory amendments, and guidelines throughout the rulemaking process. The Attorney III will also provide personnel advice for CARB human resources and health and safety staff; and will also provide advice for contracts and grants – the solicitation, implementation, and monitoring phases to comply with all state and federal laws.

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<u><b>% OF TIME</b></u>	<u><b>RESPONSIBILITIES OF POSITION</b></u>
30%-E	Assist in developing, implementing, and enforcing CARB regulations; negotiate and represent the agency in connection with enforcement and regulatory matters of concern to other public agencies; provide written and oral legal advice, statutory interpretations, and opinions for complex cases and issues; negotiate in conjunction with the Attorney General's Office to resolve major cases, including cases in litigation; and otherwise assist with litigation involving CARB.
20%-E	Independently provide written and oral legal advice, statutory interpretations, and opinions on complex matters. Draft and review CARB letters, guidance documents, staff reports, and other written material. Perform legal research and respond to legal correspondence.  The topics could include personnel matters, contracts, grants, health and safety, labor, conflicts, Board governance, the California Environmental Quality Act, and issues arising from CARB's climate and air quality.
15%-E	Conduct complex settlement actions to enforce the Board's programs, including those that pertain to climate and energy, vehicular emissions control, and vehicle certification and testing. Conduct negotiations, including all strategic and tactical actions involved. Provide similar assistance to local air pollution control districts.
15%-E	Draft, review, and comment on proposed legislation and assist in complex legislative matters.  Assist in resolving issues arising from Equal Employment Opportunity Office work.
10%-E	Assist the California Attorney General's Office in defending CARB's programs and in drafting formal enforcement complaints and prosecuting such cases.
5%-M	Represent CARB and appear in interdepartmental and external meetings, hearings, and training seminars.
5%-M	As needed, review for release documents requested under the Public Records Act for programs worked on.  Perform other duties as requested.