

**POSITION DUTY STATEMENT**

DFPI-HRO 203 (Rev. 08-21)



<b>NAME</b>	<b>EFFECTIVE DATE</b>
<b>CLASSIFICATION TITLE</b> Associate Governmental Program Analyst	<b>POSITION NUMBER</b> 410-103-5393-002
<b>WORKING TITLE</b> Associate Governmental Program Analyst	<b>DIVISION/OFFICE/UNIT/SECTION</b> Legal Division
<b>BARGAINING UNIT</b> R01	<b>GEOGRAPHIC LOCATION</b> Sacramento

**General Statement:** Under the general supervision of the Staff Services Manager I (SSM1), the Associate Governmental Program Analyst (AGPA) is responsible for: Drafting notices and other documents relating to government rulemaking. Reviewing, analyzing, and summarizing comments to agency rulemaking, suggesting changes to draft regulations, drafting memoranda on related matters. Drafting research reports about businesses or industries to help Department staff prepare for meetings with stakeholders. Assisting in the fulfilment of Public Record Act (PRA) requests, coordinating collection of information and record from within the Department for such matters. Managing and identifying database records. Drafting reports relating to the Legal Division’s work. Proofreading staff work-product for accuracy, grammatical correctness, and readability. Duties include, but are not limited to, the following:

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

40% (E) Independently researches, analyzes, and drafts non-substantive rulemaking packages in compliance with the Administrative Procedure Act. Researches and analyzes facts and law, including legislative history, in the development of regulations. Drafts notices of regulatory actions and drafts background information to support regulations. Researches, analyzes, and drafts memorandums analyzing the legal and policy impacts of regulations for the SSM1, Assistant Chief Counsel (ACC), or attorneys reporting to the ACC. Drafts transmittal memorandums and forms related to regulations. Tracks deadlines related to rulemaking. Reviews, analyzes, and summarizes public comments and drafts recommendations, including researching objections based on law or fact for the SSM1, ACC, or attorneys reporting to the ACC. Drafts regulatory text. Develops revisions to text to address stakeholder concerns. Works with internal programs to analyze the economic impact of rulemaking action. Prepares responses to inquiries regarding regulatory actions from the Business, Consumer Services and Housing Agency (Agency), the Office of Administrative Law (OAL), the Department of Finance, and other agencies. Arranges and schedules virtual and in-person regulatory hearings for the SSM1, ACC, or attorneys reporting to the ACC. Prepares hearing notices. Proofreads and formats rulemaking documents. Prepares annual rulemaking calendar for executive staff review and filing with OAL. Compiles reports on the status of the division’s rulemaking

**POSITION DUTY STATEMENT**

activity, performance metrics related to rulemaking, and other reporting related to rulemaking that may be requested by executive staff and Agency. Researches existing rules that need to be updated using WestLaw.

20% (E) Responds to Public Records Act (PRA) requests as further described below. Coordinates the receipt and tracking of PRA requests. Researches historical and current records and historical and current record-keeping systems throughout the Department and legacy departments to identify responsive records. Calendar statutory deadlines. Coordinates with internal divisions to gather responsive records. Reviews records to determine whether responsive. Analyzes records to determine whether they contain confidential, privileged, or other non-disclosable information, redacts and tracks non-disclosable information. Coordinates and provides internal training to Department program staff regarding receiving and responding PRA requests. Maintains record of responses. Coordinates with attorneys assigned to more complex PRA requests to ensure procedures and timelines are followed for the responses to PRAs. Provides customer service and assists the public in developing record requests and provides direction to assist the public in locating records that are not records of the Department. Analyzes requests that require data extraction and coordinates with program and information technology staff to extract and deliver requested data. Analyzes requests and the law to recover costs from requestors, coordinates with staff to identify costs, and coordinates with the public and accounting staff to recover costs. Analyzes whether a response to a request for records may be certified, and certifies responses to record requests as permissible and requested by the public. Recommends record-keeping enhancements to facilitate compliance with the law.

15% (M) Analyzes legislation and provides recommendations to the Commissioner on the position the Department should take on pending legislation. Drafts legislative proposals and makes recommendations on what Department laws should be updated. Researches legislative history. Coordinates the legislative and legal document digitization project (LOCATER).

15% (M) Maintains the Legal Division's public facing website, PRA Guidelines, intranet page, Operational Policy and Procedure Manual, and staff training. Maintains production reports, databases, physical files, and electronic file storage.

5% (M) Assists in scheduling and coordinating meetings and conferences. Responds to inquiries from the public and other regulators. Drafts correspondence. Assists in completion of administrative paperwork for Legal Division staff. Redacts confidential information from OAL proposed decisions and administrative records, opinion letters, rulemaking comment letters, and enforcement orders. Remediates documents pursuant to the Americans with Disabilities Act. Proofreads staff work-product for accuracy, grammatical correctness, and readability.

**POSITION DUTY STATEMENT**

5% (M) Performs other duties as assigned.

**A. Supervision Received**

The Associate Governmental Program Analyst reports directly to and receives the majority of assignments from the Staff Services Manager I; however, direction and assignments may also come from the Deputy Commissioner of the Legal Division or General Counsel, ACC, or an attorney reporting to the ACC.

**B. Supervision Exercised**

None.

**C. Administrative Responsibility**

None.

**D. Personal Contacts**

The Associate Governmental Program Analyst interacts with staff and management of all levels throughout the Department, Department leadership, other governmental agencies, and members of the general public. Other governmental agencies include control agencies, staff and members of the Legislature, staff of the Governor's office, other state agencies, and other federal agencies. The interactions may involve highly sensitive material and communications and may be frequent in nature.

**E. Actions and Consequences**

Inadequate performance of duties includes but is not limited to duties that are performed untimely, incomplete (including omitting material information), inaccurate (including errors), or in a manner lacking sound judgment or sound consideration of the consequences and risks of the recommended course of action. The consequences of failing to perform duties adequately include potential direct and indirect economic harm to impacted persons including, but not limited to, the Department, licensees, and other impacted parties; reputational harm to the Department and potentially the Administration; and other harm to the Department such as lost time and resources for the inadequate performance and the lost time and resources to remedy the inadequate performance, both within and outside the division and the Department. Inadequate performance of duties may result in significant or critical harm.

**G. Functional Requirements**

The Associate Governmental Program Analyst works 40 hours per week in an office setting, with artificial light and temperature control. Full or partial remote work may be required or optional. The use of a personal computer, telephone, copier, and fax machine is essential to the duties of this position. The position requires bending and stooping to retrieve files, sitting, and standing consistent with office work, and light lifting of no more than 25 lbs.

**POSITION DUTY STATEMENT**

**H. Other Information**

Regular travel is not required. However, the Associate Governmental Program Analyst may be required to travel to meet with staff in other offices, to attend training, to deliver files or packages, to retrieve files or packages, including from off-site storage locations, to conduct research at other locations, to attend meetings, and to attend events.

In performing the duties herein, the Associate Governmental Program Analyst must do all of the following:

Exercise good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, and manage time and resources effectively; work well with others, under changing priorities; attend work regularly and punctually; possess and exercise good written and verbal communication skills, including the ability to communicate clearly and competently, including with respect to both grammar and spelling; possess and exercise strong research, analysis, and problem-solving skills; take initiative, including possessing the ability to resolve matters quickly and effectively with little guidance; possess the ability to navigate both commercial and in-house databases and systems to retrieve information; exercise creativity and flexibility in problem identification and resolution; and manage time and resources effectively.

**POSITION DUTY STATEMENT**

DFPI-HRO 203 (Rev. 08-21) Page 5 of 5

**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.)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
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.**

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Printed Name, Classification