



Duty Statement

Classification: **Attorney III**

Position Number: **275-110-5795-056**

HCM#: **8306**

Branch/Section: **Legal Office / Advice - Health, Operations & Human Resources**

Location: **Sacramento, CA**

Working Title: **Attorney III**

Effective Date: **November 1, 2024**

Collective Bargaining Identifier (CBID): **R02**

Supervision Exercised: **Yes** **No**

Telework: **Office-Centered** **Remote-Centered** **Not Eligible**

The Legal Office represents CalPERS in litigation and provides formal and informal legal advice regarding all legal issues at CalPERS, including in the areas of benefit and membership entitlement, bankruptcy, health care, fiduciary matters, ethics, contracts, information technology, information security, public records, labor and employment, operations, open meetings, and investment related matters.

Under the general direction of the Assistant Chief Counsel, effective on the date indicated, the incumbent performs complex professional legal work within the Legal Office. The Attorney III assigned to the position identified above performs the following duties and responsibilities:

Essential Functions

Regular and consistent attendance in the office at least three days a week for teamwork, in-person collaboration, personal interactions with members, stakeholders, and other team members, cross-functional communications within CalPERS. In-person collaboration is essential to promote and foster innovation, creativity, and complete engagement by the team. Coordinating work in person allows the teams to stay functional and aligned with the work of others. Being present in the office is essential to allow for immediate accessibility for discussions, questions, mentoring, or strategy sessions between team members.

25% Onsite¹ and virtually, independently advises CalPERS staff, including program and executive management, on a variety of complex legal issues and policies and procedures relating to human resources, the contracting for goods and services, information technology, and information security. Drafts, reviews, negotiates, and approves procurement documents, competitive solicitation/bidding documents, contracts, and contract-related documents. Advises CalPERS staff, including program and executive management, on complex legal issues related to information technology, information security, and intellectual property, including contracting issues related to the same. Assists in negotiating contracts, including

information security provisions and agreements. Reviews and advises on Non-Disclosure Agreements. Represents CalPERS in contract and competitive bidding disputes and protests. Directs or assists program areas with contract reviews, competitive solicitations, audits, assessments, and investigations.

- 25% Onsite and virtually, advises senior leadership and program staff in the Health Policy and Benefits Branch regarding healthcare matters confronted under the Public Employees' Medical and Hospital Care Act (PEMHCA), including statutory interpretation, establishment and maintenance of contracts with Health Maintenance Organization plans, a self-funded Preferred Provider Organization administrator, the pharmacy benefit manager, the self-funded long-term care program, and health care reform. Confers with CalPERS senior management and others to gather necessary background, interpretation, and context of issues and facts presented in opinion requests. Researches and writes formal and informal legal opinions specific to health and long-term care benefits administered under PEMHCA. Ensures opinions are timely, accurate and complete.
- 25% Onsite and virtually, independently advises CalPERS staff, including program and senior management, on a variety of complex legal issues specific to health program areas, retirement program areas, and CalPERS administrative divisions. Provides formal, informal and oral legal advice on matters related to government law, including Constitutional and statutory interpretation, administrative law, the Public Contract Code, the Public Employees' Retirement Law, open meeting law, public records requests, State Administrative Manual, Statewide Information Management Manual, State Contracting Manual, and conflicts of interest law. Ensures legal advice is timely, accurate and complete, and presents alternative courses of action and analysis of those alternatives where appropriate, along with a recommendation. Keeps clients informed of the status of all assignments. Keeps the Assistant Chief Counsel, Deputy General Counsel, and General Counsel informed of the status of all significant issues and assignments.
- 20% Onsite and virtually, independently researches and prepares formal written legal opinions on complex legal issues. Confers with system management, staff and others to gather necessary background, interpretation, and context of issues and facts presented in opinion requests. Researches the legislative history of various statutes. Independently reviews and approves critical correspondence and other critical documents. Drafts critical documents and represents the system on a variety of legal issues. Evaluates state and federal legislation to determine the potential impact on CalPERS, including assisting in the preparation of bill analyses, drafting legislation, recommending amendments, and reviewing and assisting with the promulgation of regulations.
- 5% Onsite and virtually, prioritizes and schedules work so that work flows smoothly through the Legal Office and ensures assignments are completed in a timely manner. Attends continuing education/training classes as needed and stays apprised of developments in all legal issues affecting the services provided by CalPERS.

Working Conditions

- ¹ This position is designated as office-centered and works primarily onsite at the Sacramento, CA - Headquarters at least three weekdays.

Conduct, Attendance and Performance Expectations

- Ability to maintain consistent attendance.
- Ability to demonstrate punctuality, initiative, and dependability.
- Ability to model and support CalPERS Core Values (Integrity, Accountability, Respect, Openness, Quality and Balance).
- Ability to model CalPERS Competencies and demonstrate proficiency in; Collaboration, Leading People, Leading Change, Driving Results, Business Acumen, Communication, and Leading Self.

I have read and understood the duties and essential functions of the position and can perform these duties with or without reasonable accommodation.

Employee Name (Print):

Employee Signature: _____ **Date:**

I certify that the above accurately represent the duties of the position.

Supervisor Signature: _____ **Date:**