

# DUTY STATEMENT



**CURRENT**  
 **PROPOSED**

<b>CIVIL SERVICE CLASSIFICATION</b> Deputy Labor Commissioner (DLC) I		<b>WORKING TITLE</b> Retaliation Complaint Investigator		
<b>PROGRAM NAME</b> Division of Labor Standards Enforcement		<b>UNIT NAME</b> Retaliation Complaint Investigation Unit (RCI)		
<b>ASSIGNED SPECIFIC LOCATION</b> 2 MacArthur Pl, Suite 800, Santa Ana, CA, 92707			<b>POSITION NUMBER</b> 400 – 529-9502-206	
<b>BARGAINING UNIT</b> R02	<b>WORK WEEK GROUP</b> 2	<b>BILINGUAL POSITION</b> Yes	<b>CONFLICT OF INTEREST FILER</b> Yes	<b>BACKGROUND CHECK</b> No

## General Statement

Under direction of the Deputy Labor Commissioner III (DLC III) in the State Labor Commissioner's Office (LCO) of the Retaliation Complaint Investigation (RCI) Unit, the Deputy Labor Commissioner (DLC) I interviews witnesses, takes affidavits, collects other evidence, investigates claims to determine the extent of compliance with, and to resolve disputes arising under State labor laws and Industrial Welfare Commission orders; assesses and collects civil penalties, or initiates civil or criminal action. Meets with employers, employees and their representatives to advise them of, and to secure compliance with state laws; may inspect places of employment and employers' records to determine the extent of compliance with the provisions of laws under the jurisdiction of the LCO.

Candidates must be able to perform the following essential functions with or without reasonable accommodations.

<b>Percentage of Time Spent</b>	<b>Duties Essential Job Functions</b>
<b>40%</b>	Plans and conducts investigations to determine the extent of compliance with laws under the jurisdiction of the LCO that prohibit workplace retaliation; calculates lost wages; assesses and collects civil penalties in accordance with the law and under Division policies and procedures. Completes complainant, respondent, and witness interviews by telephone or in-person and maintains accurate notes of interviews to document reasons for cause finding or dismissal. Manages and conducts reviews of caseload to effectively process and monitor cases from assignment through investigation and to closure; ensures regular, routine contact with the parties in assigned cases; updates and maintains case status reports on Salesforce database. Uploads documents provided by parties into case located on Salesforce as required.
<b>20%</b>	Meets with employers, employees and their representatives to explain and interpret Labor Code sections. Advises employers of violations through written correspondence or notices as required by law. Prepares and serves written citations to employers found violating statutes that protect workers from engaging in protected activities. Participates in administrative hearings to defend appealed citations or Superior Court as a witness to present investigatory evidence as needed. Facilitates settlements and resolutions of disputes or claims with the parties either by telephone or at in-person conferences under Division policies and procedures.

## DUTY STATEMENT



15%	Prepares investigative reports, identifying elements of a prima facie case or retaliation. Initiates and completes reports outlining relevant case details and submits reports to DLC III or legal unit for review, advice and approval. Analyzes evidence such as records and witness testimony and evaluates facts in order to identify causation elements. Calculates possible damages, using lost wages excel sheet and written Labor Code. Applies correct causation standard and prepares recommended finding. Reviews case files with DLC III (supervisor) or designee and legal department when additional feedback is required.
10%	Reviews initial complaints and attachments to assess whether case is to be assigned for investigation. Reviews evidence and searches Labor Commissioner and public databases to gather additional required information to issue written determinations of found violations
10%	Utilizes Spanish language proficiencies to communicate with the public while performing Public Information Duty (PID) for the Division's public counter by telephone, direct contact or electronic mail by providing information about regulations, policies, procedures, and programs within the Division. Evaluates information about workplace conditions and provides information about potential violations and available laws to address these violations as well as all claim-filing alternatives. In addition to conducting research online or in relevant databases, communicates with other programs and/or agencies as needed to identify relevant information about employer's identity, location or operation, including verification of workers' compensation coverage. Refers cases to respective programs and coordinates real time application of recovery tools. Preliminarily communicates with employer or their representative verbally or in writing to address allegations, resolve dispute or advance the claim. Directs the public to available resources online or otherwise provides informational materials to workers and employers. Responds to inquiries by the public regarding case status by communicating appropriate information available in Salesforce or communicating with respective team member to obtain status. Participates in claim filing clinics, including assists the public with completing various claim forms and provides information about local advocates that provide free legal services. Enters all claims received from into Salesforce database.
<b>Percentage of Time Spent</b>	<b>Marginal Job Functions</b>
5%	Performs other job-related duties as required such as actively participating in All Staff meetings, unit meetings, and regional meetings, as well as Division and unit trainings. Prepares and provides training for staff. Conducts field investigations as needed. Travel to District offices or for field work as required.

### Conduct, Attendance, and Performance Expectations

- Work duties are expected to be performed productively and efficiently. Conduct shall be respectful and reflective of a professional team environment, and in accordance with the LCO mission and



vision.

- Communication shall be clear, concise and timely with leadership, teammates, and the public we serve. Communication shall be in a manner that encourages open dialog to achieve mutual understanding, problem solve and build trust.
- Trust is crucial to building a working relationship and team environment. Team members are expected to continually monitor their work, provide timely responses to the public in accordance with relevant policies and procedures, and practice decorum in such communication. Work challenges and the inability to meet deadlines are to be communicated immediately to leadership.
- Team members are expected to report timely to their work shifts, work the required hours for their time base and in accordance with the position's work week group, abide by relevant attendance policies, and be mindful of the impact of one's attendance to the overall work of the program and team morale.

## Supervision Received

Under the direction of the DLC III

## Supervision Exercised

None

## Work Environment, Special Requirements/Other Information, Physical Abilities, Additional Requirements/Expectations, and Personal Contacts

### Work Environment

The employee will spend most of the time working at their assigned District Office. Their work area will be a cubicle equipped with standard office equipment. Overtime and occasional travel to an off-site location may be required for meetings and/or training.

### Special Requirements/Other Information

This position requires exceptional skill in dealing with the public and in coordinating the activities of other LCO units in team enforcement efforts in addition to providing outreach services to educate the public and our community partners. A DLC I will be expected to demonstrate a commitment to the Mission and the Vision for the highest public good. This is the professional journey level position. The successful candidate must pass the Spanish Language Exam and receive a satisfactory score before a formal offer may be extended.

### Physical Abilities

The position requires the ability for prolonged sitting and to work at a computer for extended periods of time and to move and transport office items in a safe manner.

### Additional Requirements/Expectations

Employees are expected to be able to work independently, in a fast-paced team environment, and work well with the public and co-workers.

## DUTY STATEMENT



### Personal Contacts

The incumbent will routinely engage with members of the public, claimants, and employers. May participate in outreach events to educate the public on California Labor Code laws.

### Employee Acknowledgment

*I have read and understand the duties listed above and 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 these assigned duties as described above with or without reasonable accommodation. If you believe a reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for a reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Medical Management Unit in the Human Resources Office.*

\_\_\_\_\_  
Employee Name

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

\_\_\_\_\_  
Employee Sign Date

### Supervisor Acknowledgment

*I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with the employee and provided the employee with a copy of this duty statement.*

\_\_\_\_\_  
Supervisor Name

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

\_\_\_\_\_  
Supervisor Sign Date

### HUMAN RESOURCES OFFICE APPROVAL

\_\_\_\_\_  
C&S Analyst Initials

\_\_\_\_\_  
Approval Date