

DUTY STATEMENT



CURRENT
 PROPOSED

CIVIL SERVICE CLASSIFICATION Attorney III		WORKING TITLE Attorney III - PRA/Audit		
PROGRAM NAME Division of Workers' Compensation			UNIT NAME Legal Unit	
ASSIGNED SPECIFIC LOCATION Oakland			POSITION NUMBER 400 – 601-5795-010	
BARGAINING UNIT R02	WORK WEEK GROUP SE	BILINGUAL POSITION No	CONFLICT OF INTEREST FILER Yes	BACKGROUND CHECK No

General Statement

Under the general direction of the Chief Counsel and/or Assistant Chief Counsel of the Division of Workers' Compensation, and supervising attorney where applicable, the Attorney III acts as legal counsel on complex and sensitive matters relating to the Division. The Attorney III exercises broad discretion and acts with independence in providing legal representation and counsel. The Attorney III is expected to perform complex, novel, difficult and sensitive legal work of the unit, and to have a high level of experience, strong technical lawyering skills, and subject matter expertise in multiple areas of the Division's responsibility.

As counsel for the Division's Public Records Act (PRA) team, the Attorney III provides advice and guidance regarding the interpretation and application of workers' compensation statutes and regulations, and acts as counsel for the Division of Workers' Compensation on litigation matters in administrative, state and federal courts. Additionally, the Attorney III will prepare regulations on behalf of the Division, assist with audit unit appeals and litigation, assist with other DWC areas for responsibility as needed, including providing advice as to information privacy issues and conducting legislative analysis. The Attorney III is expected to be knowledgeable about the California Court system, California laws regarding the legislative process, the regulatory process, and Public Records Act procedures.

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

Percentage of Time Spent	Duties Essential Job Functions
45	Provides legal advice and counsel to the DWC district office and Legal Unit PRA coordinators, interacts with requestors regarding PRA requests, ensures compliance with PRA requirements including privacy and other exemptions, and litigates PRA disputes. Communicates and coordinates with the Office of the Director's Legal Unit on PRA requests that seek records from multiple DIR divisions. Consults with the Labor and Workforce Development Agency and/or the Governor's office when PRA requests raise PRA exemptions and/or are likely to involve litigation. Provides training to the DWC PRA team and other DWC Legal Unit Attorneys. Performs legal research and drafts memoranda related to PRA issues.

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20	Provides legal advice and counsel to the Division's Audit Unit on complex legal issues. Attends audit conferences, representing DWC during audit disputes. Prepares audit record for hearing officer or administrative judge where audits are appealed. Represents the audit unit in litigation related to audits.
10	Performs legislative bill analysis, drafts legislation, drafts correspondence to the legislature. Communicates with the public regarding complex workers' compensation legal issues, drafts legal correspondence on complex issues.
10	Handles complex rulemaking actions for all aspects of the workers' compensation system. Drafts regulations and supporting documents. Convenes and presides over public rulemaking hearings, and performs all legal tasks necessary for adoption of regulations.
10	Assists as needed in other areas of DWC responsibility including litigation, Alternative Dispute Resolution issues, QME program oversight, and issues related to Medical Provider Networks, Independent Medical Review, and Independent Medical Review.
Percentage of Time Spent	Marginal Job Functions
5	Performs a variety of other highly sensitive and/or complex legal duties requiring a high level of skill, judgment, and diplomacy. Performs other job related duties as assigned.

Conduct, Attendance, and Performance Expectations

The State of California adheres to a number of laws and policies that are designed to promote a safe, comfortable, and professional work environment for all employees. As a state employee, you are responsible for arriving to and leaving work at the times agreed upon by your supervisor including returning on time after lunch and break periods. You are expected to behave courteously and responsibly at all times. Remember that the image of an organization rests upon the behavior of the employees who represent it. You and your supervisor will participate in the regular employee appraisal process throughout your career. This appraisal process affords you and your supervisor an opportunity to discuss your job performance and career development.

Supervision Received

Under the general direction of the Chief Counsel and/or Assistant Chief Counsel

Supervision Exercised

None.

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

Work Environment

The Attorney III works in an air conditioned office building with natural and artificial lighting as well as



temperature control. The Attorney III will often work in an office with a door but may be in close proximity to others working in cubicles. The position is required to work extensively on computers to conduct research, draft email communication, and other work activities.

Special Requirements/Other Information

Membership in the State Bar of California

Physical Abilities

The Attorney III will work 40 hours per week, Monday through Friday. The use of office equipment is required including but not limited to a computer, telephone, and multi-function copy machine. 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. The incumbent may be required to travel by car or airplane.

Additional Requirements/Expectations

The incumbent is expected to communicate effectively orally and in writing in order to complete work assignments. The incumbent must be able to maintain appropriate confidentiality at all times due to the nature of the work performed. Additionally, the incumbent must be dependable and have the ability to work cooperatively with staff at all levels both within and outside the Department.

This position requires a high degree of professionalism, expertise, independence, organization, and productivity. An Attorney III independently performs the more complex and sensitive legal services with broad discretion. An Attorney III is expected to have a high level of experience, specialization, and expertise in one or more of the subject areas of this position, and to consistently produce high quality work product in complex matters, including well-written briefs and other written work product as required, with a minimum of supervision, while accepting and following direction from lead attorneys, the Chief Counsel, Administrative Director, and Division and Department leadership. All attorneys within DWC Legal are expected to conduct themselves ethically, to demonstrate good judgment, and to treat others with respect and courtesy. Under the applicable Bargaining Unit 2 MOU, which applies to all attorneys in DWC Legal, "[e]mployees are expected to work all hours necessary to accomplish their assignments and fulfill their responsibilities. Employees will normally average forty (40) hours of work per week including paid leave; however, work weeks of a longer duration may occasionally be necessary."

Personal Contacts

The incumbent has contact with the Administrative Director and staff at all levels within the Division and Department, as well as external stakeholders, staff at the Labor and Workforce Development Agency as well as staff from the Governor's office and Legislature.

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

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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