

CAREER OPPORTUNITY

OFFICE OF LEGISLATIVE COUNSEL



OFFICE OF
LEGISLATIVE
COUNSEL

DIRECTOR

WORKPLACE CONDUCT UNIT

(Exempt, At-Will Employment)

Annual Salary: \$147,852 – 172,968

Resumes Due: August 24, 2018



The California Office of Legislative Counsel (OLC) is seeking an attorney with employment law experience to serve as the first Director of the new Workplace Conduct Unit tasked with investigating complaints of harassment, discrimination, and retaliation based on a protected class that arise in the California State Legislature.

OFFICE OF LEGISLATIVE COUNSEL

The Office of Legislative Counsel (OLC) provides legal and information technology services to the Legislature. For more than a century, the OLC has been the nonpartisan legal counsel that Members of the Legislature rely on for assistance with the drafting of legislation, rendering of legal opinions, providing legal counsel to legislative committees, and other legal services. Beginning in the 1970s, at the request of the Legislature, the OLC began to use computer capabilities to assist the process of drafting legislation and it established the Legislative Data Center.

Diane F. Boyer-Vine, the current Legislative Counsel, was appointed in 2002. For more information on the agency, please visit the OLC website at www.legislativecounsel.ca.gov.

NEW WORKPLACE CONDUCT UNIT

The new Workplace Conduct Unit is being launched at the request of the Joint Rules Committee, which approved a recommendation by the Joint Subcommittee on Sexual Harassment Prevention and Response.

The Subcommittee recommended the Unit as a key element in new processes for handling harassment, discrimination, and retaliation complaints that are independent, provide appropriate transparency, and support a positive workplace environment and culture where harassment is never tolerated.

The Unit's primary responsibilities include the intake and assessment of complaints, investigating complaints within its jurisdiction, and coordinating the Workplace Conduct Panel process. A small team of attorneys will be responsible for assessing and investigating complaints and compiling comprehensive reports for the Panel. The Panel, comprised of subject matter experts with extensive experience in employment-related issues, will review the reports, make findings of fact, and recommend appropriate discipline to the respective leaders in the two houses of the Legislature.

THE OPPORTUNITY

Leading the Workplace Conduct Unit is an opportunity to demonstrate excellence in employment law services and play a key role in fulfilling the Legislature's mission of creating and maintaining a work environment free from harassment, discrimination, and retaliation. Consistent with the confidentiality these investigations require, the Unit will be functionally and physically separate from the rest of the OLC. The Director will report to the Legislative Counsel, and the Unit's offices will be near the Capitol.

The Director will be responsible for preparing the Workplace Conduct Unit to be ready to receive and investigate complaints by the beginning of 2019. The Director will supervise two staff attorney investigators, who will be experienced in the field of employment law, and a clerical staff person. The Unit must operate with a high degree of confidentiality.

ESSENTIAL JOB DUTIES

Under the general direction of the Legislative Counsel, the Director of the Workplace Conduct Unit provides oversight, supervision, and guidance regarding the intake, investigation, and recommended resolution of complaints of harassment, discrimination, and retaliation related to the California State Legislature.

The Director is responsible for overseeing the operations of the Unit, ensuring intake and investigations are handled according to State and Federal law, policy, and best practices, producing investigative reports and recommendations of the highest quality, and assisting the Legislature with maintaining a culture of respect and appropriate conduct amongst all staff. The Director must ensure the Unit operates with a high degree of confidentiality, maintains an appropriate level of independence as determined by the Legislative Counsel, and supports the Legislature's mission of creating and maintaining a work environment free from harassment, discrimination, and retaliation.

In addition to overseeing the investigative and clerical staff of the Unit, the Director provides support for the Workplace Conduct Panel, which is comprised of contractors who will review the findings of the investigators, make findings of fact, and recommend appropriate discipline to the respective leaders in the two houses of the Legislature. The Director convenes the Panel as required, participates in briefings, and ensures that the recommendations of the Panel are consistent with the Legislature's Policy on Appropriate Workplace Conduct and appropriate for the specific facts of each complaint.

Given the nature of the work, the Director must be able to create and maintain relationships with administrative and Rules Committee staff of both houses, operate with the utmost discretion and tact, and lead by example. Please see <http://legislativecounsel.ca.gov/job-postings> for a copy of the full duty statement.

MINIMUM REQUIREMENTS

Throughout their tenure in the position, the Director must:

- Maintain active membership in the California State Bar
- Maintain the utmost confidentiality of the work of the Unit, both as it relates to attorney-client privilege and general confidentiality around personnel management issues
- Attend trainings and seminars, keep up to date on industry trends, and maintain current knowledge of workplace issues in California and nationally
- Promote and ensure strict separation from other branches or offices of the Office of Legislative Counsel in order to avoid the appearance of conflicts of interest or inappropriate separation of duties

DESIRABLE QUALIFICATIONS

(Resumes will be reviewed against these criteria to determine which candidates will receive further consideration)

- Broad and extensive experience in the practice of law, with additional consideration given to the practice of employment law.
- Experience conducting or overseeing workplace investigations, particularly those related to harassment, discrimination, or retaliation.
- Extensive knowledge of Equal Employment Opportunity Commission (EEOC) and Department of Fair Employment and Housing (DFEH) complaint and investigation processes.
- Experience working with legislative bodies and their staffs.
- Ability to establish and maintain relationships with the leadership and management of legislative bodies and government agencies.
- Demonstrated ability to effectively interact with a wide variety of people including public officials, executive management, legislative leadership, professional and technical personnel, and other public employees. Ability to act as a proponent for a unit or program.
- Demonstrated experience managing a group of attorneys or investigators engaged in either the direct practice of law or conducting workplace investigations.
- Demonstrated ability to develop processes and procedures in the establishment of a new business process or function within an organization.
- Experience directing and overseeing work done by a panel or committee process.
- Strong oral and written communication skills, including experience giving briefings to executive management or public officials, preparing written reports, and explaining complex legal or policy issues to non-practitioners.
- Experience preparing statements of work, requests for proposals, and employment contracts.
- Ability to develop and apply creative and innovative solutions to complex problems.

COMPENSATION AND BENEFITS

Annual Salary: \$147,852 – \$172,968

The salary received will be commensurate with the appointee's qualifications, and an excellent package of benefits is available.

THE PACKAGE INCLUDES:

Retirement Plan – Participation in a contributory defined benefit plan through the California Public Employee Retirement System (CalPERS). Details will be provided on request.

Upon retirement, the successful candidate may participate in a retiree healthcare benefits program. Details on the program will be provided upon request.

Deferred Compensation Plan (401k/457) – Optional deferred compensation plans available through Savings Plus.

Vacation and Holidays – Generous vacation or annual leave plans. 11 paid holidays per year.

Health, Dental, and Vision – State employees can elect to receive these benefits from different HMO, EPO, and PPO providers, or elect to opt out of the benefit plan and receive a consolidated benefits cash option. Health plan companies include, but are not limited to: Kaiser, Blue Shield, Anthem Blue Cross, DeltaCare, Safeguard, Western Dental, and Basic or Premiere Vision through VSP.

An alternative health benefit plan available is FlexElect Medical and Dependant Care Reimbursement Accounts – Employees may contribute as little as \$50 per year up to \$2,600 per year tax-free to a Health-Care Spending Account to cover costs associated with health care.

State Bar Dues – The OLC reimburses the cost of State Bar dues annually.

SELECTION PROCESS

Qualified candidates are invited to submit a resume detailing their experience and qualifications.

The resume should clearly demonstrate that the candidate has the education and experience necessary for the position based on the required and desired qualifications. The resume should include any information which the candidate wishes considered.

Only the most qualified candidates will be invited to advance in the selection process. The names of the most highly qualified candidates will be submitted to the Legislative Counsel for final selection.

HOW TO APPLY

Resumes will be considered as they are received. Send resumes (**email preferred**) to address below:

Email: OLC.HumanResources@LC.CA.GOV

Mail: Office of Legislative Counsel Human Resources, 925 L Street, Suite 900, Sacramento, CA 95814.

The resume must be received in the Human Resources Office by 5:00 pm, August 24, 2018, or be postmarked by this date. Questions regarding the application process may be directed to Human Resources at (916) 341-8330.

The State of California is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right to family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), and sexual orientation.

