



Office of Legislative Counsel
925 L Street
Sacramento, CA 95814-3702

DUTY STATEMENT

Director, Workplace Conduct Unit

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 discrimination, harassment, 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 recommendations as to 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.

Duties of the Position

- 30% Responsible for the overall operation of the Workplace Conduct Unit, including the intake, investigation, and panel process. Plans, organizes, directs, and assigns the work of staff and contractors who are engaged in evaluating complaints, conducting investigations, generating reports of facts, making factual findings, and making recommendations to management regarding allegations of harassment, discrimination, or retaliation related to protected class status by persons covered by the Legislature's Policy on Appropriate Workplace Conduct. Develops, implements, and keeps current the processes and procedures by which complaints are received, evaluated, investigated, assessed, and reported to the appropriate persons in the two houses of the Legislature. Keeps current on industry best practices, changes to law and policy, and general trends in workplace harassment and discrimination. Ensures operations are handled with strict confidentiality and timeliness. Makes recommendations to the Legislative Counsel on enhancing the effectiveness of the Unit and identifies and works to resolve systematic issues identified through the Unit's operations to assist the Legislature in accomplishing its goal of a workplace free from harassment, discrimination, and retaliation. Develops and implements management concepts, objectives, and administrative policies and processes for accomplishing the work in the Workplace Conduct Unit.
- 30% Provides direct supervision to the investigators and clerical staff of the Unit. Hires, develops, and evaluates staff to complete the work of the unit at the highest quality in a timely and confidential manner. Ensures staff are properly

trained, including identifying industry best practices and incorporating those into the business processes established for Unit staff. Evaluates the work of the staff for quality and their adherence to established procedures and investigative techniques. As required, generates statistical and operational reports on the work of the Unit. When necessary, contracts with and oversees the work of outside counsel conducting the most sensitive workplace investigations.

25% Oversees the Workplace Conduct Panel process. Approves staff reports to be sent to the panel, selects the appropriate panelists for review of complaints, schedules panel reviews and briefings, participates in panel meetings, provides guidance to the panelists, and ensures panelists have access to the information necessary to make informed recommendations. Regularly reviews the work performed by the panelists to ensure consistency and a lack of bias. Regularly reviews the work of the panelists and makes suggestions to the Legislative Counsel regarding the effectiveness of individual panelists and the panel process as a whole. Develops the contract form used to contract with the panelists, reviews and approves invoices, and monitors the available funds remaining on each contract to ensure panelists do not exceed their total authorized usage each year.

15% Performs other duties consistent with the nature of the position. These duties may include, and are not limited to, providing guidance to the leadership of the Legislature on issues; testifying as required before Committees and Subcommittees; testifying in court; representing the Unit and acting as the point of contact for inquiries from Member Offices and Chiefs of Staff regarding the process and procedures of the Unit as delegated by the Legislative Counsel; conducting trainings or exercises at the request of individual Member Offices or the Legislature as a whole regarding issues; and other duties within the scope of position and the work of the Unit.

Qualifications and Expectations of the Incumbent

Throughout his or her tenure in the position the incumbent 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

I have discussed with my supervisor the duties of the position and have received a copy of the duty statement.

Employee Signature

Date

Minimum Qualifications

- Active membership in the California State Bar

Desirable Qualifications

(Applications 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.