

<b>Classification Title</b> Enforcement Representative I, Contractors State License Board (Non-Peace Officer)	<b>Board/Bureau/Division</b> Contractors State License Board
<b>Working Title</b>	<b>Office/Unit/Section/Geographic Location</b> Enforcement Division/ SWIFT - Fresno (Reports to Monterey)
<b>Position Number</b> 622-343-8791-007	<b>Effective Date</b>

**General Statement:** Under close supervision of the Enforcement Supervisor I (ES I) or the lead Enforcement Representative II (ER II), the incumbent will be assigned to the Joint Enforcement Strike Force (JESF) and will perform a wide variety of tasks focusing on proactive enforcement of laws relating to unlicensed activity and fraudulent activity by licensed contractors. Work will also include investigations of consumer complaints. Duties include, but are not limited to the following:

**A. SPECIFIC ACTIVITIES [Essential (E) / Marginal (M) Functions]**

**40% (E) Inspections of Law Violations (E)**

- Participate in targeted inspections relating to unlicensed persons/businesses by targeting licensees in violation of Contractors State License Board (CSLB) licensing laws. Partner with the California Department of Industrial Relations Division of Labor Standards Enforcement (DLSE), and the Division of Occupational Safety & Health (Cal/OSHA), and the Employment Development Department (EDD), by performing duties in undercover sting operations. **(20%)**
- Assist with locating sting properties, contacting local law enforcement and prosecutors, scheduling appointments and acting in an undercover capacity during the sting operation, and preparing written reports of the criminal action. **(20%)**

**30% (E) Field Investigation (E)**

- Investigate leads received from the public by going into the field and visiting construction sites for violations of CSLB licensing laws and labor codes. **(15%)**
- Track/monitor open investigations and caseload, prepare written reports to recommend disciplinary action such as warning letters, citations, and accusations. **(15%)**

**10% (E) Report Writing (E)**

Investigate alleged violations of contractors licensing laws to determine if there is substantial evidence to warrant filing a legal action. Gather, review and interpret documentation related to complaints alleging unlicensed activity. Prepare a written report for appropriate disposition, and if appropriate, make a referral to other State agencies. Conduct job site visits and interviews, and then compile facts to support or refute an allegation. Issue Stop Orders where violations occur. Prepare clear and concise reports recommending appropriate dispositions, including filing administrative and/or criminal actions. Testify in administrative hearings and criminal trials.

Respond immediately to third party complaints alleging unlicensed activity on current ongoing projects by either a phone call, site visit, or sending letters.

**10% (E) Sting Operations (E)**

Work with district attorneys and police departments to coordinate sting operations targeting unlicensed contractors as well as issuing Notice to Appear or administrative citations. Conduct sting operations as well as compliance sweep operations in areas of concentrated construction activity to verify license status and cite licensed contractors. Review evidence, including criminal history records to make recommendations and/or determine the appropriate disposition of the investigation; i.e., administrative legal action or possible criminal referral. Work closely with other governmental agencies: EDD, DLSE, Cal/OSHA, Building Departments to help identify contractors in violation of: cash pay to employees, violations of worker compensation insurance requirements, and health & safety matters relating to employees.

**5% (E) Consumer Complaint Investigation/Illegal Advertising (E)**

Investigate assigned caseload, which includes consumer complaints and complaints alleging illegal advertising. Investigations will require reviewing and researching various written publications, websites, directories, business cards, and flyers for violations of CSLB licensing laws, and will also include monthly work on the Illegal Advertisement Campaign. Investigate licensees with relation to workers compensation violations and other labor law violations by researching CSLB data base and other resources available to verify contractors workers compensation status. Prepare a written report of findings, and if necessary, make a referral for administrative or criminal action, in addition, if appropriate, make a referral to other State agencies.

**5% (M) Lead Follow Up/Public Speaking (M)**

May contact selected industry associations, labor organizations, district attorney, and law enforcement agencies to obtain and follow up on leads alleging violation of Contractors' License Law. Perform public speaking presentations for various trade and consumer groups.

**B. Supervision Received**

The incumbent is directly supervised by the ES I, but may receive assignments and training from the lead ER II and the Enforcement Supervisor II.

**C. Supervision Exercised**

None

**D. Administrative Responsibility**

None

**E. Personal Contacts**

The incumbent has daily contact with contractors in order to investigate proactive complaints. In addition, the incumbent may have frequent contact with multiple State agencies, industry associations, labor organizations, district attorneys, and law enforcement agencies to obtain and follow up on leads alleging violation of CSLB License Law. The incumbent may have periodic contact with the public, associated with speaking presentations.

**F. Actions and Consequences**

Failure to properly conduct investigations according to Board procedures and the Contractors State License Law could result in miscarriage of justice, harm to the consumer, as well as the contractor.

**G. Functional Requirements**

The incumbent performs field investigations, which requires automobile travel to project sites. The position requires the incumbent to spend approximately 60% of the time per week in the field, which includes sitting/driving to/from worksites and walking, frequently in a construction area over uneven ground, sometimes outdoors in inclement weather; and occasionally light lifting, up to 30 pounds.

In an office setting, with artificial light and temperature control, the incumbent also uses a personal computer to prepare investigative reports and initiate or respond to work-related email, and uses both desk phones and mobile phones. In this setting, sitting at a workstation (40%), and standing requirements are consistent with office work and also requires bending and stooping to retrieve files.

Environmental Conditions: The employee is required to work both indoors and outdoors, depending on the situation he or she is involved in, at any given time. While indoors, the temperature and humidity is reasonably controlled, but while out of doors, the employee is exposed to climatic conditions. The employee may be exposed to dust and fumes and occasionally be exposed to toxic materials

Physical Requirements:

While outdoors, the employee must occasionally walk on uneven ground, bend, stoop and climb.

**H. Other Information**

The incumbent must demonstrate the ability to act independently with flexibility and tact; willingness to work odd and irregular hours; good memory for names, faces, and incidents; willingness to travel. Travel within assigned geographical location and occasionally outside of assigned geographical location to conduct investigations. The incumbent must also possess a valid driver license, a good driving record, and is expected to drive vehicles safely. Incumbent may participate in the DMV Employer Pull Notice Program. Incumbent in this position will be fingerprinted for the purpose of obtaining a criminal record check. Additionally, incumbent must pass a medical examination to ensure fitness.

*Enforcement Representative I – SWIFT Unit – Monterey*

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

**I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

**Revised: 1/2014**

**Approved by EF: 1/27/2014**