

Department of Consumer Affairs (DCA)

Position Duty Statement

HR-041 (new 7/2015)

Classification Title Enforcement Representative II (Non-Peace Officer)	Board/Bureau/Division Contractors State License Board (CSLB)
Working Title	Office/Unit/Section/Geographic Location Enforcement/Disciplinary Services Section/Norwalk
Position Number 622-354-8800-XXX	Name and Effective Date

General Statement: Under the general direction of the Enforcement Supervisor I (ES I), the Enforcement Representative II (ER II) is responsible for the review and issuance of licensee and non-licensee citations in accordance with Contractors State License Board law, rules and regulations. Duties include, but are not limited to, the following:

A. SPECIFIC ACTIVITIES [Essential (E) / Marginal (M) Functions]**65% (E) Licensee Citations**

Review and investigate the most complex licensee citation packages submitted to the Citation Processing Center. Provide consultation on complex cases to the ES I at the originating business unit. Analyze and determine whether the recommended citation is supported and make recommendations to Enforcement management regarding the parameters of potential settlement options. Ensure proper preparation and service of citations issued to licensees. Negotiate settlements of appeals with respondents by correspondence, phone, and through Mandatory Settlement Conferences (MSC). Refer appeals to the Office of the Attorney General (AG) for Default Day Conference or Administrative Hearing. Review Settlement Agreements prepared by the AG. **(35%)**

Review Default Decisions and Proposed Decisions issued by the Office of Administrative Hearings in accordance with established guidelines and procedures. Prepare Adoption Orders. Monitor licensee compliance with the terms and conditions of the citation and any related Settlement Agreements and Board Orders, and determine need for and initiate follow-up enforcement actions, including license suspensions and revocations. **(30%)**

25% (E) Non-Licensee Citations

Review and investigate the most complex appeals of non-licensee citations. Review and analyze supporting documentation and discuss the recommendation of appealed cases with the ES I at the originating business unit. Determine the parameters of potential settlement options. Negotiate settlements of appeals with respondents by phone, correspondence and through MSCs. Refer appeals to the AG for Default Day Conference or Administrative Hearing. Review Settlement Agreements prepared by the AG in accordance with established guidelines and procedures. Review Default Decisions and Proposed Decisions issued by the Office of Administrative Hearings. Prepare Adoption Orders. Verify respondent non-compliance with the terms and conditions of the citation, and any related Settlement Agreements and Board Orders, and determine needs for follow-up enforcement actions.

5% (E) Citation and Appeal Process Technical Resource and Lead

Serve as a technical expert in Contractors State License Board laws, rules, and regulations, and licensing classification structure. Review, analyze, and make recommendations on case closures. Provide training to Enforcement Representative Is and other Citation Processing Center staff. As a lead person, assist in planning and coordinating the processing of citations by the Citation Processing Center and provide technical assistance and direction to Citation Processing Center clerical support staff and Enforcement Representative Is.

5% (M) Citation Process Improvement

Assist with development and implementation of uniform policies and procedures governing the preparation, issuance, and appeal of non-licensee and licensee citations. Maintain Citation Processing Center's *Non-licensee and Licensee Guidelines and Procedures Manuals*. Review business processes and products to ensure uniform application of laws and rules, proper preparation of legal action reports, and sufficiency of supporting evidence. Collect, compile, and analyze process workflow, workload, and performance data. Identify and assess opportunities for investigation performance improvement. Work through Enforcement Supervisor I to improve investigation performance.

B. SUPERVISION RECEIVED

The Enforcement Representative II reports directly to the Enforcement Supervisor I, and may receive assignments from the Enforcement Supervisor II or the Chief of Enforcement.

C. SUPERVISION EXERCISED

None

D. ADMINISTRATIVE RESPONSIBILITY

None

E. PERSONAL CONTACTS

Has regular contact with CSLB personnel and the Office of the Attorney General. Respondents, attorneys, complainants, applicants, deputy attorney general, and legislators regarding the review of licensee citations and the handling of complaints.

F. ACTIONS AND CONSEQUENCES

Incumbent prepares and processes non-licensee and licensee citations. Errors in judgment or procedure can result in incorrect disclosure of license and enforcement activity status information to the public, wrongful criminal action against an unlicensed person, or improper suspension or revocation of a licensee's license.

G. FUNCTIONAL REQUIREMENTS

No specific physical requirements are present. The incumbent works forty (40) hours per week in an office setting with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Sitting and standing requirements are consistent with office work.

H. OTHER INFORMATION

Incumbent is expected to travel occasionally. Incumbent must possess good oral and written communication skills, use good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, manage time and resources effectively, and be responsive to CSLB and DCA management needs. Regular attendance and punctuality are essential for

this job. 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.

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

Approved: 12/2015

Department of Consumer Affairs**Position Duty Statement**

HR-041 (new 7/2015)

Classification Title Enforcement Representative I (Non-Peace Officer)	Board/Bureau/Division Contractors State License Board (CSLB)
Working Title	Office/Unit/Section/Geographic Location Enforcement/Citation Processing Section/Norwalk
Position Number 622-354-8791-XXX	Name and Effective Date

GENERAL STATEMENT

Under the close supervision of the Enforcement Supervisor I, the Enforcement Representative I (ER I) is responsible for reviewing and processing licensee and non-licensee citations. Duties include, but are not limited to, the following:

A. SPECIFIC ACTIVITIES [Essential (E) / Marginal (M) Functions]**60% (E) LICENSEE AND NON-LICENSEE CITATIONS**

Reviews and verifies citation compliance for cited licensed and non-licensed businesses/persons by reviewing the investigative file documents for accuracy, dates and content. **(20%)**

Reviews and confirms the terms, conditions, findings and any other related settlement agreements and Board orders. Initiate the disciplinary legal action process for the suspension or revocation of a license, pursuant to Business & Professions Code 7090.1. **(20%)**

Reviews and cross-references multiple CSLB data bases verifying multiple licenses held by respondents and license history. Communicate on a regular basis with CSLB enforcement supervisors, managers, enforcement representatives, the public, and the Office of the Attorney General. **(20%)**

30% (E) Reviews non-licensee citation packages submitted to Citation Enforcement Section for legal action processing and settlement options. Reviews investigative reports and evidence to determine whether the recommended citation is appropriate and supports the alleged violations. Reviews witness statements, contracts, payments, and all other appropriate documents. Ensures proper preparation and service of citations issued by reviewing agency correspondence and CSLB licensing data on Teale. **(15%)**

Refer appeals by non-licensed persons to the Office of the Attorney General (AG) for scheduling of a default or formal hearing. Review agreements prepared by the Attorney General's Office. Review default decisions and proposed decisions issued by the Office of the Administrative hearings in accordance with established policies and procedures. Review proposed decisions for discussion and adoption if appropriate. **(15%)**

10% (M) Assists and participates in "Mandatory Settlement Conferences" (MSC) program which involves reviewing and identifying licensee and non-licensee cases for negotiating a settlement on licensee and non-licensee citations. Prepares

settlement documents, communicates and seeks assistance from administrative law judge in facilitating settlements on difficult cases. Refers cases for hearing/default hearings to Attorney General's office as appropriate.

B. SUPERVISION RECEIVED

The ER I is under the close supervision of the Enforcement Supervisor I and may receive assignments from the Enforcement Supervisor II.

C. SUPERVISION EXERCISED

None

D. ADMINISTRATIVE RESPONSIBILITY

None

E. PERSONAL CONTACTS

Has regular contact with CSLB personnel, the Office of the Attorney General, respondents, attorneys, complaints, applicants, and Deputy Attorney General regarding the review of licensee and non-licensee citations and the handling of complaints.

F. ACTIONS AND CONSEQUENCES

Incumbent reviews, processes, and makes recommendations pertaining to licensee and non-licensee citation packages for initiation of suspension or revocation. Errors in judgment or procedure can affect processes to suspend or revoke licenses. Work is critical and must be reviewed for accuracy.

G. FUNCTIONAL REQUIREMENTS

No specific physical requirements are present. The incumbent works forty (40) hours per week in an office setting with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Sitting and standing requirements are consistent with office work.

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.

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

Approved: 12/2015 RH