

**Department of Consumer Affairs****CURRENT/PROPOSED**

Position Duty Statement

HR-041 (new 5/04)

<b>Classification Title</b> Enforcement Representative II, Contractors State License Board	<b>Board/Bureau/Division</b> Contractors State License Board (CSLB or Board)
<b>Working Title</b> Enforcement Representative II (Peace Officer)	<b>Office/Unit/Section / Geographic Location</b> Special Investigations Unit
<b>Position Number</b> 622-301-8795-004	<b>Effective Date</b>

General Statement: Under the general direction of the Special Investigations Unit (SIU) Enforcement Supervisor I (ES I), the incumbent will investigate the more sensitive and complex reactive complaints involving elder abuse, repeat offenders and/or workers compensation insurance violations. The ER II Peace Officer conducts criminal investigations and reactive special assignments including the preparation and service of search warrants, investigative subpoenas, makes fraud referrals to the consumer protection prosecutors and California Department of Insurance (CDI). The ER II Peace Officer's caseload may also include investigations of the more complex reactive consumer complaints based upon rules, regulations, and the Contractors' License Law. Specific duties include, but are not limited to:

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

**45% Represents the CSLB in coordinating reactive criminal investigations with other CSLB investigators, district attorney investigators, consumer protection prosecutors, and partnering agencies, focusing on elder abuse and repeat offender cases (E):**

- Conducts initial interviews with complaints relating to the more sensitive elder abuse cases by identifying, investigating and referring to local prosecutors the most complex investigations involving crimes against elders and dependent adults. Performs job site visits to meet with industry experts and conduct interviews with complainants, family members, law enforcement and other witnesses. Records (audio and or visual) interviews with elderly victims to ensure their testimony is taken in a timely manner. Conducts criminal investigations and reactive special assignments including the preparation and service of search warrants, investigative subpoenas, makes fraud referrals to the consumer protection prosecutors and CDI. (25%)
- Conducts the more sensitive and complex investigations of contractors by gathering statements, interviewing witnesses and gathering evidence with multiple complaints that include criminal violations that warrant a referral to a local prosecutor. This may require participating on a criminal investigation task force comprised of non-sworn ERs. Works with the District Attorney's Office to identify contractors with multiple complaints and develop investigative strategies to support criminal charges. (20%)

**20% Workers Compensation Insurance Violations (E):**

- Receives, reviews, and investigates the more sensitive and complex reactive consumer, building department, and industry complaints involving issues of suspected insurance premium fraud (WC violations). Refers complaints to the CDI or local prosecutor's that involve worker's compensation insurance violations. Reviews posted accusations for worker's compensation violations, and recommendation for appropriate disposition of the complaint upon closure.

**15% Report Writing (E):**

- Prepares case notes on a laptop computer from information gathered during investigations. Typed reports include all statements, documentation, exhibits, probable law violations, and recommendation for appropriate disposition of the complaint upon closure.

**5% Review and Analysis (E):**

- Reviews and analyzes evidence and investigative reports of working level ERs for accuracy, completeness and soundness of logic. Analyzes work processes and recommends innovative and insightful process improvement suggestions and coordinates implementation with internal and external customers, ERs and Supervisors.

**5% Meetings and Training (E):**

- Travels to CSLB Headquarters (Sacramento) to attend meetings and training exercises when needed.

**5% Work with Local Law Enforcement (M):**

- Works closely with local law enforcement to coordinate surveillance and the apprehension of individuals with active arrest warrants. Works closely with District Attorney's Offices in preparation and service of Search Warrants, Investigative Subpoenas, Interim Suspension Orders and Temporary Restraining Orders. Serves as a liaison to the District Attorney's Consumer Crimes Unit and the Economic Crimes Unit.

**5% Testify as a Lead Witness (M):**

- Coordinates and testifies as a lead witness for the Board and victims in preliminary proceedings in matters relating to the construction industry; testifies as needed in administrative, criminal and civil proceedings.

**B. Supervision Received**

The incumbent works under the general direction of the SIU Enforcement Supervisor I, but may receive assignments from the Deputy Chief or Chief of Enforcement.

**C. Supervision Exercised**

None

**D. Administrative Responsibility**

None

**E. Personal Contacts**

Consumers/Licensees – daily; to gather statements and evidence in the investigation of complaints; District Attorneys offices to coordinate prosecution of illegal activity; office of the Attorney General to assist in the administrative legal action process and hearings; Contractors State License Board staff in daily, routine business communications.

**F. Actions and Consequences**

Failure to properly conduct investigations according to Board procedures and the Contractors License Law could result in miscarriage of justice, harm to the consumer, the public, as well as the contractor. The liability to CSLB is great, as the functions of the person in this position include investigations that often result in a notice to appear in court, criminal prosecution, and arrest.

**G. Functional Requirements**

The incumbent performs telephone investigations, which require the heavy use of a phone and a personal computer. 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 a telephone. In this setting, sitting at a workstation and standing requirements are consistent with office work and also requires bending and stooping to retrieve files. The incumbent must also be able to drive a vehicle on a daily basis as part of their regular job duties. Airline travel may also be required.

The incumbent is required to work both indoors and outdoors, depending on the situation he or she is involved in, at any given time. While outdoors, 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 maintain assigned vehicle both mechanically and cosmetically and drive vehicles safely. Incumbent in this position will be fingerprinted for the purpose of obtaining a criminal record check.

Background Investigation: Pursuant to Governmental Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment. Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations requires a psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

**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.)

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Employee Signature

Date

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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.**

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Supervisor Signature

Date

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Printed Name

**Approved by RH: 03/2015**

