

**Department of Consumer Affairs**

Position Duty Statement

HR-041 (new 5/04)

<b>Classification Title</b> Enforcement Representative I	<b>Board/Bureau/Division</b> Contractors State License Board Enforcement Division
<b>Working Title</b>	<b>Office/Unit/Section / Geographic Location</b> Intake Mediation Center / Sacramento
<b>Position Number</b> 622-314-8791-001	<b>Effective Date</b>

**General Statement:** Under close supervision of the Enforcement Supervisor I (ES I) or the lead Enforcement Representative II (ER II) within the Contractors State License Board (CSLB) Intake Mediation Center (IMC) the incumbent will review investigative reports completed by Consumer Service Representative (CSR) staff, investigate complaints, issue Stop Orders and Administrative Citations for violations of Workers Compensation Insurance claims, building permits, and illegal advertising violations based upon the rules, regulations, and the Contractors' License Law; as outlined in the California Contractors License Law & Reference Book. Specific duties include, but are not limited to:

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

**60% (E)** Investigate complaints related to Workers Compensation, illegal advertising, and building permit violations resulting in the issuance of Stop Orders, Warnings or Administrative Citations for violations by performing the following duties:

20% **Workers Compensation Insurance Violations (Building and Professions Code 7125.2):** Investigate reactive complaints when there are allegations of the use of employee labor while having an exemption from workers' compensation insurance on file. The investigation includes contacting the complainant to obtain evidence of the employees, reviewing public information regarding the contractors use of employees in the business and obtaining a contractor admission. Evaluate the allegations and take appropriate action documented in a written report which may result in the issuance of Administrative Citations and Stop Orders to close complaints.

10% **Illegal Advertising Violations:** Screen illegal advertisements using investigative technology including the Consolidated Lead Evaluation and Reporting (CLEAR) database. Contact the unlicensed operator or contractor to confirm the ownership of the advertisement and other specific information regarding the violations. Prepare a written report for the issuance of Administrative Citations when the illegal advertiser is identified and the telephone number in the illegal advertisement is linked to the violator. Citations will include a correction order to disconnect any

telephone number linked to the unlicensed operator. Send requests to disconnect telephone lines to the California Public Utilities Commission (CPUC) and coordinate with the CPUC to ensure processing of the order is completed.

- 30% **Building Permit Violations (Building and Professions Code Sections 7110 and 7090)**: Enforce building permit compliance by issuing Administrative Citations to contractors who have failed to obtain building permits. Investigate referrals from IMC CSRs who have discovered, through their complaint mediations, which a building permit was not properly obtained by the contractor. Contact the building department to obtain a statement regarding the permit status and, depending on the results, take the appropriate disciplinary action documented in a report which may include the issuance of an Administrative Citation.
- 20% (E) Review evidence, determine proper complaint disposition and prepare reports which may include referral for legal action. The incumbent will primarily perform office interviews and investigations but may perform job site visits to meet with industry experts and complainants to get statements and details of the issues surrounding the complaint. Incumbent may also conduct interviews with respondents and other witnesses.
- 10% (E) Review the investigation reports completed by CSR's for accuracy, completeness, and soundness of logic. Analyze and determine if the complaint recommendation was appropriate, such as closing the case, referring it to arbitration, or sending it to an investigative center for further investigation. Act as technical and analytical resource for the CSR staff in the interpretation and enforcement of CSLB laws, rules, and regulations.
- 5% (E) Testify, when required, at administrative, criminal, and civil hearings/and or proceedings on behalf of the CSLB.
- 5% (M) Provide information and instructions related to regulations and procedures administered by the CSLB to consumers, licensees, and other government agencies. Attend public outreach events, community, and industry organization meetings.

**B. Supervision Received**

The incumbent works under the close supervision of the Enforcement Supervisor I, but may receive assignments from the Enforcement Representative II, acting as a lead.

**C. Supervision Exercised**

None

**D. Administrative Responsibility**

None

**E. Personal Contacts**

The Enforcement Representative I will have daily contact with consumers, licensees, and non-licensees to gather statements and evidence in the investigation of complaints. The incumbent will also work with local law enforcement and the District Attorney's offices to coordinate prosecution of illegal activity; the office of the Attorney General to assist in the administrative legal action process and hearings; and the Contractors State License Board staff, conducting daily routine business communications.

**F. Actions and Consequences**

The incumbent must promptly and accurately engage in the investigation of consumer complaints. The efficiency of CSLB's Enforcement Unit staff relies heavily on the timely and thorough investigations conducted by the Enforcement Representatives.

**G. Functional Requirements**

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 (90%), and standing requirements are consistent with office work and also requires bending and stooping to retrieve files.

The incumbent performs field investigations, which requires automobile travel to project sites. The position requires the incumbent to spend approximately 10% of the time per week in the field, which includes sitting/driving to/from worksites or meetings and walking, frequently in a construction area over uneven ground, sometimes outdoors in inclement weather; and occasionally light lifting, up to 30 pounds.

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 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 and must pass a medical examination to ensure fitness. Additionally, this position is subject to the Department of Consumer Affairs' Conflict of Interest Code (16 CCR §3830).

**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

**REVISED: 04/27/15**