State of California

MEMORANDUM

To: Personnel Management Liaisons

Date: December 6, 1988

THIS MEMORANDUM SHOULD BE DIRECTED TO:
ALL PERSONNEL OFFICERS

Reference Code: 88-30

From: Department of Personnel Administration
Classification and Compensation Division

Subject: Required Format for Class Specifications

Attached are sample formats for single and series class specs. Please note that the single class spec format has been revised to be similar to that which is used for the series spec (the series spec format was distributed to departments in December 1987). All new and revised specs submitted by departments are to be prepared in this format, and all specs should be typed in standard 12 pitch type, rather than the condensed 15 pitch.

The benefits of the new format are the reduced time required for typing/revisions. The 12 pitch type provides the capability for copying the specs into word processing systems by use of an Optical Character Reader (OCR) (if not printed in "proportional" spacing or on a dot matrix printer).

The Department of Personnel Administration's (DPA) staff has been experiencing difficulties with revised class specs submitted by departments in strike-out-and-underline format, in that the revised spec does not "match" the existing current spec. It is important that all existing wording be included in the revised spec. If changes are minor, they may be made on a copy of the existing spec.

If you have any questions regarding this memo, please contact your department analyst at DPA.

George P. Lloyd II, Chief
Classification and Compensation Division

Attachments

sks/Al1805
CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: WR55
Class Code: 9521
Established: 1/8/76
Revised: 9/20/88
Title Changed: 9/20/88

REGIONAL DIRECTOR,
AGRICULTURAL LABOR RELATIONS BOARD

DEFINITION

Under general direction from the General Counsel of the Agricultural Labor Relations Board, is responsible for managing a complex agricultural regional office; planning, directing, organizing and overseeing the work of a regional office; ensuring that the policy mandates of the General Counsel are implemented as they relate to unfair labor practice and compliance activities; on behalf of the five-member Agricultural Labor Relations Board, plans, directs, organizes and oversees regional work pertaining to election/representational matters; and performs other related work.

TYPICAL TASKS

Plans, directs, organizes and oversees operations and personnel assigned to regional office to effectuate: timely investigation of unfair labor practice (ULP) charges and prosecution of ULP complaints; resolution of unfair labor practice charges via negotiated settlements; maintenance of appropriate legal and administrative records, documents and files; submission of accurate and timely reports; coordination, through subordinate supervisors, of the assignment of field examiners and attorneys to unfair labor practice and representational cases; timely and accurate review and processing of petitions for elections; and job performance evaluation of all staff assigned to the region, preparation of probationary and annual reports of performance, and taking of corrective action as necessary. Reviews staff recommendations and is responsible for decisions to dismiss unfair labor practice charges or issue complaints. Develops regional training plans, budgets, programs and events for the education and development of staff in accordance with General Counsel and ALRB training policies and procedures. Performs other managerial supervisory and administrative duties as directed by the General Counsel which include public relations and education programs, media contacts, meetings with elected and appointed officials, and other liaison activities to promote general public knowledge of the agency, its purposes and primary program mission.
MINIMUM QUALIFICATIONS

Experience: Experience applicable to one of the following patterns may be combined on a proportional basis with experience applicable to the other to meet the total experience requirement. Experience in California state service applied toward "Pattern II", the open experience pattern, must include the same level of qualifying experience as required in "Pattern I", the promotional experience pattern, performing the duties of a class with a level of responsibility equivalent to that described in "Pattern I", the promotional pattern.

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-to-year basis.)

Possession of a valid State of California driver's license. Applicants who do not possess this license will be admitted to the examination but must secure the license before appointment.

Either I
One year performing the duties of a Field Examiner III, Agricultural Labor Relations Board; or one year of experience as an Assistant General Counsel II, Agricultural Labor Relations Board.

Or II
Five years of experience in one or a combination of the following types of labor relations work, one year of which must be in a full supervisory capacity:

1. Interpretation and settlement of grievances arising under labor agreements; or
2. Negotiation and preparation of labor agreements; or
3. Conciliation, mediation, or arbitration of labor disputes; or
4. Responsible work in the investigation and settlement of complaints regarding the violation of State or Federal labor relations laws; or
5. Investigation work related to agriculture.

KNOWLEDGE AND ABILITIES

Knowledge of: Managerial and supervisory principles; the Agricultural Labor Relations Act and the National Labor Relations Act; collective bargaining processes as they relate to farm labor employer/employee relations; applicable labor/employment laws; the case laws and precedents of the Agricultural Labor Relations Board and the National Labor Relations Board; administrative hearing procedures; court procedures and rules of evidence; the organization and functions of the Agricultural Labor Relations Board; the Agricultural Labor
Regional Director, Agricultural
Labor Relations Board

Relations Board’s Affirmative Action Program objectives and the manager’s role in the Affirmative Action Program and the processes available to meet affirmative action objectives.

Ability to: Effectively plan, organize, direct and oversee the work of a regional office; effectively apply managerial and supervisory principles; accurately interpret and apply the provisions of the Agricultural Labor Relations Act and the applicable provisions of the National Labor Relations Act; accurately interpret and apply the case law and precedents of the Agricultural Labor Relations Board and the National Labor Relations Board; effectively implement and uphold the policies of the General Counsel and the Agricultural Labor Relations Board; accurately interpret and apply the regulations of the Agricultural Labor Relations Board, apply investigative techniques; negotiate constructively and persuasively; analyze testimony and other types of evidence and draw correct conclusions; conduct informal hearings to resolve disputes, and conciliate aggrieved parties; analyze situations accurately and take effective action; work effectively under stress and unfavorable conditions; effectively communicate both orally and in writing; prepare clear and logical reports; interpret and apply established policies and procedures of the General Counsel and the Agricultural Labor Relations Board; establish and maintain effective working relationships; deal tactfully with labor and management groups in critical situations; and, effectively contribute to the Agricultural Labor Relations Board’s affirmative action objectives.

SPECIAL PERSONAL CHARACTERISTICS

Demonstrated managerial ability; demonstrated objectivity; demonstrated proficiency in dealing effectively with differing temperaments, biases, loyalties, and personal attitudes, and in commanding respect from subordinate employees, peers and the parties engaged in proceedings under the Agricultural Labor Relations Act; willingness to work irregular hours and to travel to all parts of the State on short notice.

ADDITIONAL DESIRABLE QUALIFICATIONS

1. Post graduate study in labor relations or a related field; and/or,
2. Legal studies.
SCOPE:

The classes in this series are used in the Department of Alcoholic Beverage Control to provide specialized legal services concerned with the preparation and trial of cases arising in connection with the work of the Department; drafting and analyzing proposed legislation; representing the Department before legislative committees; performing legal research; preparing legal opinions; conferring with officers of the Department; and, drafting and analyzing rules and regulations.

This series is available for use only in the Department of Alcoholic Beverage Control. Entry into this class series would typically be made by State employees from the class of Staff Counsel, Range B, which requires membership in The State Bar of California.

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<th>Class Description</th>
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<tr>
<td>OA73</td>
<td>5823</td>
<td>Alcoholic Beverage Control Counsel I</td>
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<tr>
<td>OA85</td>
<td>5868</td>
<td>Alcoholic Beverage Control Counsel III</td>
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DEFINITION OF LEVELS

ALCOHOLIC BEVERAGE CONTROL COUNSEL I AND II

Both classes generally perform similar duties such as: review contracts, franchise agreements, leases, general and limited partnership agreements, proxy agreements, ownership agreements, and other legal arrangements; interpret, explain to and advise members of the public, licensees, departmental personnel and government agencies, regarding Alcoholic Beverage Control laws, department procedures and legal obligations; and other legal duties as assigned. Differences between classes are determined primarily by differences in (1) the level of difficulty of assignments given to incumbents and (2) on the expertise which the incumbent brings to those assignments.

ALCOHOLIC BEVERAGE CONTROL COUNSEL I

Incumbents in this class are experienced attorneys capable of performing difficult legal work with independence and responsibility such as: conduct hearings before the Office of Administrative Hearings; review weekly calendar of disciplinary matters; review transcripts of hearings and prepare
recommendations to the Director where rejection of a proposed decision is contemplated; review petitions for removal of conditions; review protest letters for compliance with statutes and departmental rules and regulations.

**ALCOHOLIC BEVERAGE CONTROL COUNSEL II**

Incumbents in this class are experienced attorneys who have demonstrated their ability to benefit from increased independence of action and who have demonstrated their capacity to perform difficult legal work. They are assigned the more complex and sensitive legal work of the Department of Alcoholic Beverage Control such as: conduct hearings before the Office of Administrative Hearings; develop legislative proposals; prepare legislative analyses; provide technical assistance to legislative policy and rules committees; review petitions for rule hearings; implement administrative procedure required for rule hearings; act as legal liaison to the Department's Division and District Offices; arrange and conduct moot court training for investigators and non-attorney hearing representatives; review Appeals Board and State court decisions and recommend a course of action to the Executive Staff; and provide expert assistance to the Attorney General's Office in connection with such cases.

**ALCOHOLIC BEVERAGE CONTROL COUNSEL III**

Under general direction, to supervise the work of lower level attorneys, and in addition, may personally perform the most difficult, complex and sensitive legal work. Incumbents in this class are experienced attorneys who plan, organize and direct the work of a small staff of attorneys; evaluate the performance of subordinate staff and take or effectively recommend appropriate action; interview and select or actively participate in the interview and selection process for subordinate staff; act as primary legal advisor to the Director and Executive Staff; have primary responsibility for administering the rule-making and conflict of interest programs; handle representation of the most complex and highly sensitive administrative hearings; prepare legal opinions and summaries of precedential decisions; and provide for the legal training of subordinate staff.

**MINIMUM QUALIFICATIONS**

**ALL LEVELS:**

Experience applicable to one of the following patterns may be combined on a proportional basis with experience applicable to the other to meet the total experience requirement. Experience in California state service applied toward "Pattern II" must include the same number of years of qualifying experience as required in "Pattern I" performing the duties at a level of responsibility equivalent to that described in "Pattern I".
In addition, all candidates must have membership in The State Bar of California. (Applicants must have active membership in The State Bar before they will be eligible for appointment.)

ALCOHOLIC BEVERAGE CONTROL COUNSEL I

Either I
One year of experience in the California state service performing legal duties* at a level of responsibility equivalent to Staff Counsel, Range B. (Applicants who have completed ten months of the required experience will be admitted to the examination, but must complete one year of such experience before they will be eligible for appointment.)

Or II
Three years of responsible experience in the practice of law*.

ALCOHOLIC BEVERAGE CONTROL COUNSEL II

Either I
Two years of experience in the California state service performing legal duties* at a level of responsibility equivalent to Alcoholic Beverage Control Counsel I. (Applicants who have completed 18 months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be eligible for appointment.)

Or II
Five years of responsible experience in the practice of law*.

ALCOHOLIC BEVERAGE CONTROL COUNSEL III

Two years of experience in the California state service performing legal duties* at a level of responsibility equivalent to Alcoholic Beverage Control Counsel II. (Applicants who have completed 18 months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be eligible for appointment.)

Or II
Six years of responsible experience in the practice of law*.

*Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.
KNOWLEDGE AND ABILITIES

ALCOHOLIC BEVERAGE CONTROL COUNSEL I AND II

Knowledge of: Law governing and administered by the Department of Alcoholic Beverage Control and judicial interpretation of such law; rules and regulations of the Department of Alcoholic Beverage Control; conduct of proceedings and rules of evidence and procedure in Office of Administrative Hearing's legal principles; purposes, organization, and operation of the Department of Alcoholic Beverage Control; administrative law applicable to the Department of Alcoholic Beverage Control; basic principles of organization, structure, and financing of alcoholic beverage industry; and legal research methods.

Ability to: Analyze legal principles and precedents and apply them to complex legal and administrative problems; perform and direct legal research; present statements of fact, law and argument clearly and logically; draft opinions, pleadings, rulings, regulations and legislation; negotiate effectively.

A greater degree of these knowledges and abilities is required at the higher level.

ALCOHOLIC BEVERAGE CONTROL COUNSEL III

Knowledge of: All of the above and the Department's Affirmative Action Program objectives; a manager's role in the Affirmative Action Program; and the processes available to meet affirmative action objectives.

Ability to: All of the above; plan, organize and direct the work of a staff of attorneys and related support staff and effectively contribute to the Department's affirmative action objectives.

CLASS HISTORY

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