

POSITION DUTY STATEMENT

PM-0924 (REV 7/2014)

CLASSIFICATION TITLE	OFFICE/BRANCH/SECTION	
Associate Governmental Program Analyst	District 11/Construction Division/Labor Compliance Unit	
WORKING TITLE	POSITION NUMBER	EFFECTIVE DATE
Associate Labor Compliance Officer	911-510-5393-	

As a valued member of the Caltrans team, you make it possible for the Department to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. Caltrans is a performance-driven, transparent, and accountable organization that values its people, resources and partners, and meets new challenges through leadership, innovation and teamwork.

GENERAL STATEMENT:

Under the direct supervision of the District Labor Compliance Manager (DLCM), a Staff Services Manager I (SSM I), the Associate Labor Compliance Officer functions as a full journey-level member of the team that is responsible for administering and enforcing contract provisions and for following Federal and State laws pertaining to public works labor law regulations. The incumbent independently performs in-depth analysis of contractors' public works labor law regulations and all duties using good judgment with decreased supervision.

After two years in this assignment, the incumbent may be rotated to another Associate Governmental Program Analyst position within the District.

TYPICAL DUTIES:

Percentage	Essential (E)/Marginal (M) ¹	Job Description
45%	E	Analyzes and assesses contractors' and subcontractors' levels of labor compliance to ensure compliance with the California Labor Code and Davis-Bacon regulations for the more complex and/or larger construction projects by reviewing the data elements of certified payrolls, confirming payments made to workers, comparing payrolls against resident engineers' diaries, verifying the accuracy of work hours and work classifications on payroll records, ensuring apprentice standards by obtaining information of apprentice registration and training fund contributions, applying proper ratios, and ensuring adherence to all appropriate prevailing wages and applicable labor laws. If the contractor or subcontractor is not in compliance, takes appropriate action. This is an on-going and monthly process culminating at the progress payment period. Withholds of the monthly progress estimated payments from contractors who violate the contract provisions and labor laws, and makes recommendations to resident engineers for appropriate actions or remedies. Maintains continuous communication with contractors, subcontractors, resident engineers, and field staff while providing current and accurate information on policies and laws with the aim of avoiding withholds and/or penalties for noncompliance.
40%	E	Identifies the validity of complaints made by workers, unions, labor management groups, or field personnel pertaining to workers' pay, hours of work, or work classification(s), in addition to contractors' commitment to the Disadvantaged Business Enterprise (DBE), Disabled Veterans' Business Enterprise (DVBE), or the Subletting and Subcontracting Fair Practices Act as well as to Equal Employment Opportunity Requirements (EEO). Conducts in-depth source document audits of contractors' payroll/financial documents, employee time records, third party trust fund or fringe benefits records, and other documents as required which ensure workers are receiving proper prevailing wages for the number of straight time and overtime hours worked and for the type of work performed. When discrepancies can not be resolved at the district level, compiles evidence of labor compliance violations and works closely with Headquarters Labor Compliance staff to prepare and refer cases to the Department of Industrial Relations (DIR) for adjudication. This includes making recommendations for penalty assessment and wage restitution. May be required to testify as a technical witness at administrative hearings. Ensures that all reporting work is progressing in a timely manner and that audits and wages cases are submitted within the prescribed time limits. Provides guidance to and often takes lead on the more complex and involved audits from assistant-level Labor Compliance Officers. Audits may require cross contract analysis and investigations.
10%	E	Monitors contractors' compliance with Public Contract Code §4100-4114 - the Subletting and Subcontracting Fair Practices Act, and with DBE and DVBE provisions of construction contracts. Interprets and provides guidance on subcontracting laws and contractual obligations to resident

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5%	M	engineers, inspectors, field office personnel, and subordinate staff. Assists the DLCM in gathering evidence and preparing for subcontracting violation hearings or for disseminating training on task requirements. Responsible for meeting California Public Records Act deadlines and ensuring confidential information is redacted according to the required regulations and office procedures.
		Prepares for and makes presentations at mandated pre-construction meetings, and explains materials provided to attendees. May be required to develop and conduct prevailing wage training for both internal or external customers. May assist field staff with the review of Extra Work Bills and provide information related to a contractors' hourly rates or payment practices.

¹ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.
MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

The incumbent does not supervise, but may provide guidance and routine training of assistant-level Labor Compliance Officers and of the Office Assistant during the DLCM's absence.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

The incumbent must have knowledge of and familiarity with the Department's Construction Program and also highly detailed and comprehensive knowledge of State and Federal regulations and laws pertaining to the EEO, DBE, DVBE, the Department Labor Compliance Program, the public works section of the California Labor Code, and Caltrans' Standard Specifications as they relate to labor compliance. Must also have a working knowledge of the various directives issued by the DIR, of the California Code of Regulations pertaining to prevailing wages, of the Public Contracts Code (PCC) as it relates to subcontracting, and to all related websites. Must have knowledge of mathematical principles and of various software programs, such as Microsoft Word and Excel. Must be familiar with standards and methods of conducting financial investigations and be able to prepare information as satisfactory evidence and produce concise written reports for cases set forth in administrative hearings or court proceedings. Must reason logically and utilize a variety of analytical techniques to resolve complex problems, develop complicated letters and reports, and maintain a level of professional integrity to ensure that the best interests of the Department are served. Must have proven time management skills, the ability to multi-task effortlessly and be skilled in prioritizing tasks. Must be able to meet weekly, monthly and statutory deadlines while handling unforeseen tasks. Must possess organizational skills in order to satisfactorily maintain the integrity of all job records and to ensure timeliness of regulatory and department deadlines; strong verbal and written communication skills; work well in a team setting; be able to express themselves tactfully; and have the ability to support a complex program involving Federal and State civil rights and labor laws. Possession of a valid California driver's license is required to operate a State vehicle.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

The incumbent's failure to ensure enforcement of the Federal Labor Standards Law, the Civil Rights Act of 1964, and EEO regulations could jeopardize Federal funding participation to the Department. Errors in compliance with State labor laws could result in the Department of Industrial Relations' revocation of the Department's labor compliance program approval.

The incumbent is responsible for carrying out the goals and objectives of contract administration relative to Federal and State civil rights, labor, and EEO laws by effectively handling sensitive or difficult investigations, and equitably applying labor compliance and EEO requirements. Errors or poor judgment in these areas could result in inappropriate assessments of penalties or in the withholding of funds from contractor payments that could expose the Department to lawsuits or other administrative actions. Inaccurate analysis of civil rights or labor case evidence could deprive workers of equitable and timely wage restitution as well as damage the credibility of the unit.

PUBLIC AND INTERNAL CONTACTS

This position requires extensive telephone, e-mail, and personal internal contacts with Construction Division field staff, district management or departmental personnel. The incumbent may initiate contact for the purposes of obtaining accurate information for reports, or to obtain concurrence on actions necessary to accomplish contract administration. Public contact is extensive with contractors, contractors' employees, union representatives, Federal, State, and local agencies and routinely involves sensitive or confidential matters regarding case resolution that requires poise and diplomacy. The incumbent must convey a credible presence with departmental staff, various agencies, and the public. The incumbent must be effective in the negotiation and resolution of complex and sensitive matters.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

The incumbent must maintain productivity and to have the ability to sit and work at a computer for four or more hours a day with the required breaks. The telephone, keyboard, workstation, and chair can be ergonomically adjusted according

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to the incumbent's needs in order that they may be able to type and communicate effectively in person, by phone, and via e-mail. The incumbent lifts individual files up to 10 pounds each, and may be asked to lift boxes of 15-25 pounds with assistance. The incumbent must be able to concentrate and to diligently review multiple documents containing numerical data in hard-copy form or on the computer.

The emotional requirements for this position include the ability to develop and to maintain cooperative work relationships, communicate effectively, sometimes under adverse circumstances.

WORK ENVIRONMENT

The work environment is an open, modular setting in the Construction Division housed at the District Office complex. The office has artificial light, climate control, low dust, and minute or no chemical exposure. The incumbent may be required to make occasional trips to construction field offices or other departments or agencies and to be in a vehicle for the period of time required to drive to that facility.

I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

EMPLOYEE (Print)

EMPLOYEE (Signature)

DATE

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

SUPERVISOR (Print)

SUPERVISOR (Signature)

DATE