

**POSITION DUTY STATEMENT**

PM-0924 (REV 7/2014)

CLASSIFICATION TITLE Staff Services Manager I/Supervisor	OFFICE/BRANCH/SECTION D7/Construction/Labor Compliance	
WORKING TITLE Labor Compliance Officer	POSITION NUMBER 907-501-4800-001	EFFECTIVE DATE

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 general direction of the Branch Chief, Senior Transportation Engineer, Office of Construction, the incumbent (Staff Services Manager I) will be responsible for department-wide technical labor compliance support in the administration of construction "public works" contracts, the Disadvantage Business Enterprise (DBE) Program, Equal Employment Opportunity (EEO), Disable Veteran Business Enterprise (DVBE) Program, Small Business (SB) Program and subcontractor substitution provisions of construction contracts. Specific duties include, but are not limited to:

**TYPICAL DUTIES:**

Percentage		Job Description
40%	Essential (E)/Marginal (M) <sup>1</sup> E	Acts in an expert capacity regarding labor compliance, DBE, EEO, DVBE, SB, and subcontractor substitution for Caltrans construction programs. Provided technical guidance in labor compliance to all Department "public works" contract administration staff. Lead in development of technical documentation in those areas. Provides technical labor compliance training for Department staff. Conducts district process evaluation compliance with Federal and State requirements regarding labor compliance, DBE, EEO, DVBE, SB, and subcontractor substitution. May represent Caltrans in negotiations to resolve compliance violations, thus avoiding hearings, litigation, claims, and labor disruptions or project delivery delays. Provides bill analyses for all compliance legislation, determines the impact on the Department and its "public works" program and makes position recommendations on pending bills.
20%	E	Maintains a thorough and up-to-date knowledge of Federal and State labor, equal opportunity, and civil rights law. Stays abreast of all pertinent regulations, policies, and procedures necessary to conduct a successful labor compliance program and maintain the "approved" status of Caltrans program. Monitor, analyze, and disseminate--as appropriate--information on new wage determinations, precedential determinations and regulations. May develop procedures, create performance measures, perform field audits, analyze policies and legislation and contribute to the Division's business and strategic plans.
15%	E	Assists Caltrans legal staff in carrying out the Department's labor compliance program. The SSM I conducts research related to Federal and State law and more specifically into regulations and policies of the United States Department of Labor (DOL) and the California Department of Industrial Relations (DIR) related to prevailing wages and apprenticeship enforcement requirements. May prepare exhibits, evaluate and present evidence, testify as an expert witness and otherwise assist in representing the Department in administrative hearings and legal actions regarding labor compliance. Personally conducts or directs source document reviews, evidence collection and evaluation, interprets contract provisions and prepares compliance cases. Prepares special reports of findings from labor compliance investigations or civil rights violations and recommends resolution. The SSM I will assist district staff or assume personal responsibility for investigations that have significant impact on the Department.
10%	E	Ensure timely course administration through the Learning Management System and timely delivery of equality training course materials for statewide construction field employee training. Maintain the Division Training Catalog.

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10%	M	Coordinates with Local Assistance to ensure Local Agency's contractor compliance with equal employment opportunity wage, labor sections of contract specifications and Disadvantaged Business Enterprises.
5%	M	Conducts special studies in support of the Construction Division's operational and administrative activities.

<sup>1</sup>ESSENTIAL 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.

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### SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

The SSM I supervises a unit of Associate Governmental Program Analysts and Staff Services Analysts performing labor compliance program support activities.

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### KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

**KNOWLEDGE:** The incumbent must have knowledge of the Department's construction contract operations and a highly detailed and comprehensive understanding of those Federal and State regulations and laws pertaining to labor compliance, DBE, DVBE, EEO and subcontractor substitution. The incumbent must be well versed in the California Labor Code, Caltrans Standard Specifications and service contract language as they relate to "public works" labor compliance requirements. The incumbent must have a working knowledge of the various directives issued by the DIR and the U.S. DOL and the laws and regulations governing the payment of prevailing wages. The incumbent must be knowledgeable of equipment and training needs of resident engineers and field inspectors.

**ABILITIES:** The incumbent must be able to interpret and apply Federal regulations relative to labor standards enforcement including, but not limited to, the Copeland Anti-Kickback Act, Davis-Bacon and Related Acts (DBRA), the Contract Work Hours and Safety Standards Acts of 1962 (CWHSSA) and the False Information Act. The incumbent must comprehend and apply Caltrans Standard Specifications, Special Provisions, Proposal and Contracts, the Construction Manual and the Labor Compliance Manual as they apply to prevailing wages, apprenticeships and other labor compliance matters, as well as DBE, EEO and subcontractor substitution. The incumbent must be able to interpret and apply the California Code of Regulations (CCR) sections 16000 through 16802 and 17000 through 17270 and the following State Codes: Labor, Public Contract, Military and Veterans' (DVBES) and Civil Procedure (as it pertains to administrative hearings).

The incumbent must be able to analyze and resolve complex and sensitive contract administration and labor compliance issues and make fine distinctions to properly analyze coverage decisions. The incumbent must be able to comprehend the Department's contract payment systems and how they interact with other contract administration procedures such as claims, stop notices, bonds and terminations. The incumbent must be able to develop work plans and project schedules, create written, oral and electronic reports utilizing completed staff work for varied assignments dealing with construction and administrative issues.

The incumbent must have the ability to work well in groups, possess a high degree of tact and have the ability to support a highly complex and critically sensitive program involving Federal and State civil rights and labor law requirements.

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### RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Timely, professional and independent decisions related to labor compliance, civil rights, "public works" contract administration and training support issues are required on a regular basis. Errors or poor judgment results in costly coverage determinations or improper enforcement of Federal and State laws and regulations relating to labor standards, DBE, and EEO. Failure to ensure enforcement of the applicable Federal labor law, Civil Rights Act of 1964 and EEO regulations could jeopardize Federal funding participation or requirement increased oversight by the Federal Highway Administration (FHWA).

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### PUBLIC AND INTERNAL CONTACTS

Maintain frequent contact with statewide construction, labor compliance, other contract administration staff and those in the Accounting and Legal Divisions regarding technical prevailing wages and apprenticeship matters. Represents the Department with DIR, DOL, FHWA, and the Underground Economy Task Force regarding labor compliance issues. Has

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occasional direct contact with contractors, their attorneys, contractor employees, union representatives, labor management groups and legislative staff.

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## PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

Employee will be required to maintain sustained mental activity needed for analysis and reasoning, auditing, and editing, problem solving and report creation and writing. Employee must develop and maintain cooperative working relationships with staff as well as other departmental employees. Employee must recognize and respond appropriately to difficult situations and priority issues arising within a dynamic work environment and must facilitate effective solutions. Employee will be required to sit for long periods of time using a keyboard and video display terminal. Employee will be required to stand for long periods of time conducting training and presenting information.

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## WORK ENVIRONMENT

Employee will work in a climate-controlled office under artificial lighting. Will frequently be required to visit work sites, construction field offices, private businesses and other government agencies as needed for investigations, conferences or other assigned duties. Must be able to drive a state vehicle and must possess a valid California state driver's license.

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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.)

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EMPLOYEE (Print)

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EMPLOYEE (Signature)

DATE

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

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SUPERVISOR (Print)

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SUPERVISOR (Signature)

DATE

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