



ASSOCIATE GENERAL COUNSEL, UNFAIR LABOR PRACTICES, AGRICULTURAL LABOR RELATIONS BOARD

OPEN EXAMINATION – STATEWIDE

Testing Department: Agricultural Labor Relations Board
Bulletin Release Date: July 29, 2016
FINAL FILING DATE: **August 12, 2016**
Monthly Salary Range: \$8,896.00 - \$10,307.00

POSITION DESCRIPTION

The Associate General Counsel, Unfair Labor Practices, Agricultural Labor Relations Board, under direction, monitors the unfair labor practice prosecution activities in all the regions; acts as the General Counsel's legal advisor regarding unfair labor practice matters; provides statewide direction and advice to the attorneys in the regions regarding prosecution of all unfair labor practices; advises the General Counsel's Office regarding statewide strategies for the prosecution of unfair labor practices; reviews pending charges and develops recommendations regarding the issuance of a formal complaint; provides advice and direction regarding potential settlement negotiations and dismissal actions; reviews pending settlements and dismissals and advises the General Counsel's Office regarding recommended course of action; and supervises lower level legal staff.

Positions exist statewide.

WHO SHOULD APPLY

Applicants who meet the minimum qualifications as stated on this bulletin may apply for this examination.

MINIMUM QUALIFICATIONS

All applicants must meet the experience and/or education requirements for this examination **by the final filing date.**

EDUCATIONAL REQUIREMENT:

Requires active membership in The California State Bar. (Applicants who are not members of The California State Bar but who are eligible to take the California State Bar examination or are in their final year of law school will be admitted to the examination but will not be considered eligible for appointment until they are admitted to The State Bar.) **AND**

EXPERIENCE REQUIREMENT:

Six years of experience in the practice of law*, of which four years must be in labor law and include administrative or civil litigation experience. (Applicants who have completed five years and six months of the required experience will be admitted to the examination, but must complete six years of such experience before they will be eligible for appointment.)

*Experience in the "practice of law" or "performing legal duties" is defined as: (1) only that legal experience acquired after admission to any State Bar, or (2) experience as a judicial clerk for a federal court, California's state courts, or any other state's courts, to constitute experience in the practice of law.

For an individual's judicial clerkship to qualify as experience in the "practice of law" or "performing legal duties", the experience must have been gained after receipt of a Juris Doctor or equivalent degree.

FILING INSTRUCTIONS

Examination Applications (STD. 678) are available at the California Department of Human Resources Careers page at <http://jobs.ca.gov/pdf/std678.pdf>.

All Examination Applications must be **POSTMARKED** no later than the final filing date in order to be considered for the examination. Submit applications directly to:

MAILING ADDRESS:

Employment Development Department
Human Resource Services Division, MIC 54
Attention: **AGC, ALRB Exam**
P.O. Box 826880
Sacramento, CA 94280-0001

NOTE: All applicants **MUST** provide a current, valid email address on their application. The Qualifications Assessment (QA) examination link will be sent to the email address provided. Failure to provide a current and valid email address may result in non-receipt of examination information, in a timely manner, which could result in disqualification from the examination. All examination notifications (except the QA link) will be sent by USPS mail.

Applications must also contain the following information: "to" and "from" dates (month/day/year) of employment, time base, civil service class title(s), and range, if applicable. In addition, college course information **MUST** include: title, semester or quarter credits, name of institution, completion dates, and degree (if applicable). Applications received without this information may be rejected.

SPECIAL TESTING ARRANGEMENTS

If you have a disability and need special assistance or special testing arrangements, contact EDD at EDDExaminations@edd.ca.gov or via the California Relay Service for the Deaf or Hard of Hearing at (800)735-2929 from TTY phones and (800) 735-2922 from voice phones.

Additionally, please select the "Reasonable Accommodations" box when filling out the application.

ELIGIBLE LIST INFORMATION

A Departmental Open list will be established for use by the **Agricultural Labor Relations Board**. Eligibility expires **24** months after it is established unless the needs of the services and conditions of list warrant a change in this period.

COMPETITORS MAY COMPETE ONLY ONCE IN ANY CONSECUTIVE 24-MONTH PERIOD.

EXAMINATION INFORMATION

This examination will consist of a **Qualifications Assessment** weighted 100%. In order to obtain a position on the eligible list, a minimum rating of 70% must be attained.

QUALIFICATIONS ASSESSMENT – WEIGHTED 100%

It is anticipated that candidates who meet the minimum qualifications for this examination will be sent an email the week of **August 22, 2016** to the email address provided on their application.

EXAMINATION INFORMATION CONTINUED

The email will contain the instructions and the link to complete the online Qualifications Assessment (QA) examination.

It is the candidate's responsibility to contact the Employment Development Department at EDDExaminations@edd.ca.gov if they have not received an email with the QA link by **August 25, 2016**. Please monitor your email account's SPAM, Junk, Bulk, etc. folder(s) as the examination email may be filtered depending on your specific account settings.

COMPETITORS WHO DO NOT COMPLETE THE QUALIFICATIONS ASSESSMENT OR DO NOT SUBMIT IT BY THE DUE DATE WILL BE DISQUALIFIED FROM THE EXAMINATION PROCESS.

SCOPE OF THE EXAMINATION

A. KNOWLEDGE OF:

1. The Agricultural Labor Relations Act. Agricultural Labor Relations Board case law and attendant regulations.
2. Relevant National Labor Relations Act case law, Legal principles and their applications.
3. Legal research methods.
4. Administrative law and the conduct of proceedings before Administrative Law Judges.
5. Scope, character, and principles of California statutory law, provisions of the California Constitution, administrative regulations, and case authorities administered or enforced by the General Counsel, Agricultural Labor Relations Board.
6. Principles of labor law, administrative law, and civil litigation.
7. Rules of evidence and conduct.
8. A manager's/supervisor's responsibility for promoting equal opportunity (EEO) in hiring and employee development and promotion and for maintaining a work environment that is free of discrimination and harassment.

B. ABILITY TO:

1. Analyze legal principles and precedents and apply them to complex legal problems.
2. Perform and direct legal research.
3. Present statements of fact, law, and argument clearly and logically in written and oral form.
4. Draft opinions, pleadings, rules, regulations, and legislation.
5. Negotiate effectively.
6. Recognize the special problems of employer-employee relations (Ralph C. Dills Act).
7. Independently present difficult and complex cases before Administrative Law Judge.
8. Effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

VETERANS' PREFERENCE

Veterans' Preference will be granted for this examination. Effective January 1, 2014, in accordance with Government Codes 18973.1 and 18973.5, whenever any veteran, widow or widower of a veteran, or spouse of a 100 percent-disabled veteran achieves a passing score on an open examination, he or she shall be ranked in the top rank of the resulting eligibility list. This section shall not apply to any veteran who has been dishonorably discharged or released.

CAREER CREDITS

Career Credits will not be added to the final score of this examination as it **does not** meet the requirements to qualify for Career Credits.

EQUAL EMPLOYMENT OPPORTUNITY

The State of California is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right to family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), and sexual orientation.

DRUG FREE STATEMENT

It is an objective of the State of California to achieve a drug-free state work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing civil service and the special trust placed in public servants.

CONTACT INFORMATION

Potential applicants are encouraged to read this entire bulletin. All inquiries about this examination should be directed to EDDExaminations@edd.ca.gov. Please include the examination title, **ASSOCIATE GENERAL COUNSEL**, in the subject line. Also, you may contact the Exam Analyst, Antonio Serrato, at (916) 654-9177.

GENERAL INFORMATION

THE EMPLOYMENT DEVELOPMENT DEPARTMENT reserves the right to revise the examination plan to better meet the needs of the service if the circumstances change under which this examination was planned. Such revision will be in accordance with civil service laws and rules and all candidates will be notified.

IT IS THE CANDIDATE'S RESPONSIBILITY to contact the Employment Development Department, Human Resource Services Division at (916) 657-0356, three weeks after the FINAL FILING DATE if he/she has not received a notice via email or U.S. mail.

If you meet the requirements stated on this bulletin you may take this examination, which is competitive. Possession of the entrance requirement(s) does not ensure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of the other candidates who take this examination, and all candidates who pass will be ranked according to their scores.

EXAM APPLICATIONS (STD 678) are available on the Internet at <http://jobs.ca.gov/pdf/std678.pdf>

GENERAL QUALIFICATIONS: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, an ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the class.

ELIGIBLE LISTS: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) sub-divisional promotional, 2) departmental promotional, 3) multi-departmental promotional, 4) service-wide promotional, 5) departmental open, 6) open eligible list. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on this bulletin. In the case of continuous testing examinations, names are merged into the appropriate eligible lists in order of final examination scores regardless of the date of the examination and the resulting eligible lists will be used only to fill vacancies in the area shown on the bulletin.

COLLEGE EDUCATION: The qualifications meeting the requirement "Equivalent to graduation from college" means satisfaction of the requirements for the bachelor's degree from an accredited, recognized institution of higher education. This means the applicant must show receipt of a bachelor's degree. Acceptable college course work must be from an accredited, recognized institution approved by the California Superintendent.

VETERANS' PREFERENCE: Effective January 1, 2014, in accordance with Government Code 18973.1 and 18973.5, Veterans' Preference will be awarded as follows: 1.) Any veteran, widow or widower of a veteran, or spouse of a 100 percent disabled veteran, who achieves a passing score in an entrance examination, shall be ranked in the top rank of the resulting eligibility list. Any veteran who has been dishonorably discharged or released is not eligible for Veterans' Preference. 2.) An entrance examination is defined, under the law, as any open competitive examination. And 3.) Veterans' Preference is not granted once a person achieves permanent civil service status.

Veteran status is verified by the California Department of Human Resources (CalHR). Directions to apply for Veterans' Preference are on the Veterans' Preference Application (Std. Form 1093), which is available at <https://jobs.ca.gov/Public/Jobs/Veterans.aspx>, and the Department of Veterans Affairs.

EMPLOYMENT DEVELOPMENT DEPARTMENT
Human Resource Services Division, MIC 54
P.O. Box 826880
Sacramento, CA 94280-0001
Telephone: (916) 654-7827
Website: www.edd.ca.gov

California Relay Service for Hearing Impaired:
From TDD Phone: (800) 735-2929
From Voice Phone: (800) 735-2922

TDD is a Telecommunications Device for the Deaf and is reachable only from telephones equipped with a TDD device.