



STATE OF ALASKA

Position Description

Position Control Number (PCN): 019008

Class Title:
Human Rights Field Representative III

Recruitment Type: Normal

1. Position Control Information			
Class Title:	Human Rights Field Representative III	Title Code:	PF0323 Grade: 18
		Salary Schedule:	NOO
Bargaining Unit:	Partially Exempt and Exempt Executive Branch Employees	Bargaining Unit Code:	XE
Department:	Office of the Governor	Department Number:	01
Division:	Human Rights Commission		
Region/Section/Unit:	Investigative Unit		
Location:	Anchorage	Location Code:	EBA
Time Class:	Partial Exempt Full Time	Seasonal Code:	FR - Full time regular Time Class Code: PXFT
FLSA Exempt:	No	Strike Class:	N
Position requires possession of a Commercial Drivers License (CDL):			No
Position requires possession of, or access to, firearms or ammunition:			No
Home Unit: Z372			
AKPAY Organizational Routing Code: 01013702			
Labor Distribution Code (LDP): ASCHR			
Physical Work Address: 800 A Street, Suite 204, Anchorage			
Work Phone: 907-274-4692			
Supervisor Information			
PCN: 019041 Title: Human Rights Field Representative IV			
Physical Work Address: 800 A St Anchorage			
Work Phone: 907-792-7249			

Type of Action:	Update
Effective Date:	05/04/2018
Division of Personnel Section:	Classification
Reviewed By:	Tres Causey, Human Resource Consultant II, on 05/04/2018

Approved By:	Tres Causey, Human Resource Consultant II, on 05/04/2018
Closed out by:	Don Wright, Human Resource Technician II, on 05/08/2018

2. Duties

2.1. In one or two sentences, state the main purpose of the position.

Independently and impartially investigate and resolve complaints to prevent and eliminate discrimination under Alaska Human Rights Law.

2.2. Starting from the most to the least important, list the functional areas assigned to the position. Within each functional area, describe the duty statement associated; estimate the percentage of time spent performing the duties; and define each area as essential (E) or marginal (M).

Functional Area Title: Investigations		
E/M	% of Time	Duty Statement
E	60 %	<p>Develop investigative plans, identifying appropriate relief, applicable legal theories, lines of inquiry, defenses proffered, relevant witnesses, and documents necessary to the investigation. The plan includes investigative strategy such as on-site visits or formal requests for discovery.</p> <p>Obtain and record material evidence through witness interviews, coordinating with legal counsel, if necessary. Analyze evidence including documents and witness interviews.</p> <p>Provide oral and written investigation status updates to complaining and responding parties. Updates include explaining the evidence obtained to allow the parties the opportunity to rebut or provide additional information for continued investigation.</p> <p>Convey offers and counter-offers of settlement. Prepare predetermination settlement agreements and monitor to assure compliance with the terms of the agreement.</p> <p>Prepare a case analysis memorandum that details the evidence secured during the investigation. Write a determination recommending a finding of either substantial evidence or not substantial evidence based on this analysis.</p> <p>Draft determinations that contain detailed and concise explanations of the evidence found during an investigation and the basis for the conclusions. A determination is a staff decision document which summarizes the investigative findings and concludes with a course of action.</p> <p>Write conciliation agreements in cases where a finding of substantial evidence of discrimination is found, including all remedies which will provide full relief for complainant and eliminate the discriminatory practices. Determining the appropriate relief may involve detailed and</p>

	<p>complex calculation of monetary benefits. Monitor the conciliation agreements to assure compliance with the law and the terms of the agreement.</p> <p>After a finding of substantial evidence of discrimination, conduct conciliation conference to encourage the respondent to provide full relief for complainant and eliminate the discriminatory practice.</p> <p>Throughout the processing of the case, clarify to the parties and their legal representatives their roles and responsibilities and those of the commission, providing information to the parties of the legal elements of proof that the agency uses in analyzing the evidence and the agency's procedures.</p> <p>Prioritize cases according to age, complexity, and degree of completion, in accordance with agency-identified prioritization plan or order to expedite case processing.</p> <p>Maintain organized and complete investigative files in all cases.</p>
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Functional Area Title: Intakes		
E/M	% of Time	Duty Statement
E	20 %	Conduct intake interviews with prospective complainants. Frame legally sufficient complaints including complex factual and legal allegations in a concise format. Obtain information from complainants necessary for the investigation. Advise complainants of their rights and responsibilities and explain the investigative process. Record the intake interview and complete forms for input into the agency's case tracking system.

Functional Area Title: Inquiries		
E/M	% of Time	Duty Statement
E	15 %	Answer all telephone, mail, or in-person inquiries on a rotating basis, documenting an average of 80 - 100 inquiries per inquiry week. Determine jurisdiction under state, local, and federal anti-discrimination laws. Refer inquirers with jurisdictional and non-jurisdictional inquiries to appropriate individuals or agencies.

Functional Area Title: Occasional Duties		
E/M	% of Time	Duty Statement

E	3 %	<p>Attend supervisory meetings and investigator meetings. Present and discuss complex or problem cases with the staff attorneys, supervisors, and executive director.</p> <p>Notarize documents.</p>
M	2 %	<p>Educate the public about local, state, and federal anti-discrimination laws through formal and informal presentations.</p> <p>Attend training sessions, seminars, and workshops on civil rights and other issues for professional growth. Read commission, state, and federal case decisions and other materials related to the job.</p>

Percentage Total: 100%

3. Other Work Details

3.1. List the computer software and hardware used to perform the duties described. Estimate how often each is used (e.g. daily, 2-3 times a week, 1-2 times a month, etc.).

Desktop computer and printer (daily); laptop computer (as needed); Microsoft Word software (daily), Case Tracking system (as needed).

3.2. List the equipment and materials used to perform the duties described, including machinery, tools, instruments, vehicles, etc. Estimate how often each is used (e.g. daily, 2-3 times a week, 1-2 times a month, etc.).

Nortel telephone system (daily); TTY telephone (as needed); IBM typewriter, copier, fax, TV/VCR/DVD, calculator (as needed).

3.3. List the guides and references regularly used to perform the duties described. Examples include federal and state laws and regulations, professional standards, building codes, trade practices, contracts, and policy and procedure manuals. Explain how and why these guides and references are used. Estimate how often each is used (e.g. daily, 2-3 times a week, 1-2 times a month, etc.).

The following are used daily: AS18.80; 6AAC30; Title VII of the Civil Rights Act of 1964, as amended; and ASCHR Procedure Manual.

The following are used weekly: agency policy memoranda; Age Discrimination in Employment Act of 1967, as amended; Title I of the Americans with Disabilities Act of 1990; and Lindemann and Grossman's Employment Discrimination Law.

The following are used monthly: Title III of the Civil Rights Act of 1964; Equal Pay Act of 1963; agency, state, and federal court decisions; Pregnancy Discrimination Act of 1967; AMC 5.20 et.seq.; EEOC CDS/IMS guidelines for federal bases, issues, and Standard Industrial codes; Commerce Clearing House EEOC guidelines; EEOC's compliance and substantial weight review manual; Anchorage City Directory; ADA Technical Assistance Manual; and federal and state executive orders regarding civil rights.

3.4. Describe the level of authority and independence the incumbent of the position exercises. List the actions the incumbent takes or the decisions the incumbent makes on a regular basis without obtaining prior approval

from a higher level employee. For example, explain how the position has the authority to commit the organization, or any parts thereof, to a course of action.

Screen and document inquiries; determine jurisdiction, harm/basis and timeliness to file complaints; conduct intake interviews; develop investigative plan and methods, scope, witnesses, documents and legal theories; plan and conduct witness interviews, informal and formal requests for documents; prioritize caseload; recommend determination after analysis of the evidence.

3.5. Describe the nature of the contacts the incumbent has with other people in order to perform the duties described. Include who is contacted, the reason for the contact, and how often the contact is made.

Multiple times per day, receive and make telephone calls, and meet in person at the Commission office or at another location, complainants, respondents, and witnesses to conduct interviews or gather other information necessary to investigate complaints, determine agency jurisdiction, and resolve cases.

3.6. Describe the consequence of an error made by a prudent employee in the performance of the essential functions assigned to the position. What is the consequence of that error to individuals, operations, and programs?

Little to no consequence. Decision documents are reviewed by supervisors or other senior staff. Errors would require re-evaluation and redrafting of documents by the employee.

3.7. List critical requirements of the position not previously described (e.g., skills in keyboarding, writing, negotiating, communications, etc.).

It is imperative that an investigator have the ability and training to apply complex legal theories, to logically and methodically evaluate evidence, to identify and question pretextual arguments; and to be diplomatic in dealing with people from various social, cultural, economic, and educational backgrounds.

3.8. List licenses, certifications, registrations, physical or other standards required by state or federal law or regulation to perform the duties described. Cite the specific authority (e.g. law or regulation, such as the OSHA Bloodborne Pathogens Act).

Current Alaska Driver's License.

4. Work Demands

The following identifies some of the physical and mental demands and potential hazards typically encountered by this position. These are job demands which can be ***reasonably anticipated and are an expectation of the job.***

Keeping in mind the essential functional areas and duty statements described in section 2, select the rating that best matches the requirement of this position according to the following descriptions:

Rating **Description**

Not Required (N): Not required of this position.

Present (P): Requirement **is** present, but **is not** essential to the position. (For example, a receptionist may encounter aggressive or angry people, but this is not an essential assignment.)

Occasional (O): Required 33 percent of the time or less **and** essential to the position. (For example, a lifeguard swims only occasionally, but it is essential that a lifeguard be able to swim; a correctional officer must control aggressive/angry people who are life threatening.)

Frequent (F): Required over 33 percent of the time **and** essential to the position.

Items checked below must be consistent with the duty statements listed in section 2.

4.1 Physical Requirements

Title	Rating			
	N	P	O	F
Sitting				F
Walking				F
Standing			O	
Running	N			
Jumping	N			
Bending or twisting	N			
Squatting or kneeling	N			
Crawling	N			
Reaching above shoulder level	N			
Reaching below shoulder level	N			
Ascending or descending using a ladder or other conveyance	N			
Climbing stairs	N			
Driving cars, light duty trucks			O	
Driving heavy duty vehicles	N			
Using floor mounted foot controls to operate equipment (e.g., not driving a car)	N			

Repetitive motion of hands/fingers (e.g., keyboarding, turning pages)				F
Fine manipulation with fingers	N			
Pinching with fingers	N			
Grasping with hand, gripping	N			
Load, unload, aim, and fire handguns, shotguns or other firearms	N			
Lifting/carrying up to 25 pounds			O	
Lifting/carrying 26-50 pounds		P		
Lifting/carrying more than 50 pounds		P		
Pushing/pulling up to 25 pounds			O	
Pushing/pulling 26-50 pounds	N			
Pushing/pulling more than 50 pounds	N			
Balancing on moving surfaces	N			
Balancing on narrow surfaces	N			
Balancing on slippery surfaces	N			
Balancing on uneven surfaces	N			
Restraining/grappling with people in a public protection environment	N			
Seeing objects at a distance	N			
Seeing objects peripherally	N			
Using depth perception	N			
Seeing close work (e.g. typed print)				F
Distinguishing colors		P		
Hearing conversations or sounds				F
Hearing via radio or telephone				F
Communicating through speech				F
Communicating by writing/reading				F
Distinguishing odors by smell	N			
Distinguishing tastes	N			

4.2 Work Environment

Title	Rating			
	N	P	O	F
Work in/exposure to inclement weather			O	
Work/in/exposure to cold water	N			
Work/live in remote field sites			O	
Work in confined areas (under desks, in heating vents, etc.)	N			
Exposure to dust, chemicals, or fumes	N			
Exposure to hazardous equipment (e.g., guns, chainsaws, explosives)	N			

Exposure to electrical current (not outlets)	N			
Swimming/scuba diving	N			
Work at heights up to 25 feet (e.g., towers, poles)	N			
Work at heights over 25 feet (e.g. towers, poles)	N			
Work in urban or highway traffic (other than driving)	N			
Work around moving machinery or mobile equipment	N			
Work around moving mechanical parts	N			
Work on and off moving equipment	N			
Work on slippery or uneven surfaces	N			
Work/travel in boat/small aircraft/helicopters			O	
Exposure to high noise levels	N			
Exposure to infection, germs, or contagious diseases (e.g. hospital, lab, clinic, etc.)	N			
Exposure to blood, body fluid, or materials potentially contaminated by blood or body fluids (e.g., hospital, lab, clinic, public protection environment)	N			
Exposure to needles or sharp implements (e.g. hospital, kitchens)	N			
Use of hot equipment (e.g., kitchen ovens, lab equipment)	N			
Exposure to wild/dangerous animals	N			
Exposure to insect bites or stings	N			
Exposure to aggressive/angry people in a public protection environment	N			

4.3 Other Work Demands

Title	Rating			
	N	P	O	F
There are no other work demands.				

4.4. Explain any special physical, mental, or behavioral requirements of the position that have not already been addressed.

None

5. Supervisory Authority

This page must be completed if PCN **019008** is assigned supervisory or lead level authority (this includes Labor, Trades and Crafts foreman positions). In the chart below, list each position PCN **019008** supervises or leads. Record **019008** 's level of authority for each area of responsibility according to the definitions below. Subordinate positions listed must be consistent with those reflected on the staffing chart, and levels of authority must be substantiated in all other applicable portions of the PD (i.e. duties, guides, actions, decisions).

Note: These ratings are not dependent upon whether the position has actually exercised the authority, but rather what level is assigned.

Level Definition of Level of Authority Assigned

- 1 = Has authority to take action; notification to supervisor may or may not be necessary afterward.
- 2 = Effectively recommends and discusses decision with supervisor; then takes action.
- 3 = Presents recommendations to supervisor; supervisor makes decision and directs position to take action.
- 4 = No authority to take or recommend action.

Is PCN **019008** assigned supervisory or lead level authority for one or more of the responsibilities listed in the chart below? **No** If no, skip this section.

PCN 019008 's Responsibilities and Assigned Level of Authority

Positions Directly Supervised or Led by PCN 019008	Employ (includes authority to hire, transfer, layoff, OR recall)	Discipline (includes authority to suspend, demote, OR issue written warnings)	Discharge	Adjudicate Grievances (includes authority to respond to a first level grievance under a collective bargaining agreement)	Assign Work	Set Task Priorities	Check Quality of Work	Evaluate Performance	Instruct & Train Staff
None									

6. Department Request & Certification

Information at Time of Request

Class Title:	Human Rights Field Representative III	Code:	P4207	Grade:	18
Bargaining Unit:	Partially Exempt and Exempt Executive Branch Employees	Bargaining Unit Code:			XE
Department:	Office of the Governor	Department Number:			01
Division:	Human Rights Commission				
Region/Section/Unit:					
Location:	Anchorage	Location Code:			EBA
Time Class:	Partial Exempt Full Time	Time Class Code:			PXFT
FLSA Exempt:	No	Strike Class:			N
Position requires possession of a Commercial Drivers License (CDL):	No				
Position requires possession of, or access to, firearms or ammunition:	No				
Home Unit:	Z372				
AKPAY Organizational Routing Code:	01013702				
Physical Work Address:	333 Willoughby, Juneau				
Work Phone:	907-				
Supervisor Information					
PCN:	Title:				
Physical Work Address:					
Work Phone:					

Requested Changes

Class Title:	Human Rights Field Representative III	Code:	P4207	Grade:	18
Region/Section/Unit:	Investigative Unit				
Physical Work Address:	800 A Street, Suite 204, Anchorage				
Work Phone:	907-274-4692				
Supervisor Information					
PCN:	Title:				
Physical Work Address:					
Work Phone:					

Requested Actions

Update

Reason for the Request

Update PD.

Does this submission require OMB Approval?

No

If yes, has it been approved by the OMB?

If no, please select the criteria which approves this submission:

Position submitted for update or reclass of two or fewer ranges

American Recovery and Reinvestment Act

Is this permanent position established to work on ARRA (American Recovery and Reinvestment Act) related projects/assignments?

No

Certification

Supervisor

I certify that the information provided in this submission is accurate and complete to the best of my knowledge.

Nanette Gay, Human Rights Field Representative IV, on 03/23/2018

Division

I certify that the information provided in this submission is accurate and complete to the best of my knowledge.

Marti Buscaglia, Division Director - Px, on 03/23/2018

Department

I certify that the information provided in this submission is accurate and complete to the best of my knowledge and the required budgetary authorization exists to implement the requested action.

Tiffany Sturrock, , on 03/27/2018

7. Staffing Chart & Attachments

HRC ORG CHART

8. Classification Analysis

The Office of the Governor, Human Rights Commission, submitted the following Position Description as an update to the Human Rights Field Representative III job class: PCNs: 019008, 019011, 019030, 019032, and 019036. The positions are filled and located in Anchorage. The supervisors for the positions are PCNs 019002 and 019041 (Human Rights Field Representative IV). Supervisory authority is not assigned to the positions.

Contacts: Contact was made with Scott Damerow (Administrative Officer I) and Marti Buscaglia (Executive Director) for clarification of work demands.

Analysis:

All duties, responsibilities, and authorities listed within this position description were considered for this analysis.

PCNs 019008, 019011, 019030, 019032, and 019036 are responsible for investigating and resolving complaints to prevent and eliminate discrimination under Alaska Human Rights Law. The positions develop plans necessary for investigations, convey offers and counter-offers of settlement, prepares case analyses, writes conciliation agreements, and independently investigate and prioritize individual cases of all complexities. The preceding duties represent the full working level of the Human Rights Field Representative job class series. Therefore, allocation to the Human Rights Field Representative III is appropriate.

PCNs 019008, 019011, 019030, 019032, and 019036 remain allocated to Human Rights Field Representative III. The positions remain placed in the Partially-Exempt Service under A.S. 39.25.120(c)(5). The positions do not meet the criteria for exemption under the Fair Labor Standards Act and are eligible for overtime.