

<b>1. Position Code</b>
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**State of Michigan**  
**Department of Civil Service**  
Capitol Commons Center, P.O. Box 30002  
Lansing, MI 48909

Federal privacy laws and/or state confidentiality requirements protect a portion of this information.

**POSITION DESCRIPTION**

This form is to be completed by the person that occupies the position being described and reviewed by the supervisor and appointing authority to ensure its accuracy. It is important that each of the parties sign and date the form. If the position is vacant, the supervisor and appointing authority should complete the form.

This form will serve as the official classification document of record for this position. Please take the time to complete this form as accurately as you can since the information in this form is used to determine the proper classification of the position. **THE SUPERVISOR AND/OR APPOINTING AUTHORITY SHOULD COMPLETE THIS PAGE.**

<b>2. Employee's Name (Last, First, M.I.)</b>	<b>8. Department/Agency</b> Attorney General
<b>3. Employee Identification Number</b>	<b>9. Bureau (Institution, Board, or Commission)</b> Consumer and Regulatory Enforcement Bureau
<b>4. Civil Service Classification of Position</b> Attorney Staff-E -or- Attorney Senior-A	<b>10. Division</b> Labor
<b>5. Working Title of Position (What the agency titles the position)</b> Assistant Attorney General	<b>11. Section</b> Regulatory Section
<b>6. Name and Classification of Direct Supervisor</b> Kim Breitmeyer, Attorney Manager 18	<b>12. Unit</b>
<b>7. Name and Classification of Next Higher Level Supervisor</b> Christopher Braverman, Attorney Administrator 20	<b>13. Work Location (City and Address)/Hours of Work</b> 3030 West Grand Blvd., Suite 9-600, Detroit, 48202 OR 525 W. Ottawa, Lansing, MI 48909 8:00 a.m. – 5:00 p.m.

**14. General Summary of Function/Purpose of Position**  
Under the general supervision of the Division Chief and Regulatory Section Head, the incumbent in this position handles legal assignments of varying complexity. Working with varying levels of independence, the attorney provides legal representation for a wide range of the Division's and the Section's client agencies. The legal assignments handled by the incumbent include, but are not limited to: day-to-day legal advice; research and writing of formal and informal legal opinions; representation and training of boards and commissions; revising and drafting contracts, procedures, rules, declaratory rulings, and interpretive statements; representation of client agencies in contested administrative hearings; and appellate representation in all levels of federal and state courts.

15. Please describe your assigned duties, percent of time spent performing each duty, and explain what is done to complete each duty.

List your duties in the order of importance, from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary of Duty 1                      % of Time 40

Provide oral or written legal advice to various Regulatory Section client agencies, including but not limited to the Bureau of Construction Codes, Bureau of Fire Services, Office of the State Employer, State Personnel Director, State Board of Ethics, State Officers Compensation Commission, Michigan Civil Service Commission, Michigan Tax Tribunal, and several public bodies, offices, and agencies within the Department of Labor and Economic Opportunity, including its Office of Administrative Services, its Office of Human Resources, the Unemployment Insurance Appeals Commission, Michigan High-Speed Internet Office, Office of Rural Prosperity, Office of Global Michigan, Workforce Development, Operations Bureau, Community and Worker Economic Transition Office, Office of Faith-Based & Community Partnerships, Michigan Community Service Commission, Poverty Task Force, and MiSTEM Advisory Council.

**Individual tasks related to the duty.**

- Advise client agencies on all matters related to the administration of their various duties, obligations, and programs.
- Represent client agencies in contested-case proceedings relating to their administration of various regulatory schemes.
- Provide written advice by email, letter, or memorandum.
- Review documents created by client agencies and provide substantive feedback regarding legal issues, including contracts, internal policies and procedures, rules, interpretive statements, and declaratory rulings.
- Draft formal advice for review by Section Head or Division Chief.
- Research legal questions of varying complexity and formulate an answer on the question or issues.

Duty 2

General Summary of Duty 2                      % of Time 20

Provide representation and training at meetings of boards, commissions, or councils housed within the Bureau of Construction Codes and the Bureau of Fire Services, including the Barrier Free Design Board, Board of Mechanical Rules, Construction Code Commission, Electrical Administrative Board, Elevator Safety Board, Michigan-Indiana State Line Commission, State Plumbing Board, Fire Fighter Training Council, and Fire Safety Board.

**Individual tasks related to the duty.**

- Draft and deliver periodic board training presentations covering topics such as conflicts of interest, ethics, Freedom of Information Act, Open Meetings Act, best practices for running meetings, board duties and legal authority, and legal standards applicable to matters that may come before the board for a decision or recommendation.
- Attend and represent the board at meetings upon request.
- Draft and deliver written legal advice memoranda to the board upon request.
- Schedule and attend periodic meetings with board chairs to review the proposed meeting agenda and prepare materials to assist in the efficient running of a public body meeting.
- Attend public body agenda planning meetings with agency staff to assist in issue spotting and ensuring the accuracy and completeness of board packets and agendas.  
Review for accuracy and completeness minutes and decisions and orders drafted by agency staff arising out of public board meetings.

Duty 3

**General Summary of Duty 3**

**% of Time 15**

Represent the Bureau of Construction Codes, Bureau of Fire Services, and Workforce Development in citation appeal and administrative contested case hearings. Provide day-to-day oral and written legal advice and opinions to agency, board, and commission staff.

**Individual tasks related to the duty.**

- Meet with client staff and management to discuss underlying case issues and facts and develop strategy.
- Review and assess the case and evidence supporting the agency's position.
- Determine what witnesses will be necessary to present the agency's case and, if necessary, obtain subpoenas to secure the appearance of non-client witnesses.
- Participate in telephone or in-person conferences with the administrative law judge and opposing parties on matters ranging from routine scheduling issues to contested motions.
- Advise client on settlement matters.
- File or respond to written motions.
- Prepare witnesses for hearing testimony.
- Prepare exhibits for introduction at hearing.
- Represent client at the contested hearing, from the opening statement to direct and cross-examination of witnesses to closing arguments and briefing.

Duty 4

**General Summary of Duty 4**

**% of Time 15**

Represent the Michigan Civil Service Commission, the Bureau of Construction Codes, the Bureau of Fire Services, and Workforce Development in appeals of final decisions and orders issued by the agency or a board, commission, or council housed within the agency.

**Individual tasks related to the duty.**

- Review claims of appeal filed in circuit court or the Court of Appeals to determine timeliness and compliance with governing court rules.
- Identify and track relevant case deadlines, including appearance filing, certified record filing, and briefing deadlines.
- Assist client agency in reviewing or preparing the certified record to be filed with the reviewing court.
- Review opposing appeal briefs and formulate substantive responses and strategy for the client’s appeal brief.
- Develop, research, and draft the legal arguments supporting the client’s position on appeal.
- Draft briefs for filing in the circuit court and higher appellate courts in accordance with the Division’s internal deadlines to allow for Section Head, Appellate Specialist, or Division Chief review and feedback.
- Present oral argument to the circuit court and higher appellate courts.
- Represent the client at some or all stages of appellate judicial review and in other civil litigation for which the client may be named as a party.
- Coordinate appellate preparation with the Division’s Appellate Specialist.

Duty 5

**General Summary of Duty 5**

**% of Time 10**

Special assignments involving novel, intricate, or non-routine issues that arise from the Regulatory Section, one of the Division’s other sections, or upon request from the Executive office. Respond to citizen calls or letters, as assigned.

**Individual tasks related to the duty.**

- Receive research assignments directly from the Division Chief, First Assistant, Section Head, or Executive office.
- Research legal questions and formulate an answer or guidance.
- Draft any necessary written advice or answers, including email, letter, internal memorandum, or Division-Level advice memorandum.
- Work with staff from other Divisions, the Executive office, non-client agencies, or the Governor’s office as needed.
- Return calls to citizens.
- Draft responses to written citizen inquiries.

Duty 6

**General Summary of Duty 6**

**% of Time \_\_**

**Individual tasks related to the duty.**

**16. Describe the types of decisions you make independently in your position and tell who and/or what is affected by those decisions. Use additional sheets, if necessary.**  
 Exercises discretion in handling oral inquiries for advice from clients, questions from citizens, and in negotiating with opposing counsel on matters short of ultimate settlement issues. In general, the degree of independence will vary with the complexity of the case and experience of the incumbent.

**17. Describe the types of decisions that require your supervisor’s review.**  
 Matters requiring review by the supervisor include final versions of pleadings, motions, briefs, and settlement agreements; final drafts of formal written memoranda of advice to client; final drafts of citizen letters; and final drafts of proposed attorney general opinions.

**18. What kind of physical effort do you use in your position? What environmental conditions are you physically exposed to in your position? Indicate the amount of time and intensity of each activity and condition. Refer to instructions on page 2.**  
 Job duties are performed primarily in an office setting, which may require long periods of computer and office equipment usage. Travel may be involved. Lifting of heavy or large case files or brief cases may be required.

**19. List the names and classification titles of classified employees whom you immediately supervise or oversee on a full-time, on-going basis. (If more than 10, list only classification titles and the number of employees in each classification.)**

<u>NAME</u>	<u>CLASS TITLE</u>	<u>NAME</u>	<u>CLASS TITLE</u>
N/A			


20. My responsibility for the above-listed employees includes the following (check as many as apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Complete and sign service ratings. | <input type="checkbox"/> Assign work.                      |
| <input type="checkbox"/> Provide formal written counseling. | <input type="checkbox"/> Approve work.                     |
| <input type="checkbox"/> Approve leave requests.            | <input type="checkbox"/> Review work.                      |
| <input type="checkbox"/> Approve time and attendance.       | <input type="checkbox"/> Provide guidance on work methods. |
| <input type="checkbox"/> Orally reprimand.                  | <input type="checkbox"/> Train employees in the work.      |

21. *I certify that the above answers are my own and are accurate and complete.*

\_\_\_\_\_

Signature Date

**NOTE: Make a copy of this form for your records.**

**TO BE COMPLETED BY DIRECT SUPERVISOR**

22. Do you agree with the responses from the employee for Items 1 through 20? If not, which items do you disagree with and why?

Yes.

23. What are the essential duties of this position?

Thoroughly understand the statutory and administrative authority of the Section's client agencies. Provide oral or written legal guidance to these clients and represent these clients in administrative and appellate proceedings.

**24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.**

This is a newly created position.

**25. What is the function of the work area and how does this position fit into that function?**

Attorney serving in this position will be a senior or staff attorney providing legal services to various client agencies of the Regulatory Section of the Labor Division. The attorney handles legal assignments as required by the Division Chief or Section Head.

**26. In your opinion, what are the minimum education and experience qualifications needed to perform the essential functions of this position.**

**EDUCATION:**

Possession of a Juris Doctorate degree from an accredited school of law.

**EXPERIENCE:**

As described in applicable civil service job specifications.

**KNOWLEDGE, SKILLS, AND ABILITIES:**

Knowledge of fundamental subjects of law. Knowledge of research procedures. Ability to prepare briefs and argue cases before state and federal courts and agencies. Knowledge of court procedures. Knowledge of policy, practices, and procedures of the Department of Attorney General. Ability to communicate effectively, both verbally and in writing. Ability to use judgment, tact, and discretion. Ability to analyze facts and draw logical conclusions. Ability to maintain accurate records.

**CERTIFICATES, LICENSES, REGISTRATIONS:**

Membership in good standing with the State Bar of Michigan.

*NOTE: Civil Service approval of this position does not constitute agreement with or acceptance of the desirable qualifications for this position.*

**27. I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.**

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

**TO BE FILLED OUT BY APPOINTING AUTHORITY**

**28. Indicate any exceptions or additions to the statements of the employee(s) or supervisor.**

**29. I certify that the entries on these pages are accurate and complete.**

\_\_\_\_\_  
Appointing Authority's Signature

\_\_\_\_\_  
Date