

Position Summary

This summary describes the organization, duties, and requirements of a State of Michigan vacancy.

Position Code: STASTADM

Civil Service Class and Level: State Assistant Administrator

Working Title (What the agency calls the position): Legal Compliance Officer

Name and Position Code Description of Direct Supervisor: MOON, JASON W; SENIOR DEPUTY DIRECTOR

Department/Agency: LEO-LABOR AND ECON OPPORTUNITY

Bureau (Institution, Board, or Commission): Executive Operations

Work Location (City and Address)/Hours of Work: 320 S. Walnut St., Lansing, MI 48933 / Monday – Friday 8:00 am to 5:00 pm

General Summary of Function/Purpose of Position: The Legal Compliance Officer is responsible for addressing and/or providing support to designated areas of the Department of Labor and Economic Opportunity (LEO) on state legal, regulatory, and compliance related matters. The position ensures that all Department legal needs are promptly and fully supported, coordinated, communicated and addressed. This includes developing departmental legal strategies, policies, and procedures. This position serves as a liaison with the Attorney General and other state agencies regarding litigation that affects the Department.

The Legal Compliance Officer serves as the Freedom of Information Act (FOIA) Senior Coordinator and Title II Reasonable Accommodation Coordinator for designated areas of LEO. As the Department's Regulatory Affairs Officer, this individual will coordinate the promulgation of rules with the Michigan Office of Administrative Hearings and Rules (MOAHR).

The position must work collaboratively with existing internal LEO staff that perform these functions within specific agencies/bureaus and may serve as an expert resource on matters that are complex, sensitive or have departmentwide impact on internal and external customers.

Assigned duties and tasks for each duty.

Duty 1: Serve as the Department's Senior FOIA Coordinator and manage the Department's Freedom of Information Act (FOIA) process while coordinating with the Attorney General's Office (AG) and all LEO agency FOIA Coordinators.

- Serve as the Department's Senior FOIA Coordinator.
- Review all FOIA requests submitted to LEO's FOIA office.
- Maintain a database or system that tracks all FOIA requests received and responded to by the Department.
- Ensure compliance with all requirements of Michigan Freedom of Information Act (MCL 15.231).
- Identify areas within the Department that may possess responsive documents to the FOIA requests. Work with those area's FOIA coordinators/liaisons to collect and compile the appropriate response documents.
- Coordinate with AG's office on FOIA matters when necessary.
- Assure the consistency and quality of Departmentwide FOIA responses by: (1) Reviewing designated highly sensitive documents submitted by other designated LEO FOIA Coordinators to ensure all exemptions and redactions are applied in accordance with the FOIA law; (2) Serving as the Department's point of contact and expert resource for general inquiries regarding FOIA law and departmental FOIA policies and procedures; and (3) Providing guidance and support to FOIA coordinators, upon request.
- Maintain the Department's FOIA-related webpage content.
- Work collaboratively and cooperatively with the Transparency Liaison and the Communications Director on requests from media outlets.
- Communicate with FOIA requestors and prepare correspondence related to FOIA requests submitted to LEO's central FOIA office.
- Process FOIA appeals and draft letters for the signature of the Director, Deputy Director, or Agency/Bureau Director. Advise LEO leadership on any sensitive FOIA matters that will have an impact on LEO operations, internal and external customers.
- Review changes to the FOIA law and propose changes to policies and procedures consistent with the law.
- Provide training to LEO FOIA Coordinators as needed.
- Request, review, and compile monthly FOIA metrics from all Department FOIA Coordinators for distribution to LEO leadership.
- Interpret and analyze statutes, legislative proposals, and court decisions related to FOIA, and inform or update Department staff on their potential ramifications.

Duty 2: Serve as the Department's Litigation Coordinator working cooperatively with the Attorney General's Office (AG) and LEO Agencies/Bureaus on state legal matters, including requests for advice, review, interpretation and litigation.

- Serve as the Department's Litigation Coordinator.
- Coordinate with the AG on litigation duties for the Department while also assisting LEO Agencies/Bureaus with state legal matters, including, but not limited to, search warrants, subpoenas, and other requests for information.
- Manage privileged and highly confidential material.
- Develop, monitor, and update agency policies and procedures to reflect both statutory changes and the latest legal precedent and provide technical direction to employees.
- Maintain a database or system that tracks all department legal requests to the AG and related, responses and materials, case status and timeframes.
- Serve as a liaison with the AG, Executive Office of the Governor's Legal Division, LEO Executive Office, LEO Agency/Bureau staff, and public information staff.
- Assist in the drafting of requests for representation from the AG such as Memoranda of Understanding, Partnership Agreements, Interagency Agreements, Third Party Contracts, and other related documents.
- Compile and submit legal preservation requests when deemed necessary.
- Provide legal updates and training to LEO staff as appropriate, serving as a departmentwide expert resource.

Duty 3: Serve as the Department's Regulatory Affairs Officer including coordinating with all LEO agencies and the Michigan Office of Administrative Hearings and Rules (MOAHR) using the Licensing and Regulatory Affairs (LARA) Administrative Rulemaking System (ARS). The process for creating, amending, and rescinding administrative rules is governed by the APA, MCL 24.201-24.328.

- Act as the Department's Regulatory Affairs Officer, overseeing the tracking and reporting of promulgation of rules and regulations and coordination with MOAHR and appropriate LEO agency/divisions in regulatory matters, including the rulemaking process and advice.
- Request, review, and compile the annual regulatory plan of each LEO agency/division for submission to the Administrative Rules Division (ARD) by July 1st of each year as required by MCL.24.253.
- Coordinate and assist LEO agencies/divisions with the promulgation of agency specific rules.
- Using the Administrative Rulemaking System (ARS), review, approve, reject, and edit LEO agencies Requests for Rulemaking (RFR), Draft Rules, and Regulatory Impact Statements (RIS).
- Provide guidance to LEO agencies on the Rulemaking Process as appropriate
- Coordinate and assist the Governor's Office, LEO Executive Office, and LEO agencies/divisions with Emergency Rulemaking as needed.

Duty 4: The ADA Title II Coordinator ensures that all LEO Divisions comply with ADA Title II by promoting accessibility, nondiscrimination, effective communication, and public accountability.

- Serves as the main liaison for Title II accommodation requests, grievances, and inquiries from individuals with disabilities while ensuring contact information is publicly available. Engages in the interactive process as necessary.
- Provides guidance to ensure LEO's digital content and services comply with applicable ADA Title II requirements and accessibility standards, including websites, documents, online forms, multimedia and mobile applications. Advises LEO divisions on identifying, addressing and preventing digital accessibility barriers and supports the consistent application and maintenance of legally required accessibility standards.
- Coordinates with Facilities and/or Human Resources when necessary in order to address Title II concerns.

Duty 5: Perform special projects for the Deputy Director and other duties as assigned.

- Complete special projects, etc.

Types of decisions made independently and whom or what those decisions affect: Independently make decisions on scheduling, project priority, elements of projects necessary to be accomplished. This position functions independently yet makes decisions when coordinating efforts across the Department. The incumbent is expected to be thoroughly familiar with the requirements of each duty and is expected to work without direction to address those requirements. The incumbent in this position selects his/her own projects and is responsible for their progress.

Types of decisions that require the supervisor's review: Approval of department-wide policies, legal recommendations or rules that will also impact internal and external stakeholders.

Physical effort used to perform this job and environmental conditions of this position: Position requires ability to respond during non-work hours. Physical efforts and environmental conditions typical of an office environment.

The essential functions of this position: This position functions as the Legal Compliance Officer for designated work areas within LEO and performs specific functions for those areas. This position coordinates and collaborates with existing internal LEO staff that perform these functions within specific agencies/bureau and may serve as a resource on matters that are complex or have departmentwide impact.

The function of the position's work area and how it fits into that function: This position is housed within LEO's executive operations and provides legal guidance and compliance to designated work areas.

Minimum education, experience, and credentials typically needed to perform the position's essential functions:

EDUCATION:

Possession of a bachelor's degree in any major.

EXPERIENCE:

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Four years of professional experience, including two years equivalent to the experienced (P11) level or one year equivalent to the advanced (12) level.

KNOWLEDGE, SKILLS, AND ABILITIES:

Ability to plan, to write, to understand complex issues, to manage staff, maintain positive relationships, to train, and to speak to audiences. Ability to manage multiple projects concurrently; be responsive to the needs of the Director and the Department.

Stay updated on relevant laws, such as ADA, FOIA, etc.

CERTIFICATES, LICENSES, REGISTRATIONS:

None.