

EMPLOYMENT RETALIATION ADMINISTRATOR

This is professional, administrative and supervisory work in implementing the provisions of the North Carolina Retaliatory Employment Discrimination Act (REDA). The Workplace Discrimination Office (WORD) ensures that employers comply with the requirements of REDA by investigating complaints of non-compliance, and, where merit is found in a complaint, facilitating resolution by conciliation, settlement, and litigation or issuance of right to sue letters, and by informing employers of their responsibilities and employees of their rights. The Administrator is responsible for statewide field offices located in geographic districts. The Employment Retaliation Administrator directly supervises Employment Retaliation Investigators and office support staff. Responsibilities include review of the most complex and contentious investigations, recommending litigation and assisting in the preparation of lawsuits. Work is performed independently under the administrative supervision of the Labor Standards Director.

I. SUPERVISORY/MANAGERIAL FUNCTIONS:

Planning - Employee develops annual plans for case management and program goals, office objectives, policies, and procedures that represent the mission of the office and ensures these plans are compatible with the overall division objectives, employer trends and legal patterns and timelines. Employee provides primary case management and is responsible for day to day supervision of the WORD Office intake and compliance programs. This includes balancing workloads and establishing priorities assuring prompt reaction to complaints and inquiries and proper closure of cases. The Administrator works with management in the development of overall program strategy for gaining compliance REDA. While major issues that impact programs are brought to the attention of the Labor Standards Director, problems encountered by investigators in the district offices are resolved independently.

Organizing and Directing - Employee independently develops, changes and adjusts assignments, work schedules and work flow, working with compliance and intake staff. Employee makes adjustments in operations, organizational design, and standards to respond to changing caseloads or to accommodate special circumstances that surround special investigations involving other Department offices. Employee may discuss unusual or significant changes in organization and program modifications with the Labor Standards Director.

Budgeting - Employee is responsible for administering the functions of the Office within the authorized budget. Responsibilities include monitoring expenditures and approving changes, coordinating with the Labor Standards Director and the departmental Budget Office. Employee is responsible for recommending expansion budget proposals and justification of needs.

Training - Employee evaluates training needs of the staff and personally or delegates training of new staff. Employee participates in the formal instruction given to new and current staff members, with primary responsibility for content development. Provides on the job training to subordinate staff in areas of work supervised or identifies other sources of training.

Setting Work Standards - Employee is responsible for ensuring that work is carried out in accordance with established office standards and procedures in accordance with the Office's operations manual. Employee develops operating procedures and rules, ISO quality and quantity work standards, and guidelines to aid staff in regular work assignments. Work requires employees to conduct team meetings with WORD staff to develop new and modify existing policies, procedures, and standards.

Reviewing Work - Work involves periodically auditing cases completed by the enforcement staff for completeness of the investigation and documentation, adherence to policies and procedures as well as timeliness and soundness of decisions.

Technical assistance is provided to subordinates as problems and issues occur. Unresolved legal issues are referred to Legal Affairs for review. Employee conducts annual Performance Management Program review sessions with those employees directly supervised, to discuss performance of work completed and in progress and to develop plans for corrective action as needed.

Counseling and Disciplining - Employee resolves disciplinary and other employee relations problems. Employee initiates oral and written warnings and/or recommends more serious disciplinary actions to the Labor Standards Director.

Performing Other Personnel Functions - Employee recruits and interviews applicants for vacant positions and makes recommendations for new hires to the Director. Employee makes recommendations for staff promotion, salary increases, and/or dismissal.

II. SCOPE AND NATURE OF WORK SUPERVISED:

Dynamics of Work Supervised - Work is dependent on changes in the legislation enforced, changing state and federal guidelines, shifting emphasis on program goals and objectives, and related employment laws and regulations, as well as internal procedural and policy changes.

Variety of Work Supervised - Employee is responsible for the supervision of investigators and support staff engaged in the enforcement of the North Carolina Retaliatory Employment Discrimination Act.

Number of Employees Responsible For - Employee supervises a staff of approximately 10 professional and office support personnel.

III. EXTENT OF SUPERVISION RECEIVED: Employee is responsible for quality and quantity of services provided. Work may be periodically reviewed during meetings with the Labor Standards Director to discuss administrative and unresolved case problems.

IV. SPECIAL ADDITIONAL CONSIDERATIONS:

Supervision of Shift Operations – N/A

Fluctuating Work Force – N/A

Physical Dispersion of Employees – Employees are located throughout the state.

V. RECRUITMENT STANDARDS:

Knowledges, Skills and Abilities - Thorough knowledge of the legal aspects of administering the Retaliatory Employment Discrimination Act, and all acts protecting employees in the workplace: the Wage and Hour Act; the Fair Labor Standards Act; Occupational Safety and Health Act; Workers' Compensation Act; Mine and Safety and Health Act; and portions of law protecting against discrimination based on persons possessing sickle cell trait or hemoglobin C trait, genetic testing information, those who participate in the juvenile justice system, or those who serve in the North Carolina National Guard. Thorough knowledge of Attorney General's rulings, State and Supreme Court rulings on wage and hour issues, and as applied to the authority of the investigator to subpoena records and conduct audits. Ability to plan, coordinate, and supervise statewide compliance and intake staff. Ability to interpret legislation and regulations to advise staff and the public on application of the law. Ability to effectively resolve conflicts and mediate settlement. Ability to establish and maintain effective working relationships with employees, employers and their advisors. Ability to delegate to investigators and hold them accountable. Ability to communicate findings effectively in oral and written form, particularly in relation to the summarization and presentation of case findings to the Attorney General's office.

Minimum Training and Experience Requirements - Graduation from a four year college or university preferably with a business, industrial or labor relations or law enforcement related degree, and six years of experience in discrimination investigations or legal or regulatory investigations, including occupational safety and health investigations, wage and hour or workers' compensation programs, preferably including at least four years of experience as an employment, legal or regulatory investigator and two years of supervisory or administrative experience; or an equivalent combination of education and experience.

Special Note – This is a generalized representation of positions in this class and is not intended to identify essential functions per ADA. Examples of work are primarily essential functions of the majority of positions in this class, but may be applicable to all positions.