

CIVIL RIGHTS INVESTIGATOR

Work in this class involves investigational work in the enforcement of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. Employees are assigned to the Office of Administrative Hearings. Employees conduct investigations of charges of discrimination covered by applicable statutes filed by applicants for state employment, covered state employees and former state employees. Employees conduct pre-investigative activities, investigative planning, technical report writing, settlement activities, post-investigative activities, and other ongoing duties and responsibilities associated with management of an investigative caseload. Employees may serve as a lead investigator to ensure compliance with technical, procedural, jurisdictional, deferral, and unit requirements.

I. DIFFICULTY OF WORK:

Variety and Scope: - Employees organize and prepare charge files, develop all sources of evidence, inspect Respondent facilities, review, examine and audit Respondent's personnel policies and practices, interpret compliance with State and Federal nondiscrimination statutes, draft authoritative reports, conclusions of law, and determination on the merits of the allegation(s) to include relief and recommendations for the final disposition of assigned cases.

Intricacy: - Considerable independent judgment is required in determining the scope of investigations, the body of evidence required to make a determination, evaluating findings of fact and determining the extent of potential unlawful employment discrimination. Employees use initiative and resourcefulness in interpreting existing policies and procedures.

Subject Matter Complexity: - Caseload may include complex investigations in which the evidence is circumstantial, where no applicable precedent exists, where evidence is conflicting or where proof of violations is difficult to establish. Employees resolve these issues in order to assure appropriate compliance and enforcement of applicable laws in the timely closure of cases.

Guidelines: - Guidelines include applicable laws, investigation and conciliation manuals, EEOC directives, OAH directives, court decisions, administrative law reference materials and State and Federal regulations. Guidelines are highly technical in nature and are subject to continuous interpretation and revision as a result of court decisions, new legislation and administrative practices.

II. RESPONSIBILITY:

Nature of Instructions: - Employees receive case assignment and technical direction from supervisor. Employees establish work priorities within guidelines, and independently schedules, coordinates, evaluates and completes work assignments.

Nature of Review: - Work is reviewed in terms of technical accuracy and compliance with general policies. Employees' recommendations are reviewed but are usually accepted as being technically correct.

Scope of Decisions: - Work may have a significant impact on individual employees or an entire class of employees.

Consequence of Decisions: - Errors in work usually require a complete reconstruction of the investigative file and substantial loss of time and resources. Errors may have serious repercussions on the award of monetary damages and future litigation worthiness factors, may result in major changes in Respondent's personnel policies and practices and can affect the rights and economic welfare of entire classes of employees.

III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts: - Contacts are with the complainant, attorneys, human resources and other agency staff, EEOC staff, managers and supervisors. Contacts range from request for information to scheduling of interviews, planning onsite reviews, conducting investigative conferences, participating in negotiation, facilitating pre-settlement discussions and directing fact-finding.

Nature and Purpose: - Contacts are designed to solicit information needed to determine the merits of the allegations and scope of the investigation or evaluate the evidence presented, to establish a timetable for conveyance of evidence, to explain the investigative process including timeframes and rights of appeal, to determine and clarify points of contention or dispute, to convey the terms of settlement or facilitate discussion with disputed parties.

IV. OTHER WORK DEMANDS:

Working Conditions: - Employees work in an office environment. Visits are to field work sites including mental health facilities, prisons, equipment depots, university campuses, and county government facilities.

Hazards: - Employees experience prolonged sitting during travel, interviews and conferences; and prolonged use of computer.

V. RECRUITMENT STANDARDS:

Knowledges, Skills, and Abilities:

Through knowledge of the laws being enforced to include Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 and the Americans with Disabilities Act of 1990 and their implementing regulations, rules, guidelines, and procedures applicable to employment discrimination issues.

Knowledge of rules governing employment and legal sanctions for unlawful discrimination; knowledge and understanding of the methods of collecting evidence and standards of proof used in unlawful discrimination.

Knowledge of employment practices in the public sector.

Skill in negotiating remedies in cases for which there is no specific precedents.

Skilled in analyzing and interpreting statistical data related to personnel and employment.

Skilled in identifying and defining cause and affect relationships, which result in unlawful discrimination.

Minimum Training and Experience Requirements:

Graduation from a four-year college or university and two (2) years of experience in personnel administration, employee relations, labor relations, civil rights enforcement or related field, which provides an understanding of employment programs, laws and issues; or an equivalent combination of training and experience.

All degrees must be received from appropriately accredited institutions.

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 not be applicable to all positions.